

# Legislative Journal

WEDNESDAY, MARCH 10, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 111

## HOUSE OF REPRESENTATIVES

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

### PRAYER

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

This morning hour, O God, we draw near to Thee with the prayer that Thou wilt blest this assemblage with Thy presence, Thy counsel, and Thy peace. In the deliberations which face these workmen and the discussions they share, challenge them to seek the relevancy of today's world, the competency of Thy truth, and the completion of concerted action in Thy name. This we ask to the honor, the glory, and the praise of Thy blest name, who liveth and reigneth forever and ever, world without end. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, March 9, 1976, will be postponed until printed.

### HOUSE BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was read:

#### HOUSE BILL No. 1758

An Act, authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Borough of New Brighton, Beaver County, Pennsylvania, three tracts of land.

Whereupon,

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

### MASTER ROLL CALL

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

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leave of absence for Messrs. HILL and ZORD for today's session.

The SPEAKER. Without objection, leaves are granted. (Mr. Hill canceled his leave later and reported for session.)

The roll was taken and was as follows:

#### YEAS—190

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

#### NOT VOTING—6

DiDonato	O'Connell	Rappaport	Zord
McGraw	O'Donnell		

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

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEE

By Messrs. RENWICK, BENNETT, ARTHURS,

A. C. FOSTER, GEORGE, LEVI, WESTERBERG,  
YAHNER, ENGLEHART, TURNER and FEE

**HOUSE BILL No. 2192**

An Act amending the act of August 12, 1971 (P. L. 299, No. 75), entitled "An act regulating snowmobiles, providing for registrations and fees, and providing penalties," providing for the transferability of numbers assigned to snowmobiles.

Referred to Committee on Transportation.

By Messrs. GALLAGHER and PANCOAST

**HOUSE BILL No. 2193**

An Act amending "The Library Code," approved June 14, 1961 (P. L. 324, No. 188), authorizing additional State aid.

Referred to Committee on State Government.

By Messrs. GREENFIELD, RIEGER, PIEVSKY,  
SALVATORE, LEDERER, MCGINNIS and  
McINTYRE

**HOUSE BILL No. 2194**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), regulating the possession and consumption of liquor or malt or brewed beverages in unlicensed establishments.

Referred to Committee on Liquor Control.

By Messrs. PETRARCA, GREENFIELD, RIEGER,  
PIEVSKY, MOEHLMANN, HASAY, CUMBERLAND,  
MCGINNIS, SALOOM, A. K. HUTCHINSON,  
KOLTER and LAUGHLIN

**HOUSE BILL No. 2195**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the stocking and sale of miniature bottles of liquor at Pennsylvania liquor stores.

Referred to Committee on Liquor Control.

By Messrs. A. K. HUTCHINSON, SALOOM,  
PETRARCA, LAUDADIO and SCHMITT

**HOUSE BILL No. 2196**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania prohibiting the Supreme Court from suspending laws enacted by the General Assembly.

Referred to Committee on Judiciary.

By Messrs. FISHER, KNEPPER, COWELL,  
TADDONIO, KELLY and MILLIRON

**HOUSE BILL No. 2197**

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), restricting reassessments on property of certain senior citizens.

Referred to Committee on Local Government.

By Messrs. IRVIS, WOJDAK, BUTERA,  
MANDERINO, Mrs. KELLY, Messrs. RICHARDSON,  
LEDERER, JOHNSON, SELTZER and BERSON

**HOUSE BILL No. 2198**

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), entitled, as amended, "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; providing state probation services; establishing the Pennsylvania Board of Probation and Parole; \*\*\*" changing the method of fixing the salaries of the chairman and members of the Pennsylvania Board of Probation and Parole and making an appropriation.

Referred to Committee on Law and Justice.

By Messrs. M. P. MULLEN and MEBUS

**HOUSE BILL No. 2199**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding provisions making unlawful the purchase or sale of articles from which identification marks have been removed.

Referred to Committee on Judiciary.

By Messrs. HASAY, WILSON, MCGINNIS and  
and CESSAR

**HOUSE BILL No. 2200**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), exempting vehicles owned by a church from title and registration fees.

Referred to Committee on Transportation.

By Messrs. WANSACZ, ENGLEHART,  
PRENDERGAST, BRUNNER, TAYLOR,  
BELLOMINI, LETTERMAN, GOODMAN,  
SALOOM, MANDERINO, A. K. HUTCHINSON,  
KOLTER, CAPUTO, GEISLER, DREIBELBIS  
and MUSTO

**HOUSE BILL No. 2201**

An Act amending the act of June 22, 1931 (P. L. 844, No. 274), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts, vocational school districts, and institution districts to make contracts of life, health, hospitalization medical services, \*\*\*" clarifying provisions relating to State annuitants and including vestees.

Referred to Committee on State Government.

By Messrs. O'BRIEN and O'CONNELL

**HOUSE BILL No. 2202**

An Act amending the act of December 11, 1967 (P. L. 707, No. 331), referred to as the State Horse Racing Law, further providing for incorporation.

Referred to Committee on State Government.

By Messrs. GALLEN, L. E. SMITH, BUTERA,  
FRYER, IRVIS and RYAN

**HOUSE BILL No. 2203**

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for certain information to appear in all publications.

Referred to Committee on State Government.

By Messrs. WAGNER, ARTHURS, FEE and  
W. D. HUTCHINSON

**HOUSE BILL No. 2204**

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), providing for the availability of certain plans and contract documents at the city hall and authorizing a fee.

Referred to Committee on Local Government.

By Messrs. WAGNER, ARTHURS, FEE and  
W. D. HUTCHINSON

**HOUSE BILL No. 2205**

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for the availability of certain plans and contract documents at the township offices and authorizing a fee.

Referred to Committee on Local Government.

By Messrs. WAGNER, ARTHURS, FEE and  
W. D. HUTCHINSON

**HOUSE BILL No. 2206**

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), providing for the availability

of certain plans and documents at the county courthouse and authorizing a fee.

Referred to Committee on Local Government.

By Messrs. WAGNER, ARTHURS, FEE and  
W. D. HUTCHINSON **HOUSE BILL No. 2207**

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for the availability of certain plans and contract documents at the township offices and authorizing a fee.

Referred to Committee on Local Government.

By Messrs. WAGNER, W. D. HUTCHINSON,  
ARTHURS and FEE **HOUSE BILL No. 2208**

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), providing for the availability of certain plans and contract documents at the borough hall and authorizing a fee.

Referred to Committee on Local Government.

By Messrs. CESSAR, CAPUTO, J. B. KELLY,  
GEISLER, FISHER, TADDONIO, FLAHERTY,  
MRKONIC, TRELLO, ABRAHAM, MISCEVICH,  
MENHORN, RAVENSTAHL, NOVAK, COWELL,  
Mrs. GILLETTE, Mrs. KERNICK, Messrs.  
VALICENTI and ITKIN **HOUSE BILL No. 2209**

A Supplement to the act of May 22, 1933 (P. L. 835, No. 155), known as "The General County Assessment Law," providing for a three year stay in increases in assessments in counties of the second class.

Referred to Committee on Local Government.

By Messrs. GILLESPIE, O'KEEFE, DOYLE,  
GARZIA, STAPLETON, BERLIN, BELLOMINI,  
DOMBROWSKI, LAUDADIO, PETRARCA,  
GIAMMARCO, SALOOM and LINCOLN  
**HOUSE BILL No. 2210**

An Act amending the act of May 25, 1933, (P. L. 1016, No. 226), entitled, "An act relating to aeronautics; \*\*\*; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts;" further providing for powers of the commission.

Referred to Committee on Transportation.

By Messrs. GILLESPIE, O'KEEFE, DOYLE, GARZIA,  
STAPLETON, BERLIN, BELLOMINI,  
DOMBROWSKI, LAUDADIO, PETRARCA,  
SALOOM, LINCOLN, GIAMMARCO and ROSS  
**HOUSE BILL No. 2211**

An Act amending "The Aeronautical Code," approved May 25, 1933 (P. L. 1001, No. 224), further providing for the regulation of air space; further relating to aircraft design; further regulating certain nonresidents and changing penalty provisions.

Referred to Committee on Transportation.

## SENATE MESSAGE

### BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 21

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929,"

changing the confirmation requirements for certain gubernatorial appointments.

Referred to Committee on State Government.

#### SENATE BILL No. 31

An Act permitting any person required to serve as a juror to absent himself from any service or employment in which he is the engaged or employed; prohibiting employers from dismissing or threatening to dismiss such persons; granting such persons civil relief.

Referred to Committee on Law and Justice.

#### SENATE BILL No. 493

An Act amending the act of May 25, 1945 (P. L. 1050, No. 394), entitled "Local Tax Collection Law," changing provision relating to discounts and penalties on taxes.

Referred to Committee on Finance.

#### SENATE BILL No. 964

An Act amending the act of May 29, 1956 (P. L. 1845, No. 611) entitled "Regional Planning Law," further providing for the composition of regional planning commissions.

Referred to Committee on State Government.

#### SENATE BILL No. 1025

An Act relating to mental health procedures; providing for the treatment and rights of mentally disabled persons for voluntary and involuntary examination and treatment and for determinations affecting those charged with crime or under sentence.

Referred to Committee on Health and Welfare.

#### SENATE BILL No. 1094

An Act amending the act of October 20, 1966 (3rd Sp. Sess. P. L. 96, No. 6) entitled "Mental Health and Mental Retardation Act of 1966," deleting certain references and making repeals.

Referred to Committee on Health and Welfare.

#### SENATE BILL No. 1096

An Act authorizing the Department of General Services, with the approval of the Department of Public Welfare, the Department of Transportation and the Governor to convey to the Chartier Valley School District 24.115 acres of land more or less situate in Collier Township, Allegheny County, Commonwealth of Pennsylvania.

Referred to Committee on State Government.

#### SENATE BILL No. 1273

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the election of the Attorney General and providing for his qualifications.

Referred to Committee on Judiciary.

## SENATE MESSAGE

### RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented for concurrence resolution numbered and entitled as follows:

#### SENATE RESOLUTION No. 233

Memorializing Congress to extend unemployment compensation for an additional 13 weeks.

Referred to Committee on Rules.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. BERLIN, FINEMAN, IRVIS, GALLAGHER,  
SHANE AND WOJDAK

#### RESOLUTION No. 222

The Health and Welfare Committee examine the procedures and standards for immunization within the Commonwealth to assure that the residents are protected from diseases.

Referred to Committee on Rules.

By Messrs. SALOOM, A. K. HUTCHINSON,  
PETRARCA, MANDERINO, LAUDADIO, SCHMITT,  
MENHORN, YAHNER, SHELHAMER,  
Mrs. KERNICK, Messrs. KOLTER, GOODMAN,  
MISCEVICH, TAYLOR, LETTERMAN and  
LINCOLN

#### RESOLUTION No. 223

The Speaker of the House of Representatives appoint a special task force committee consisting of seven members, four from the majority and three from the minority, to study, investigate, and report to the House, the feasibility of incorporating the Interstate Highway System or portions thereof, especially Interstate Routes 80 and 90 into the toll highway system presently functioning within the Commonwealth.

Referred to Committee on Rules.

By Messrs. HASAY, WILSON, MCGINNIS, POLITE,  
WEIDNER and CESSAR

#### RESOLUTION No. 224

The House of Representatives of the Commonwealth of Pennsylvania memorializes the Congress of the United States to enact legislation that will eliminate the annual filing of income tax returns by churches.

Referred to Committee on Rules.

By Mr. RAPPAPORT

#### RESOLUTION No. 225

The Joint State Government Commission study the manner in which the use of uniform accounting standards could be accomplished in this Commonwealth and draft the needed legislation.

Referred to Committee on Rules.

By Messrs. RICHARDSON and ZEARFOSS

#### RESOLUTION No. 226

The standing subcommittee on cities of the first class of the Committee on Urban Affairs of the House of Representatives may hold hearings, take testimony, and make its investigation at such places as it deems necessary within this Commonwealth.

Referred to Committee on Rules.

By Messrs. YAHNER, W. W. WILT, Mrs. KELLY,  
Messrs. MILLIRON and HILL

#### RESOLUTION No. 227

The House of Representatives direct the House Health and Welfare Committee to study and investigate all matters pertaining to the capacity of Cresson State School to adequately care for mentally retarded persons and to further determine the extent that any hazardous conditions that might exist at Cresson State School are attributable to the condition of the building and other facilities or to inadequate administration if in fact any such conditions do exist.

Referred to Committee on Rules.

### CALENDAR

#### TRANSPORTATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1817, printer's No. 2774**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding revised, compiled and codified provisions relating to vehicles.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 6306), page 308, line 7, by inserting after "(a).": In addition, the issuing authority shall collect from the defendant and pay to the applicable police department the costs of attendance at the hearing of any police officers reasonably required to prove the case for the Commonwealth.

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Mr. Speaker, to continue reading the amendments of yesterday:

Amend Sec. 1 (Sec. 6306), page 308, line 7, by inserting after "(a).": In addition, the issuing authority shall collect from the defendant and pay to the applicable police department the costs of attendance at the hearing of any police officers reasonably required to prove the case for the Commonwealth.

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

Mr. GREENFIELD. Mr. Speaker, may I interrogate the sponsor, please?

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

Mr. BONETTO. Yes.

The SPEAKER. The gentleman may proceed.

Mr. GREENFIELD. Mr. Speaker, did I understand you to say that your amendment would require the defendant in a traffic violation matter to pay for the time that an officer spends in court in that matter?

Mr. BONETTO. That is correct.

Mr. GREENFIELD. I oppose this amendment, Mr. Speaker, on the basis that we are violating the rights of the defendant in this type of situation. I believe it is the right of anyone accused of a crime to have that person, particularly if he is a police officer, come into court and certify the charges and the circumstances and the facts and be questioned if necessary.

Mr. Speaker, this bill—and I find many objections in this bill along that line—is not set up as a money-raising or a revenue-raising bill. Yet throughout the bill, and in this particular instance, we are again concerned with revenue raising and the appropriation thereof.

Mr. Speaker, this is a traffic safety bill, and we should concentrate in that vein in that particular line.

I oppose this amendment as a violation of the rights of the defendant. I think we are going entirely too far. We are getting out the old club and hitting the taxpayer

and the citizens on the head real good with this amendment and much in this particular bill.

Thank you, Mr. Speaker.

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

Mr. MENHORN. Thank you, Mr. Speaker.

I would rise to support this amendment. Having been involved with local government for the past 7 years, I know what it is costing the local police departments—I am talking about the municipal departments—to provide police witnesses, particularly at traffic-fine hearings.

Since the advent of the so-called no-fix ticket, a large percentage of violators have been automatically pleading not guilty, sending in their fine, asking for a hearing, hoping perhaps that they will find someone who may know the local magistrate and get the hearing thrown out.

I agree with Mr. Greenfield—it is putting a bit of a club over the head of perhaps some of the taxpayers. But I think it is a legitimate club, that he is going to think twice about asking for a hearing if he realizes that if he is found guilty, he is going to have to pay the additional cost of having that police witness at the hearing. I would ask this House to support this amendment.

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

Mr. RITTER. Mr. Speaker, I rise to oppose the amendment.

This seems to me to be putting an entirely new concept in the area of offenses under the Motor Vehicle Code. We have instances in my particular county in the regular session of criminal court, which can and does include misdemeanors and felonies under the Motor Vehicle Code, where we have police officers now sitting for as long as 4 and 5 days in court simply because their cases have not been called either by the district attorney or for whatever reasons. If you adopt this amendment, then those costs, over which the defendant has no control either, are going to be imposed on the defendant, and it seems to me that they would be imposed whether or not he is innocent or guilty.

I just cannot see that we should get involved in a concept like this. I think it would set up uneven fines and costs in the Commonwealth and it may very well be unconstitutional on that ground.

I think because of all the problems involved, the additional paperwork to keep records to prove how many hours the police officer spent, for all of those reasons, I think the amendment should be defeated.

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

Mr. BEREN. Mr. Speaker, I also oppose this amendment. I think the gentleman who offers the amendment is correct in being concerned about the cost to local government when police officers are forced to go to court and sit around court for a number of days and, as a result of their contracts, the municipalities are hit with time and a half and so on. But I do not think that is the problem here. This is a summary offense. I find it quite onerous to raise the additional problem for a person who is charged with an alleged violation of the traffic code that he or she might not only have to face

the problem of appearing before a local magistrate and paying the fine but have the additional onerous burden of paying the cost of the police officer who appears. I just do not think that is fair; I do not think it is proper, and I am opposed to it.

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

Mr. MENHORN. Mr. Speaker, thank you.

I thought it was made clear that this would be collectible only in the case where the defendant is found guilty. I think there are entirely—and I am going to say it again—too many frivolous appeals to the magistrate's court.

I am not talking about any court other than the magistrate. If he is bound over on an offense to court, then I do not think that that additional fee should be collectible. But at the magistrate level, I believe very strongly in this.

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

Mr. YOHN. Mr. Speaker, I also rise to oppose the amendment but for a slightly different reason. It seems to me the problem with the amendment is that it specifies that the costs that shall be paid shall be the costs of attendance at the hearing of any police officers. Now I am not clear from the wording of the amendment just what that means. Does that mean the normal statutory witness fee and mileage to which a witness would be entitled? Or does it in fact mean the actual cost to the municipality which might be time and a half or double time if it is overtime? Or does it in fact mean nothing in the event that the police officer is on duty and does not have to be paid anything extra for that appearance?

I think that because of that ambiguity, the amendment should be defeated. If, as Mr. Bonetto has now indicated, it means time and a half or double time for the police officer, then I think you are getting into an extremely substantial cost in a summary offense, and I think the amendment should be defeated for that reason.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Fischer.

Mr. FISCHER. Mr. Speaker, I rise to speak in support of this particular amendment because I am very well aware of the financial problems that local communities are having right now, and a major drain on small communities right now and their finances and their budgets is the cost of sending police officers to these hearings. I do not think that the taxpayer, the property owner and so forth should have to bear these costs of paying for policemen and the time that they spend in court and so forth. And, as some people have indicated, the double time and so forth is there.

So I think that we should support this amendment. The person who does commit this crime and is found guilty should have to bear the cost, not the taxpayers or the senior citizens whom all of us represent but who right now have great financial problems, and not our local municipalities who right now are looking for ways simply to balance their budgets. Thank you.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—24

Abraham	Davies	Geesey	Miscevich
Anderson, J. H.	Dietz	Hayes, S. E.	Noye
Barber	Dorr	Kolter	Pancoast
Cessar	Doyle	Lehr	Pitts
Cowell	Fischer	Menhorn	Ross
Crawford	Foster, A.	Miller, M. E.	Stahl

NAYS—153

Arthurs	Gleason	McIntyre	Shelhamer
Bellomini	Goodman	McLane	Shelton
Bennett	Green	Mebus	Shuman
Beren	Greenfield	Milanovich	Stapnik
Berlin	Grieco	Miller, M. E., Jr.	Sirianni
Berson	Halverson	Milliron	Smith, E.
Bittle	Hamilton, J. H.	Moehlmann	Smith, L.
Bonetto	Hasay	Morris	Spencer
Bradley	Haskell	Mrkonlc	Stapleton
Brunner	Hayes, D. S.	Mullen	Taddonio
Burns	Hepford	Mullen, M. P.	Taylor
Butera	Hopkins	Musto	Thomas
Caputo	Hutchinson, A.	Myers	Toll
Cimini	Hutchinson, W.	Novak	Trello
Cole	Itkin	O'Brien	Turner
Cumberland	Irvic	O'Keefe	Ustynoski
DeMedio	Johnson, J.	Oliver	Valcenti
Deverter	Katz	Parker, H. S.	Vroon
Dicarlo	Kelly, A. P.	Perri	Wagner
DiDonato	Kelly, J. B.	Petrarca	Wanacz
Dininni	Kernick	Plevsky	Wargo
Dombrowski	Klingaman	Polite	Weidner
Eckensberger	Knepper	Prendergast	Westerberg
Englehart	Kowalishyn	Pyles	Whelan
Fawcett	Kusse	Ravenstahl	Wilson
Fee	LaMarca	Reed	Wilt, R. W.
Fisher	Laudadio	Renninger	Wilt, W. W.
Flaherty	Laughlin	Renwick	Wojdak
Foster, W.	Lederer	Richardson	Worrlow
Fryer	Letterman	Rieger	Wright
Gallagher	Levi	Ritter	Yahner
Gallen	Lincoln	Ryan	Yohn
Garzia	Lynch	Saloom	Zearfoss
Gelsler	Mandertno	Salvatore	Zeller
George	Manmiller	Scheaffer	Zwikl
Grammarco	McCall	Schmitt	
Gillespie	McClatchy	Schweder	Fineman, Speaker
Gillette	McCue	Scirica	
Gleason	McGinnis	Seltzer	

NOT VOTING—19

Brandt	Hill	Perry	Shane
Cohen	Kistler	Pratt	Stout
Dreibelbis	McGraw	Rappaport	Walsh, T. P.
Gring	O'Connell	Rhodes	Zord
Hammock	O'Donnell	Ruggiero	

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

QUESTION OF PERSONAL PRIVILEGE

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

Mr. BARBER. I rise to a question of personal privilege. The SPEAKER. The gentleman will state it.

Mr. BARBER. Mr. Speaker, on Mr. Bonetto's first amendment this morning to House bill No. 1817, I meant to vote "no" and I voted "yes." I would like to be recorded in the negative, please.

The SPEAKER. The remarks of the gentleman will be noted for the record.

Mr. BARBER. And also for Mr. Sam Ross.

The SPEAKER. For Mr. who?

Mr. BARBER. Mr. Ross.

The SPEAKER. Well, when Mr. Ross gets here, tell him I will recognize him.

Mr. BARBER. Mr. Speaker, I am very sorry about that, but he had to go to the men's room and he told me to vote "no" and I voted "yes."

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 1571), page 129, line 7 by striking out "not less than \$50." and inserting: \$100.

Amend Sec. 1 (Sec. 1960), page 158, line 6 by striking out "\$2.50." and inserting: \$5.

Amend Sec. 1 (Sec. 3323), page 177, line 13 by striking out "without stopping"

Amend Sec. 1 (Sec. 3341), page 183, line 4 by inserting after "barrier.—": (1)

Amend Sec. 1 (Sec. 3341), page 183, line 7 by inserting a period after "closed" where it appears the first time

Amend Sec. 1 (Sec. 3341), page 183, line 7 by striking out "or is being opened or closed."

Amend Sec. 1 (Sec. 3341), page 183, by inserting between lines 7 and 8:

(2) No person shall start to drive a vehicle through, around or under a gate or barrier at the entrance to a railroad crossing while the gate or barrier is being opened or closed.

Amend Sec. 1 (Sec. 3345), page 187, line 29 by striking out "not less than \$50 nor more than"

Amend Sec. 1 (Sec. 4702), page 257, line 7 by striking out "60" and inserting: 30

Amend Sec. 1 (Sec. 6108), page 289, line 7 by inserting after "vehicles.": Such modifications and alterations shall expire at the end of the emergency period.

Amend Sec. 1 (Sec. 6112), page 293, line 23 by striking out "not less than \$5 nor more than \$25." and inserting: \$10.

Amend Sec. 1 (Sec. 6304), page 305, lines 28 through 30; page 306, lines 1 through 23 by striking out all of said lines

Amend Sec. 1 (Sec. 6305), page 306, line 24 by striking out "6305" and inserting: 6304

Amend Sec. 1 (Sec. 6306), page 307, line 24 by striking out "6306" and inserting: 6305

Amend Sec. 1 (Sec. 6307), page 308, line 8 by striking out "6307" and inserting: 6306

Amend Sec. 1 (Sec. 6308), page 308, line 13 by striking out "6308" and inserting: 6307

Amend Sec. 1 (Sec. 6309), page 309, line 7 by striking out "6309" and inserting: 6308

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. Mr. Speaker, I would like to request that Mr. Ritter take the microphone. The amendments that we are talking about are the amendments that were discussed in caucus.

Let us begin reading the amendments:

Amend Sec. 1 (Sec. 1571), page 129, line 7 by striking out "not less than \$50." and inserting: \$100.

Amend Sec. 1 (Sec. 1960), page 158, line 6 by striking out "\$2.50." and inserting: \$5.

Amend Sec. 1 (Sec. 3323), page 177, line 13 by striking out "without stopping"

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Beren, rise?

Mr. BEREN. Mr. Speaker, if I have a question on any one of these changes, would Mr. Bonetto prefer that I raise it now or raise it after?

Mr. BONETTO. After, at the end.

(Reading:)

Amend Sec. 1 (Sec. 3341), page 183, line 4 by inserting after "barrier.—": (1)

Amend Sec. 1 (Sec. 3341), page 183, line 7 by inserting a period after "closed" where it appears the first time

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Pyles, rise?

Mr. PYLES. Mr. Speaker, I have gone through every amendment that has been laid out by the pages on our desks and I cannot follow these amendments. Are these the Ritter amendments? I have three and I cannot find any of the—

The SPEAKER. Is there any identification on the top of this particular amendment, Mr. Bonetto?

Mr. BONETTO. These are amendments to House bill No. 1817, and we are starting out at page 129 and going through page 309.

The SPEAKER. Do they have your name on top?

Mr. BONETTO. Right; they have my name on top of the amendment.

The SPEAKER. Is there any identifying number of the amendment other than the bill number?

Mr. BONETTO. No.

Mr. PYLES. We did not ever receive these. Mr. Speaker.

Mr. BONETTO. These were all passed out.

The SPEAKER. The amendment begins "Amend Sec. 1 (Sec. 1571), page 129 . . ."

Mr. BONETTO. That is correct.

The SPEAKER. Does most everybody have that?

Mr. BONETTO. They were all passed out yesterday, last night, so they should be on your desks.

#### AMENDMENTS PASSED OVER TEMPORARILY

The SPEAKER. How many members do not appear to have that amendment?

Will the clerk please arrange to make certain that a copy of this particular amendment is distributed immediately?

Mr. Bonetto, would you pass on to another amendment until this is prepared and distributed?

Mr. BONETTO. Fine.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 4921), page 271, line 21, by striking out "in bulk"

Amend Sec. 1 (Sec. 4921), page 271, lines 24 and 25, by striking out "14 feet 6 inches" and inserting: 12 feet

Amend Sec. 1 (Sec. 4921), page 271, line 27, by striking out "25" and inserting: five

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. Mr. Speaker, the next amendments that we have are in reference to requests that were made by Mr. Anderson and Mr. Shelhamer. If they will both take the mike in the event of any questions, I will read the following amendments:

Amend Sec. 1 (Sec. 4921), page 271, line 21, by striking out "in bulk"

Amend Sec. 1 (Sec. 4921), page 271, lines 24 and 25, by striking out "14 feet 6 inches" and inserting: 12 feet

Amend Sec. 1 (Sec. 4921), page 271, line 27, by striking out "25" and inserting: five

I will yield to Mr. Shelhamer.

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

Mr. SHELHAMER. I have a question for the gentleman.

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

Mr. BONETTO. I will, Mr. Speaker.

Mr. SHELHAMER. Mr. Speaker, the amendment that the chairman of the Transportation Committee covers would reduce this section at this point, but we have another amendment to reinstate this at a later place. Would you rather have the debate on this particular amendment reducing this section, Mr. Speaker, or would you rather wait until the other amendment comes up?

Mr. BONETTO. If this amendment clarifies what you are interested in, there would be no need for the other amendment. Am I correct?

Mr. SHELHAMER. Except part of this amendment, the second part of it, is a reducing amendment which we do not agree with. We do agree with the first part. There is a second amendment which Mr. Anderson and I have at a later date that would reinstate this language in another section of the code.

Mr. BONETTO. Well, I will tell you what: If this amendment is agreeable, then we ought to accept this amendment and then debate the other amendment when it is brought to the floor.

Mr. SHELHAMER. Okay, Mr. Speaker.

Mr. BONETTO. Would that be satisfactory?

Mr. SHELHAMER. Very good.

Mr. BONETTO. Then this amendment can be made agreeable.

The SPEAKER. Does the gentleman, Mr. Beren, indicate that this is an agreeable amendment?

Mr. BEREN. Yes, Mr. Speaker, it is.

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

Mr. SALOOM. Mr. Speaker, could this amendment be divided? If so, I would like to divide it so that line 27, reducing 25 miles to 5 miles, be divided from the rest of the amendment.

The SPEAKER. It would certainly appear to be divisible.

#### AMENDMENTS DIVIDED

Mr. SALOOM. I so move.

The SPEAKER. The amendment is divided.

For the attention of the membership, the last two lines, beginning with "Amend Sec. 1" and ending with the word "five", are being separated from the balance of the amendment, and we will vote on the first part of the amendment first.

On the question,

Will the House agree to Part I of the amendments? Part I of the amendments was agreed to.

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

Mr. BONETTO. Mr. Speaker, in dividing this particular amendment, are you now asking for an agreed portion of what he wants to eliminate from the amendment itself or are we going to debate the merits of this particular—

The SPEAKER. The Chair understood the gentleman to be in accord with the first part of the amendment. Is that correct?

Mr. BONETTO. That is the first two sections.

The SPEAKER. Okay. That amendment has been accepted.

We are now on the amendment beginning with "Amend Sec. 1 (Sec. 4921), page 271, line 27, by striking out '25' and inserting: five". That is the amendment that is now before the House.

Mr. BONETTO. Okay.

On the question,

Will the House agree to Part II of the amendments?

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

Mr. SALOOM. Mr. Speaker, under the past Vehicle Code, farmers could move their equipment across state highways within 8 miles of their farms. The registration for a farm vehicle was free. Now we are charging the farmers a \$25 registration fee for their vehicles and we are cutting, under this amendment, the radius that they may travel around their farms to 5 miles. I would like to retain the 25-mile radius.

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

Mr. BONETTO. Mr. Speaker, first of all, the farming industry of Pennsylvania always had the right to move equipment, and permits were issued for that purpose under the present code. What we have done here—and I want to convey to the members and I want you to listen very carefully to what we have done.

This has been agreed to by, let me say, some farmers who are members of this House. The way the paragraph now reads in total is: "Any implement of husbandry not exceeding 14 feet 6 inches in width may BE OPERATED, HAULED OR TOWED between sunrise and sunset on highways other than freeways if the movement is limited to a radius of 25 miles from the home or farm of the owner, OR FROM THE PLACE OF BUSINESS OF A DEALER IN IMPLEMENTS OF HUSBANDRY."

If you recall, some time ago one of the members—I believe from York County—took the Secretary of Transportation to task for permitting house trailers that exceeded the 12-foot width to be moved upon the highways. So in conjunction and thinking that 14 feet 6 inches on some of our secondary highways would create a traffic hazard, it has been agreed to that the 25-mile radius would be cut to 5 miles. We realize that these implements must be moved, but beyond the 5 miles they would be required to go to the Department of Transportation for a permit.

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

Mr. SALOOM. Mr. Speaker, I have been conferring

with the future Secretary of Agriculture, and he asked me to withdraw my objection to this amendment and support an amendment that he will have on this same bill at a later time.

Thank you.

Mr. BONETTO. Mr. Speaker, I appreciate the new secretary.

On the question recurring,

Will the House agree to Part II of the amendments?

Part II of the amendments was agreed to.

On the question,

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

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

Amend Sec. 1 (Sec. 1535), page 115, line 15, by striking out "3712" and inserting: 3711

Amend Sec. 1 (Sec. 1535), page 115, line 18, by removing the comma after "IF"

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. This is primarily a technical amendment, Mr. Speaker.

(Reading:)

Amend Sec. 1 (Sec. 1535), page 115, line 15, by striking out "3712" and inserting: 3711

Amend Sec. 1 (Sec. 1535), page 115, line 18, by removing the comma after "IF"

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

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

Amend Sec. 6, page 340, by inserting between lines 18 and 19:

(c) Removal of vehicles.—Section 3352 of Title 75 (relating to removal of vehicle by or at direction of police) as added by this act shall take effect immediately.

Amend Sec. 6, page 340, line 19, by striking out "(C)" and inserting: (d)

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. Mr. Speaker, this is a very important amendment to the Vehicle Code, which begins on page 340 and inserts between lines 18 and 19—but before I read the contents of this amendment, I think you are entitled to an explanation of why this is being done.

First of all, Act 263, which is the abandoned vehicle law of Pennsylvania, was declared unconstitutional in January by the Supreme Court of Pennsylvania. At the present time there is no abandonment law on the statute books of this Commonwealth.

In the Vehicle Code we have inserted what we believe to be a constitutional piece of legislation that would take



care of the abandoned vehicles in this Commonwealth, and this amendment does that and makes this section of the code effective immediately upon the passage of this code because we have no act at the present time.

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

### ANNOUNCEMENT

The SPEAKER. The Chair is advising the membership that permission has been granted to UPI to take photographs on the House floor.

### MR. KELLY REQUESTED TO PRESIDE

The SPEAKER. Will the gentleman from Allegheny, Mr. Kelly, come to the desk for the purpose of temporarily presiding?

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

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

Amend Sec. 1 (Sec. 4571), page 254, line 2, by inserting after "department.": Police vehicles and fire equipment may be equipped with a mounted rack containing one or more emergency warning lights or side mounted adjustable floor lights, or both.

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

The SPEAKER. The Chair is advised that the amendments that are coming to the desk are only coming in two copies. The rules of the House require that there shall be eight copies of amendments sent to the desk. Please make certain that all future sets of amendments are complete.

Mr. BONETTO. They just received the other copies, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BONETTO. This amendment is being introduced by Mr. Doyle and company. (Reading:)

Amend Sec. 1 (Sec. 4571), page 254, line 2, by inserting after "department.": Police vehicles and fire equipment may be equipped with a mounted rack containing one or more emergency warning lights or side mounted adjustable floor lights, or both.

### THE SPEAKER PRO TEMPORE (James B. Kelly) IN THE CHAIR

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

Mr. BEREN. They are agreed to, Mr. Speaker.

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

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

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

Amend Sec. 1 (Sec. 4572), page 254, lines 21 and 22 by striking out "Vehicles of ambulance and firefighting personnel." and inserting: Flashing or revolving blue lights.

Amend Sec. 1 (Sec. 4572), page 254, line 22 by striking out "and" and inserting a comma

Amend Sec. 1 (Sec. 4572), page 254, lines 22 through 25 by striking out "whose" in line 22, all of lines 23 through 24 and "the nearest station of the Pennsylvania State Police," in line 25 and inserting: and owners and handlers of dogs used in tracking humans

Amend Sec. 1 (Sec. 4572), page 254, lines 27 through 30 by striking out "The manner in which the lights are" in line 27, and all of lines 28 through 30 and inserting:

(1) In order to be eligible to display lights on their vehicles under this subsection, the names of the ambulance personnel and volunteer firefighters shall be submitted to the nearest station of the Pennsylvania State Police on a list signed by the chief of the ambulance or fire department or company and each dog owner and handler shall register at the nearest Pennsylvania State Police station.

(2) The manner in which the lights are displayed and their intensity shall be determined by regulation of the department.

(3) The lights shall be operable by the driver from inside the vehicle.

Amend Sec. 1 (Sec. 4572), page 255, line 1, by striking out "(1)" and inserting: (4)

Amend Sec. 1 (Sec. 4572), page 255, line 3, by striking out "(2) Blue" and inserting: (5) The

Amend Sec. 1 (Sec. 4572), page 255, lines 3 and 4, by striking out "of a" on line 3 and "volunteer firefighter or ambulance personnel" on line 4

Amend Sec. 1 (Sec. 4572), page 255, lines 5 and 6, by striking out "a fire company, fire" on line 5 and "department or ambulance squad" on line 6 and inserting: the ambulance or fire department or company

Amend Sec. 1 (Sec. 4572), page 255, line 6, by striking out "light" and inserting: lights

Amend Sec. 1 (Sec. 4572), page 255, line 8 by striking out "personnel" and inserting: person or upon termination of the person's active status as a dog owner or handler

Amend Sec. 1 (Sec. 4572), page 255, line 10 by striking out "personnel." and inserting: person or dog owner or handler.

Amend Sec. 1 (Sec. 4572), page 255, line 11 by striking out "(3)" and inserting: (6)

Amend Sec. 1 (Sec. 4572), page 255, line 15 by striking out "Other authorized vehicles." and inserting: Flashing or revolving yellow lights.

Amend Sec. 1 (Sec. 4572), page 255, line 18 by striking out "revolving or"

Amend Sec. 1 (Sec. 4572), page 255, line 18 by inserting after "flashing": or revolving

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

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

Mr. BONETTO. The next amendment, Mr. Speaker, begins: (Reading:)

Amend Sec. 1 (Sec. 4572), page 254, lines 21 and 22 by striking out "Vehicles of ambulance and firefighting personnel." and inserting: Flashing or revolving blue lights.

Amend Sec. 1 (Sec. 4572), page 254, line 22 by striking out "and" and inserting a comma

Amend Sec. 1 (Sec. 4572), page 254, lines 22 through 25 by striking out "whose" in line 22, all of lines 23 through 24 and "the nearest station of the Pennsylvania State Police," in line 25 and inserting: and owners and handlers of dogs used in tracking humans

Amend Sec. 1 (Sec. 4572), page 254, lines 27 through 30 by striking out "The manner in which the lights are" in line 27, and all of lines 28 through 30 and inserting:

(1) In order to be eligible to display lights on

their vehicles under this subsection, the names of the ambulance personnel and volunteer firefighters shall be submitted to the nearest station of the Pennsylvania State Police on a list signed by the chief of the ambulance or fire department or company and each dog owner and handler shall register at the nearest Pennsylvania State Police station.

(2) The manner in which the lights are displayed and their intensity shall be determined by regulation of the department.

(3) The lights shall be operable by the driver from inside the vehicle.

Amend Sec. 1 (Sec. 4572), page 255, line 1, by striking out "(1)" and inserting: (4)

Amend Sec. 1 (Sec. 4572), page 255, line 3, by striking out "(2) Blue" and inserting: (5) The

Amend Sec. 1 (Sec. 4572), page 255, lines 3 and 4, by striking out "of a" on line 3 and "volunteer firefighter or ambulance personnel" on line 4

Amend Sec. 1 (Sec. 4572), page 255, lines 5 and 6, by striking out " a fire company, fire" on line 5 and "department or ambulance squad" on line 6 and inserting: the ambulance or fire department or company

Amend Sec. 1 (Sec. 4572), page 255, line 6, by striking out "light" and inserting: lights

Amend Sec. 1 (Sec. 4572), page 255, line 8 by striking out "personnel" and inserting: person or upon termination of the person's active status as a dog owner or handler

Amend Sec. 1 (Sec. 4572), page 255, line 10 by striking out "personnel." and inserting: person or dog owner or handler.

Amend Sec. 1 (Sec. 4572), page 255, line 11 by striking out "(3)" and inserting: (6)

Amend Sec. 1 (Sec. 4572), page 255, line 15 by striking out "Other authorized vehicles." and inserting: Flashing or revolving yellow lights.

Amend Sec. 1 (Sec. 4572), page 255, line 18 by striking out "revolving or"

Amend Sec. 1 (Sec. 4572), page 255, line 18 by inserting after "flashing": or revolving

These are primarily technical amendments, Mr. Speaker.

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

Mr. BEREN. I yield to Mr. Wilson, Mr. Speaker.

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

Mr. WILSON. Will the gentleman, Mr. Bonetto, submit to brief interrogation, please?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Bonetto, submit to interrogation?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WILSON. I did not catch exactly where it was, Mr. Speaker, but I believe on page 254, in your amendment—and I do not have a copy, unfortunately, but I copied down such language that said that the lights shall be operable from inside the vehicle. Is that correct?

Mr. BONETTO. Yes. That is on page 254, lines 27 through 30. It was there before, but it is in a different position, that is all. We just changed the position of it on the page.

Mr. WILSON. Where is it now, Mr. Speaker?

Mr. BONETTO. Same page.

Mr. WILSON. I have found it.

One further question just for the record: Does that indicate that if a person has what I would consider to be a portable light with a magnetic base—one that normally

is inside the vehicle—and at the time of an emergency of some sort he takes it and places it on top of the roof, is that still considered to be operable from the inside even though it may not have a switch to turn it on and off?

Mr. BONETTO. As long as they turn it on and off.

Mr. WILSON. Fine. Thank you.

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

Mr. LINCOLN. Will the gentleman from Allegheny, Mr. Bonetto, consent to interrogation?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, I know that you are repeatedly saying these amendments are technical, but one question I would like to know is: When we started with this amendment, what existed? What were the legal rights of the users of flashing lights and other warning devices?

Mr. BONETTO. Mr. Speaker, what we have done here is, Mr. Arthurs had an amendment that would provide for the owners and handlers of dogs used in the tracking of humans. The moment we inserted that amendment, we had to change all the lines in that entire page. So this became then a technical amendment that changed the entire page of 254.

What I have read to you is on page 254 but on a different line, in a different section. But the only thing that the amendment really does is add to that section: "and owners and handlers of dogs used in tracking humans".

Mr. LINCOLN. Okay, fine.

Mr. BONETTO. The rest of it is the same. The only thing is that we shifted it in the page and we had to change the numbers and so forth.

Mr. LINCOLN. I thank the gentleman.

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

Mr. A. C. FOSTER. Mr. Speaker, will Mr. Bonetto consent to a brief question?

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

Mr. BONETTO. Sure.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. A. C. FOSTER. Mr. Speaker, I think your reply to Mr. Lincoln really cleared up my question also. But I just want to make certain that there is nothing contained in your amendment—of which I do not have a copy—which would foreclose the rights of fire police and other members of volunteer fire companies to use the blue lights.

Mr. BONETTO. No; it does not.

Mr. A. C. FOSTER. Your amendment is strictly technical in nature and not substantive?

Mr. BONETTO. That is right.

Mr. A. C. FOSTER. Okay; thank you, Mr. Speaker.

Mr. BONETTO. The contents of the amendments are in the bill now. The only thing is that when we added what Mr. Arthurs amended, we had to change the page.

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

Mr. MENHORN. Mr. Speaker, would Mr. Bonetto submit to a few questions?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Bonetto, consent to interrogation?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MENHORN. On this, apparently we are adding handlers of dogs used to track humans, which was not in the previous Vehicle Code. Do I understand you correctly?

Mr. BONETTO. That is correct.

Mr. MENHORN. Why? I mean, what is the particular need?

Let me finish first before you answer, Mr. Speaker.

I would not think that bringing in dogs to track, I assume, a fugitive—I cannot see where it is so critical. This is usually a last resort, I would imagine. Why must they have red lights or blue lights on their car?

Mr. BONETTO. I will yield to Mr. Arthurs in reference to that section that has been amended by him.

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

Mr. ARTHURS. Thank you, Mr. Speaker.

First of all, I think we want to clear up that we are not talking about any type of a red light for any handler or owner of a dog that is used in tracking persons.

Now let me give you just a little bit of background. In my county—and I know that we have other counties in other areas, but I am talking about the Westmoreland County area, for example—we have a group of volunteers, and I will talk about my area. This group of volunteers owns two bloodhounds, and these bloodhounds have been purchased and have been trained for tracking humans. Now the State Police, local police, local fire companies, when they are called upon to find a person who has been lost, call upon these volunteers to bring their dogs to the scene for tracking people.

I can think of—within the last 2 years, for example—three lives that have been saved because these dogs have been able to find young people who in this particular case had taken overdoses of dope of some kind and they were lost out in the woods. Three times people have been saved because of this.

Now the reason that they are asking for the blue light is because they are moving not just within the Butler area, but they are called upon by the surrounding counties. And I am talking about the fact that they have been into Beaver County; they have been into Allegheny County; they have been into Armstrong County, Jefferson County, and all of the surrounding counties to help out with this. What they are asking for is the blue light on the top of the car for those who are on their way to the area where they are needed for this tracking purpose and for the person who is handling or hauling the dogs.

Now it would be in the same case as volunteer firemen, for example. We feel—and it has been stated by those who have had the opportunity of using the dogs—that time is an essential part of their operation. This is why they are asking for the blue lights, so they do receive the same type of right-of-way that is used by the volunteer firemen.

Mr. MENHORN. I can understand the need for a blue light or a red light on a volunteer fireman's car, but I certainly cannot see a need for it on a car belonging to a handler whose dog is going to track humans.

Mr. ARTHURS. Well, let me say this: First of all, I think—

Mr. MENHORN. I am not going to voice any more objections. Your explanation was satisfactory. I disagree with it. I would like to see a vote on it.

Mr. ARTHURS. Fine; thank you. But human life is involved here.

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

Mr. GARZIA. Mr. Speaker, I have a question for Mr. Bonetto.

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

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GARZIA. Mr. Speaker, on page 254 you mention about the intensity of the lights on these volunteer fire companies' cars. Who is supposed to set the intensity of that? The State Police? I guess we are talking about what size light it would be.

Mr. BONETTO. It shall be by the regulation of the Department of Transportation.

Mr. GARZIA. Do they have any idea of changing the intensity of what they are using now, or are they going to use the same type of light they are using now?

Mr. BONETTO. This is the same type they are using now.

Mr. GARZIA. Okay. They are not going to change the intensity or anything?

Mr. BONETTO. No, no. But this has to be put in. We are taking it from the old code and putting it into the new code.

Mr. GARZIA. Yes, because I would hate to see a change in intensity because then we would have to buy new ones.

Mr. BONETTO. No; that will not happen.

Mr. GARZIA. Okay. Thank you.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

Mr. BONETTO. They are asking for a roll-call vote.

#### DECISION WITHDRAWN

The SPEAKER pro tempore. The Chair withdraws its decision that the amendments were agreed to.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BONETTO and MENHORN and were as follows:

#### YEAS—158

Abraham	Gallen	Manderino	Saloom
Anderson, J. H.	Garzia	Manmiller	Salvatore
Arthurs	Caesey	McCall	Schmitt
Barber	Geister	McCue	Schweder
Bellomtni	George	McIntyre	Sclricia
Bennett	Giammarco	McLane	Shane
Beren	Gillespie	Mebus	Shelhamer
Berlin	Gillette	Milanovich	Shelton
Berson	Gleason	Miller, M. E.	Shuman
Bonetto	Gleason	Miller, M. E., Jr.	Shupnik
Bradley	Goodman	Milliron	Sirianni
Brandt	Green	Morris	Smith, E.
Brunner	Greenfield	Mrkonje	Smith, I.
Butera	Grieco	Mullen, M. P.	Spencer
Caputo	Hamilton, J. H.	Mullen	Stahl

Cassar	Hammock	Musto	Stapleton
Cimini	Hayes, D. S.	Myers	Stout
Cohen	Hayes, S. E.	Novak	Taylor
Cois	Heptford	Noye	Thomas
Cowell	Hopkins	O'Brien	Toll
Crawford	Hutchinson, A.	O'Keefe	Trello
Cumberland	Hutchinson, W.	Oliver	Turner
Davies	Itkin	Pancoast	Ustynoski
Deverter	Johnson, J.	Parker, H. S.	Valicenti
Dicarlo	Katz	Perri	Vroon
DiDonato	Kelly, A. P.	Petrarca	Walsh, T. P.
Dietz	Kelly, J. B.	Plevsky	Wansacz
Dininni	Kernick	Pitts	Wargo
Dombrowski	Knepper	Pratt	Westerberg
Dorr	Kolter	Prendergast	Whelan
Doyle	Kowalyshyn	Rappaport	Wilt, W. W.
Eckensberger	LaMarca	Ravenstahl	Wojdak
Englehart	Laudadio	Reed	Worrlow
Fee	Laughlin	Renwick	Yahner
Fischer	Lederer	Richardson	Zearfoss
Fisher	Lehr	Rieger	Zeller
Flaherty	Letterman	Ritter	Zwilk
Foster, A.	Levi	Ross	
Fryer	Lincaln	Ruggiero	Fineman,
Gallagher	Lynch	Ryan	Speaker

NAYS—23

Bittle	Haskell	Moehlmann	Weidner
Burns	Kistler	Polite	Wilson
Fawcett	Klingaman	Scheaffer	Wilt, R. W.
Foster, W.	Kusse	Seltzer	Wright
Halverson	McGinnis	Taddonio	Yohn
Hasay	Menhorn	Wagner	

NOT VOTING—15

DeMedio	Irvis	O'Connell	Renninger
Dreibelbis	McClatchy	O'Donnell	Rhodes
Gring	McGraw	Perry	Zord
Hill	Miscevich	Pyles	

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

QUESTION OF INFORMATION

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

Mr. W. W. WILT. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. W. W. WILT. At what point in time will the members be permitted to offer their amendments to this bill? I have two sets of amendments.

Mr. BONETTO. The moment we complete these amendments that we have here, then we will throw the thing open to the House for the amendments of the individual members.

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

CONSIDERATION OF BONETTO'S SECOND AMENDMENT RESUMED

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

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Bonetto, have another amendment?

Mr. BONETTO. Yes. We have the amendment that we submitted previously. It begins on page 129. You have this amendment. We passed it over.

(Reading:)

Amend Sec. 1 (Sec. 1571), page 129, line 7 by striking out "not less than \$50." and inserting: \$100.

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

Mr. GREENFIELD. Mr. Speaker, again I must rise regarding some of the exorbitant fines and fees that are placed in this particular bill. I would like to interrogate the sponsor, Mr. Bonetto.

Mr. BONETTO. May I make a suggestion to my colleague? Upon the completion of the amendment, Mr. Ritter will be available for interrogation on the entire group because there are changes in numbers that we want to get in.

Mr. GREENFIELD. I prefer, Mr. Speaker, if we discuss this one particular item as we have done in the previous matters which you have had.

The SPEAKER pro tempore. Mr. Greenfield, it was my understanding that the Chair had previously agreed with the gentleman from Allegheny that the amendment would be read in its entirety and that portions of it would be debated by individuals.

Mr. GREENFIELD. And then we can excerpt that particular section for consideration?

The SPEAKER pro tempore. That is the Chair's understanding.

Mr. BONETTO. By sections, Mr. Greenfield.

The SPEAKER pro tempore. Yes. Would the gentleman continue and explain the amendment?

Mr. BONETTO. All right. (Reading:)

Amend Sec. 1 (Sec. 1960), page 158, line 6 by striking out "\$2.50." and inserting: \$5.

Amend Sec. 1 (Sec. 3323), page 177, line 13 by striking out "without stopping"

Amend Sec. 1 (Sec. 3341), page 183, line 4 by inserting after "barrier.—": (1)

Amend Sec. 1 (Sec. 3341), page 183, line 7 by inserting a period after "closed" where it appears the first time

Amend Sec. 1 (Sec. 3341), page 183, line 7 by striking out "or is being opened or closed."

Amend Sec. 1 (Sec. 3341), page 183, by inserting between lines 7 and 8:

(2) No person shall start to drive a vehicle through, around or under a gate or barrier at the entrance to a railroad crossing while the gate or barrier is being opened or closed.

Amend Sec. 1 (Sec. 3345), page 187, line 29 by striking out "not less than \$50 nor more than"

Amend Sec. 1 (Sec. 4702), page 257, line 7 by striking out "60" and inserting: 30

Amend Sec. 1 (Sec. 6108), page 289, line 7 by inserting after "vehicles.": Such modifications and alterations shall expire at the end of the emergency period.

Amend Sec. 1 (Sec. 6112), page 293, line 23 by striking out "not less than \$5 nor more than \$25." and inserting: \$10.

Amend Sec. 1 (Sec. 6304), page 305, lines 28 through 30; page 306, lines 1 through 23 by striking out all of said lines

Then, Mr. Speaker, the next five sections of the amendments change numbers, such as "6305" to 6304; "6306" to 6305, and so forth, primarily making changes in the section numbers.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. I do not have a copy of the amendments, Mr. Speaker. Would you mind repeating what you are changing on page 305?

Mr. BONETTO. On pages 305 and 306, we are removing that section where it provides for the State Police to pick up the individual's license for failure to pay the fine, and

so forth, for Pennsylvanians. We are striking that from the code.

Mr. HALVERSON. For Pennsylvanians?

Mr. BONETTO. They will not be permitted to pick up your license.

Mr. HALVERSON. Thank you.

Mr. BONETTO. Now, Mr. Speaker, if there is any debate on the amendment, I will yield to Mr. Ritter for any answers.

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

Mr. RITTER. Mr. Speaker, let me just clarify something that Mr. Bonetto said in answer to Mr. Halverson.

The section that we are taking out is the portion which allowed any police officer, upon arrest, to take the person's drivers license and issue a temporary drivers license. That is the portion that we are taking out. There is no prohibition against the State Police picking up your license for failure to pay a fine and costs, et cetera. That is still in there.

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

Mr. GREENFIELD. I make particular reference, Mr. Speaker, to page 129, line 7, where there is contemplated an increase in the fine from \$50 to \$100.

Mr. Speaker, I think we should start on the premise of this particular bill. I know what the concept of the bill is—to reduce the points, increase fines. However, I think there is a limit. I think there is a matter of going too far with this particular situation. We are hitting people in the pocketbook, people who may not be able to afford these exorbitant fines, and I think that this is one particular incident. I do not know where the limit would be in some people's minds on this particular floor and I would oppose this particular section, Mr. Speaker.

It refers, I believe—I have not read the entire section—for the failure to return a license, to increase the fine from \$50 to \$100. I do not know why the figure is set at \$100. I do not know why it was set at \$50. I think that if we are trying to increase it to some reasonable amount to penalize these persons, okay. But as I said, there is a point of no return. I do not think that we should start with the situation of really making it a hardship on particular individuals who may, for negligence or whatever reasonable cause, be subjected to these particular fines. I would oppose that on those grounds, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, the section that we are talking about is a very serious offense. If I may just take a couple of minutes to read from the bill, what we are talking about for this \$100 fine is this:

It is unlawful for any person:

(1) To exhibit or cause or permit to be exhibited or have in possession any RECALLED, canceled, suspended, revoked, fictitious or fraudulently altered driver's license.

(2) To lend a driver's license to any other person or permit the use thereof by another.

(3) To exhibit or represent as one's own any driver's license not issued to the person.

(4) To fail or refuse to surrender to the department upon lawful demand a canceled, suspended,

revoked, fictitious or fraudulently altered driver's license.

Mr. Speaker, what we are attempting to get at here is that we want the public to recognize that if you do, in fact, have a suspension, or if you have a driver's license which, for some reason or other, you want to alter, or if you want to have a fictitious name, or you want to do any of the things enumerated, any of the things that I just mentioned, that, to me, constitutes a serious offense, and the punishment should fit the crime.

In this case, I think that a \$100 fine is very ample notice to the public that we are not going to tolerate those who care little about the laws of this Commonwealth and who go out and obtain drivers' licenses under false pretenses or use somebody else's or lend their license or whatever. I think that a fine of \$100 is a reasonable fine for such a serious offense.

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

Mr. GREENFIELD. I recognize what my good colleague, Mr. Ritter, has stated and I recognize the seriousness of this particular crime and situation. However, I do not know that increasing it to \$100 acts more as a deterrent than making the fine \$50. You can go to \$200; you can go to \$300. This is a serious crime. You can hang the person. But I think we have got to be reasonable, as Mr. Ritter has stated, and not be absurd about these particular matters.

We are dealing with people, our public, and I think we should have some sense of compassion and understanding for them. Some of these matters may be done, as I said, as a matter of negligence. On the failure to return a license, the party may not have gotten proper notice of his cause to return the license.

Mr. Speaker, I think that we should be moderate in some of these fines. Increase them, yes, to a reasonable amount, but let us try not to be exorbitant; let us try not to choke the public. Mr. Speaker, I stand in that particular vein in my own particular conscience, in my own particular knowledge of situations which people find themselves in which occur in the use and operation of motor vehicles. I think that \$50 is an adequate fine, as I do with many of these other fines, and we should not increase it above that particular amount.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, I think that in the writing or the recodification of this code, we have been compassionate and we have considered the general public. But how far do you go? Where do you stop? These violations under the old code required and mandated a suspension of your driver's privileges. Now you are going to pay a fine. How compassionate can we be for someone who lends someone else his license with utter disregard for the safety of the general public? How do we be compassionate with an individual who fails to cancel or fails to surrender his license to the Commonwealth when he has violated the law?

The big questions are: Where do we stop? Where do we begin? I think what Mr. Ritter's amendment does is fair and reasonable. We have had other recommendations to make these fines more severe, and this, to me,

is a compromise. I would suggest that this section be retained in the amendment.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

I would like to remind everyone that when we were thinking about the fines, what we tried to do was to remember that suspensions put people out of work. When you get a suspension, you lose your job and maybe have to go on welfare, or something like this. I think that we have reached a real medium here. I think it is a real good amendment and I would certainly vote for it.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Thank you, Mr. Speaker.

I would tend to agree with Mr. Greenfield on this proposed amendment here. I think we have to look at two things. First of all, we have to look at the proposed new code where we make the fine \$50 and then the amendment which makes it \$100. I object, first of all, to the \$100 fine and I also object to the \$50 fine, at least in one instance. I do not object to the \$50 fine where somebody exhibits another person's license or where they represent that as their own, and so forth. But I do object to one particular point in this and I think I am correct in this. Suppose the individual in question is prosecuted under the law for a particular violation which may be a suspendible offense. He may not know this and in the interim he may leave the state. He may change his address and neglect to tell us. I think that what you are saying by this amendment then is that he is supposed to be an expert in the law and is supposed to know that he is going to have that suspension occur. Therefore, we are going to penalize him an additional \$100 in addition to the penalty which he already has paid. So I would think that it is exorbitant too and I would ask for a negative vote.

#### AMENDMENT DIVIDED

Mr. HALVERSON. I would also ask that, if we could, we divide the question so that this particular section of the Bonetto amendments would be a separate question.

The SPEAKER pro tempore. The amendment is divisible.

Mr. HALVERSON. Then I would so move, Mr. Speaker, and request a "nay" vote on this particular amendment.

The SPEAKER pro tempore. So that the members will understand, the gentleman has requested that the first paragraph of the amendment be divided from the amendments; that is, "Amend Sec. 1," through "\$100." on line 3.

On the question,

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

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

Mr. BONETTO. Mr. Speaker, would you instruct the members of the House on how they should vote?

The SPEAKER pro tempore. An affirmative vote,

"aye," is voting in favor of the first paragraph of the amendment as it is.

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

Mr. BEREN. Mr. Speaker, may I try to clarify one thing on this amendment which may not be available to everyone?

The way House bill No. 1817, printer's No. 2774, reads now is: "Any person violating any of the provisions of this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50." It does not state how high that fine can be. The amendment that is being presented by Mr. Bonetto and Mr. Ritter changes "not less than \$50." to a fine of \$100.

So in opposing this amendment, what Mr. Greenfield is doing is saying that there is no safety at all in the fact that you will get a \$100 fine. You can get a \$50 fine, a \$75 fine, a \$100 fine, a \$500 fine. If you want certainty in what you are doing here, then I would suggest that you leave the language in the amendment that has been offered by Mr. Bonetto and Mr. Ritter.

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

Mr. GREENFIELD. Mr. Speaker, I think what Mr. Beren has just stated only reinforces my argument in reference to what Mr. Ritter has stated. There are some serious problems in that particular section and I think it is a catchall. I think it should be separated and divided. But as Mr. Westerberg pointed out, I am concerned with the particular individual who, through innocent negligence, is under some misapprehension or misinformation and is being fined \$100.

I think if the matter is as serious as Mr. Ritter has pointed out—cases of alterations and other situations, flagrant violations, repeated violations—the judge would have the discretion to make the fine fit the crime or the situation.

I think that the amendment or the clause as stated here is a proper one, and I would again, on the reinforcement of the argument of my good colleague from Montgomery County, urge a "no" vote on this particular amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. All I want to say, Mr. Speaker, is that I think that the section—regardless of which way we go as far as the fine in concerned, whether it is \$50 or \$100 or not less than \$50 nor \$100—in my opinion, is in need of a further amendment. I am going to prepare another amendment for it.

The SPEAKER pro tempore. On the question of agreeing to the amendment, those in favor of the first section of the amendments as divided will vote in the affirmative; those opposed will vote in the negative.

On the question,

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

The yeas and nays were required by Messrs. BONETTO and HALVERSON and were as follows:

YEAS—121

Abraham	Gallagher	Mebus	Schmitt
Anderson, J. H.	Garzia	Menhorn	Schweder
Arthurs	Geesey	Milanovich	Scitica
Bennett	Geisler	Miller, M. E., Jr.	Settzer
Beren	Gillespie	Miscevich	Shane
Berlin	Gleason	Morris	Sirianni
Berson	Gleeson	Mrkonjc	Spencer
Bittle	Green	Mullen, M. P.	Stahl
Bonetto	Gring	Mullen	Stapleton
Brandt	Hayes, D. S.	Novak	Stout
Burns	Hayes, S. E.	Noye	Taddonio
Butera	Hepford	O'Brien	Thomas
Cessar	Hopkins	O'Keefe	Trello
Cimini	Irvis	Pancoast	Turner
Coie	Kelly, J. B.	Parker, H. S.	Valicenti
Cowell	Kernick	Petrarca	Wagner
Crawford	Kistler	Pievsky	Walsh, T. P.
Cumberland	Knepper	Pitts	Wansacz
Davies	Kolter	Pratt	Weidner
DeMedio	Kowalyszyn	Prendergast	Westerberg
Dicarlo	LaMarca	Pyles	Wilson
Dorr	Laudadio	Rappaport	Wilt, W. W.
Doyle	Laughlin	Kavenstahl	Wojdak
Eckensberger	Lehr	Reed	Wright
Englehart	Letterman	Renninger	Yohn
Fee	Levi	Ritter	Zeller
Fischer	Lincoln	Ross	Zwinkl
Fisher	Manderlino	Ruggiero	
Flaherty	Mann Miller	Ryan	Fineman,
Foster, A.	McClatchy	Saloom	Speaker
Foster, W.	McLane	Scheaffer	

NAYS—63

Barber	Grleco	McCue	Shelhamer
Bellomini	Halverson	McGinnis	Shelton
Bradley	Hamilton, J. H.	McIntyre	Shuman
Cohen	Hasay	Miller, M. E.	Shupnik
Deverter	Haskell	Milliron	Smith, E.
DiDonato	Hutchinson, A.	Moehlmann	Smith, L.
Dietz	Hutchinson, W.	Musto	Taylor
Dombrowski	Itkin	Myers	Toil
Fawcett	Johnson, J.	Ouver	Ustynoski
Fryer	Katz	Perri	Vroon
Gallen	Kelly, A. P.	Perry	Wargo
George	Klingaman	Polite	Whelan
Giammarco	Kusse	Renwick	Wilt, R. W.
Gillette	Lederer	Richardson	WorriLOW
Goodman	Lynch	Rieger	Yahner
Greenfield	McCall	Salvatore	

NOT VOTING—12

Brunner	Dreibelbis	McGraw	Rhodes
Caputo	Hammock	O'Connell	Zearfoss
Dinizani	Hill	O'Donnell	Zord

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

On the question,  
Will the House agree to Part II of the amendments?

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

Mr. ECKENSBERGER. I would like to challenge the third amendment in the overall amendment, which reads: "Amend Sec. 1 (Section 3323), page 177, line 13 by striking out 'without stopping'", if I may, Mr. Speaker.

The SPEAKER pro tempore. Is the gentleman requesting a division of the amendments?

Mr. ECKENSBERGER. Yes, Mr. Speaker.

AMENDMENTS DIVIDED

The SPEAKER pro tempore. The Chair rules that the amendment is divisible.

The Chair recognizes the gentleman, Mr. Eckensberger.

Mr. ECKENSBERGER. Mr. Speaker, this amendment deals with that provision of the Vehicle Code that deals with yielding at intersections. The particular sentence

that we are talking about begins on line 11. The latter part of that line says, and I quote the sentence involved:

If a driver is involved in a collision with a vehicle in the intersection or junction of roadways after driving past a yield sign without stopping, the collision shall be deemed prima facie evidence of failure of the driver to yield the right-of-way.

The amendment seeks to strike out the words "without stopping" on line 13, and I assume that the amendment, then, seeks to apply this procedural device; that is, the prima facie evidence of failure of the driver to yield the right-of-way to those drivers who do stop at the particular intersection and then proceed into the intersection and are involved in an accident.

I oppose that amendment for this reason: We are dealing here in the Motor Vehicle Code, with most of these sections, with two kinds of liabilities—first, criminal liability, which may involve the assessment of a fine and a potential loss of license; and, secondly, with civil liability; that is, the question involving who pays whom with regard to loss of property or property damage or bodily injury or medical costs, et cetera.

I have checked the current law and I find that the language in the present law is substantially, if not, the same as the language in the bill which is before us. By removing the words "without stopping", I respectfully suggest that we would be significantly altering, first, criminal liability in this situation, and, secondly, civil liability.

I do not find it advantageous for the average motorist to be placed in the position where he would be subjected to the procedural device of saying he is prima facie guilty of having done something without having some further evidence introduced to establish his liability. I, quite frankly, am not able to give you at the moment any specific situations where this may be changed, but I am convinced that we are doing something here which may substantially change the present law. I find no need to do this at the present time and suggest that the members vote against this amendment.

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 the purpose of a yield sign is not necessarily to require you to stop but to yield to oncoming traffic, et cetera, before you enter the intersection or proceed onto the highway. And whether or not you have the words "without stopping" in this bill or whether you do not, it seems to me, if you come to a yield sign and subsequently are involved in an accident in the intersection or within the junction of the road, there is evidence to indicate that in fact you did not yield or, if you had yielded, you would not have been involved in the accident. But by leaving the words "without stopping" in, it seems to me we are telling people that in any event when you come to a yield sign, you had better fully stop your automobile, because this provision would then protect you if you come to a full stop, and even if you are involved in an accident, you would be protected.

I do not think the words "without stopping" have that

much significance. I think the idea behind the yield sign is that you are to yield the right-of-way. Whether you stop or whether you do not is immaterial; if you are involved in an automobile accident where you in fact had a yield sign, that seems to me to be prima facie evidence that you in fact did not yield the right-of-way. I would ask support for the amendment.

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

Mr. PRATT. Mr. Speaker, I would agree with my colleague, Mr. Eckensberger, on this particular amendment and I would advise my colleagues on both sides of the aisle to vote down this amendment, because taking out the words "without stopping" I believe would be protecting those people who do not stop at a yield sign. I think it would be unfair to those people who take the precaution of stopping at a yield sign. The words "prima facie case" as those lawyers know, means that once you prove the collision, and without stopping, then the burden of proof shifts to the defendant. And I believe it is important that we leave these words "without stopping" in the present amendment as it was in the present Vehicle Code, and I would advise all members to vote down this amendment.

Thank you.

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

Mr. BONETTO. Mr. Speaker, I have no intention to debate the merits of what lawyers would like to have or not have in the bill. All I am saying is that the amendment which has been submitted by Mr. Ritter was given careful study. It is the opinion of the committee that we do not feel that it ought to be in the bill. It can be eliminated without hampering the bill at all, and, in view of that fact, I am asking every member to retain the amendment as is.

The SPEAKER pro tempore. The question recurs, Will the House agree to the amendment as divided by Mr. Eckensberger; that is, the third section of the amendment, "Amend Sec. 1 (Sec. 3323)" through "without stopping"?

Those in favor of this section of the amendment will vote in the affirmative; those opposed will vote in the negative.

On the question recurring,

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

The yeas and nays were required by Messrs. BONETTO and ECKENSBERGER and were as follows:

YEAS—147

- |                 |                 |                    |           |
|-----------------|-----------------|--------------------|-----------|
| Abraham         | George          | McGinnis           | Saloom    |
| Anderson, J. H. | Gillespie       | McIntyre           | Salvatore |
| Arthur          | Gleason         | McLane             | Scheaffer |
| Bennett         | Gleason         | Mebus              | Scirca    |
| Beren           | Goodman         | Menhorn            | Seltzer   |
| Berlin          | Green           | Miller, M. E.      | Shane     |
| Bittle          | Grteco          | Miller, M. E., Jr. | Shupnik   |
| Bonetto         | Gring           | Milliron           | Sirianni  |
| Brandt          | Halverson       | Miscevich          | Smith, E. |
| Brunner         | Hamilton, J. H. | Moehlmann          | Smith, L. |
| Burns           | Hasay           | Morris             | Spencer   |
| Butera          | Haskell         | Mullen, M. P.      | Stahl     |
| Caputo          | Hayes, D. S.    | Myers              | Stapleton |
| Cassar          | Hayes, S. E.    | Novak              | Stout     |
| Cimini          | Hepford         | Noye               | Taddonio  |
| Cohen           | Hopkins         | O'Brien            | Taylor    |

- |            |                |               |              |
|------------|----------------|---------------|--------------|
| Cole       | Hutchinson, A. | O'Keefe       | Thomas       |
| Crawford   | Hutchinson, W. | Oliver        | Turner       |
| Cumberland | Irvia          | Pancoast      | Ustyzoaki    |
| Davies     | Katz           | Parker, H. S. | Valicenti    |
| DeMedio    | Kelly, A. P.   | Perri         | Vroon        |
| Deverter   | Kelly, J. B.   | Perry         | Walsh, T. P. |
| Dietz      | Kistler        | Petrarca      | Wansacz      |
| Dininni    | Klingaman      | Plevaky       | Wargo        |
| Dombrowski | Knepper        | Pitts         | Weidner      |
| Dorr       | Kolter         | Polite        | Westerberg   |
| Englehart  | Kowalyshyn     | Prendergast   | Whelan       |
| Fawcett    | Kusse          | Pyles         | Wilson       |
| Fee        | Laudadio       | Rappaport     | Wilt, R. W.  |
| Fischer    | Lehr           | Ravenstahl    | Wilt, W. W.  |
| Fisher     | Letterman      | Renninger     | Worrlow      |
| Foster, A. | Levi           | Renwick       | Wright       |
| Foster, W. | Lynch          | Rieger        | Yahner       |
| Gallagher  | Manderino      | Ritter        | Yohn         |
| Gallen     | Manmiller      | Ross          |              |
| Garzia     | McCall         | Ruggiero      | Fineman,     |
| Geesey     | McCue          | Ryan          | Speaker      |
| Gelsier    |                |               |              |

NAYS—34

- |              |             |            |           |
|--------------|-------------|------------|-----------|
| Barber       | Giammarco   | Mrkonic    | Shelhamer |
| Bellomini    | Gillette    | Mullen     | Shelton   |
| Bradley      | Greenfield  | Musto      | Shuman    |
| Cowell       | Itkin       | Pratt      | Toll      |
| Dicarlo      | Johnson, J. | Reed       | Trallo    |
| DiDonato     | Kernick     | Richardson | Wagner    |
| Eckensberger | Laughlin    | Schmitt    | Zeller    |
| Flaherty     | Lincoln     | Schweder   | Zwilk     |
| Fryer        | Milanovich  |            |           |

NOT VOTING—15

- |            |           |           |         |
|------------|-----------|-----------|---------|
| Berson     | Hill      | McGraw    | Wojdak  |
| Doyle      | LaMarca   | O'Connell | Zearfos |
| Dreibelbis | Lederer   | O'Donnell | Zord    |
| Hammock    | McClatchy | Rhodes    |         |

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

On the question recurring,  
Will the House agree to Part III of the Bonetto amendments?  
Amendments were agreed to.

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

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

- Amend Sec. 1 (Sec. 1502), page 95, line 30, by striking out "18" and inserting: 16
- Amend Sec. 1 (Sec. 1502), page 95, line 30, by removing the comma after "years" and inserting a period.
- Amend Sec. 1 (Sec. 1502), page 95, line 30; page 96, lines 1 through 16, by striking out "except" in line 30; page 95; and all of lines 1 through 16, page 96
- Amend Sec. 1 (Sec. 1504), page 98, lines 7 through 9, by striking out "AND WHO HAVE" in line 7, all of line 8, and "VEHICLES," in line 9

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

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

Mr. BONETTO. Mr. Speaker, I have been asked by some of the leaders to try to expedite the amendments, so I am going to make an effort to try to explain the amendment instead of reading it word for word.

There has been some discussion with reference to junior licenses. We have had some problems. We have talked with Dr. Pittenger, who indicated to us that the moneys involved in the driver's education curriculum are not enough. There are schools that have waiting lists, where-



by these young students who are interested in taking the driver education course are having a very difficult time getting a senior license. So this is the conclusion: We have eliminated the junior license in Pennsylvania, and now, under the amendment, all persons age 16 will be permitted to obtain a senior license the same as you and I, and will be subjected to the point system. If they go to driver education classes, the only benefit they would really get would be the 10-percent discount on their insurance.

This provides for those young students who work during the summer months particularly, who could not drive after midnight with a junior license but now can work and drive after midnight and not be subject to any penalty under the law.

I ask that this amendment be approved by this membership of the General Assembly.

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

Mr. BEREN. I agree, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Did Mr. Bonetto identify the amendment? In whose name is it, Mr. Bonetto.

Mr. BONETTO. Mine.

I will tell you what it does. It amends page 95. (Reading:)

Amend Sec. 1 (Sec. 1502), page 95, line 30, by striking out "18" and inserting: 16

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

Mr. RITTER. Is that all the amendment does, to strike out "18" and replace it with 16?

Mr. BONETTO. I wanted to try to avoid reading it all, but in explaining the technicality of the amendment the next one is:

(Reading:)

Amend Sec. 1 (Sec. 1502), page 95, line 30, by removing the comma after "years" and inserting a period

Amend Sec. 1 (Sec. 1502), page 95, line 30; page 96, lines 1 through 16, by striking out "except" in line 30; page 95; and all of lines 1 through 16, page 96

Amend Sec. 1 (Sec. 1504), page 98, lines 7 through 9, by striking out "AND WHO HAVE" in line 7, all of line 8, and "VEHICLES," in line 9

That is the contents of the entire amendment.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

#### DECISION RECONSIDERED

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

If the gentleman wants to return to the amendment, the Chair reconsiders its decision on this amendment being agreed to.

Mr. RITTER. I would like to, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may continue.

Mr. RITTER. I hate to take exception to my friend,

Mr. Bonetto, and I am not so sure that this is his amendment; it may very well be somebody else's.

But what we are doing—and I think we had better understand what we are doing—Mr. Speaker, is taking the present law where it says that you must be 18 in order to obtain a senior license unless you are between the ages 17 and 18 and you have satisfactorily completed a drivers' training program, you can then get a senior license at age 17. We are taking all of that out and we are saying that at age 16 you can get an "operator's license" without any restrictions, without any requirements that you have to go to drivers' training school, and I personally contest that. I would like to have a roll-call vote on the amendment. I would like the House to vote "no" on that concept.

I have no quarrel with those who have to work getting permission to drive after midnight, but I cannot see going down to age 16 and giving them a regular operator's license without any requirement of going to driver's training school. I would ask for a negative vote on the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Could I ask Mr. Bonetto a question, please?

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

Mr. BONETTO. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. HALVERSON. Mr. Speaker, is this the amendment which would take away the requirement in the new bill that the 16-year-old in order to be licensed would have to complete a driver's training course?

Mr. BONETTO. That is correct. We have removed the requirement that any person at the age of 16 must go to a school to be able to obtain a senior license and pass that school. Then he would be able to get a senior license. We have eliminated all of that, because there is a problem in our schools.

Mr. HALVERSON. Yes, I understand and I agree 100 percent with it and I support the amendment.

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

Mr. TURNER. Mr. Speaker, I would like to address a question to Mr. Bonetto.

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

Mr. BONETTO. Yes.

Mr. TURNER. Did I understand you correctly to say that a 16-year-old can drive after midnight now with this amendment, and also that he would receive a 10-percent discount in his insurance rate?

Mr. BONETTO. The answer to your question is: A 16-year-old, under the new Vehicle Code, will have the same type of privilege of driving a vehicle as you and I. That means that he will have a senior license. There will be no more junior licenses. He will operate that car and be subject to the penalties under the code the same as you and I.

The only reason for wanting to go to school or a driver's education school will be primarily for the purpose of getting a reduction in your insurance. The in-

insurance companies require you to go to school if you are interested in a reduction. By doing that they can do so.

Mr. TURNER. But the insurance factor is not in the amendment. Right?

Mr. BONETTO. No.

Mr. TURNER. Thank you.

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

Mr. LETTERMAN. Mr. Speaker, I would like to support this amendment in its entirety, because in a rural district we have very few schools where you can go for driver's training. If you want to initiate a new program so that a lot of people start in the business, that is exactly what you would ask for if you say that they had to go to driver's training school.

I would also like to say that it is about time the parents in Pennsylvania take the bull by the horn and tell their kids what they are allowed to do. If they are 16 and the parents do not want them to drive, that is their business, but I think they should have a senior driver's license.

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

Mr. W. W. WILT. May I ask a question of Mr. Bonetto please?

Mr. BONETTO. Yes.

The SPEAKER pro tempore. Yes. The gentleman may proceed.

Mr. W. W. WILT. As I understand this amendment, Mr. Speaker, a 16-year-old would be permitted to go to a service station or wherever rentals are available and he could pick up a U-Haul and haul a maximum weight of 26,000 pounds, I guess it is now, never having had any experience or training in driving a vehicle with air brakes? Am I correct in that?

Mr. BONETTO. The restrictions under the code will apply to a 16-year-old as to you and me.

Mr. W. W. WILT. So that a 16-year-old could go to a service station—

Mr. BONETTO. That is correct.

Mr. W. W. WILT. —rent a U-Haul and then drive down the highway never having had any experience or training in heavy vehicles?

Mr. BONETTO. Have you or I had any experience in doing that?

Mr. W. W. WILT. I have.

Mr. BONETTO. I have not.

Mr. W. W. WILT. I have.

Mr. BONETTO. So I would have trouble myself. Okay.

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

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

Mr. BEREN. Mr. Speaker, I think that it would be helpful if you would recognize me before the completion of these amendments so I can express our opinion.

The SPEAKER pro tempore. I am sorry, Mr. Beren.

Mr. BEREN. Well, it is not your fault.

I support the amendment.

The SPEAKER pro tempore. The Chair withdraws its

decision and recognizes the gentleman from Montgomery, Mr. Beren.

Mr. BEREN. Yes, I support the amendment.

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

Mr. DAVIES. I stand in question of interrogation on this amendment please.

The SPEAKER pro tempore. What is that again?

Mr. DAVIES. I would like to ask the gentleman, does this also remove in the code the requirement for a youngster to take a training program or offering of a training program as far as the operation of a motorcycle?

The SPEAKER pro tempore. Wait a minute. The Chair recognizes the gentleman from Allegheny, Mr. Bonetto.

Mr. BONETTO. Any person who drives a motorcycle would have to have his operator's card stamped that he is permitted to drive a motorcycle. So this means that a 16-year-old could drive a motorcycle if he passes that qualification the same as you and I.

Mr. DAVIES. Okay.

Mr. BONETTO. See, right now you are also required to have an examination to drive a motorcycle. As a senior licensee he would be required to go under the same scrutiny as you did. And that means that he can do it just as well as you and I.

Mr. DAVIES. And the current policy of the continuation of getting permit after permit after permit and operating under that permit would not be changed under these provisions?

Mr. BONETTO. Yes. Because of the separate classes that we have in the code, all that he is required to do is to have his license stamped. That eliminates that permit thing that we are talking about or that you are talking about, permit after permit. Once his license is stamped as an operator that he is permitted to drive a motorcycle, he will be permitted also to drive an automobile or a vehicle plus the motorcycle. And that is all he needs.

Mr. DAVIES. We do have a serious problem in this Commonwealth with this particular thing and that is on the basis currently of having many youngsters operating something as high as 500 cc's and better almost—although it is not the capacity that Mr. Wilt spoke to in the matter of trucking—and we have a serious problem because we are putting people out on the highway where available programs could be set forth whereby they do learn to operate. We have a real serious problem with the injury and death as a result of this, and I would encourage the maker of it to consider this as a factor relative to the operation of a motorcycle, particularly with young people.

Mr. BONETTO. Well, the answer to your question is this. We have six classifications of licenses in the code. In order to obtain the right to drive under those six classifications, your operator's card must be stamped with each of the classifications.

Now what are we talking about? We are talking about a young individual at the age of 16 who is now going to be permitted to have a license, an operator's card, similar to you and I. But it is amazing that if this individual, under the old code, under the old code if we were to retain it, would go to a driver's education school and could have the same privilege at the age of 17. So we are only talking of between the ages of 16 and 17 and nothing more, because he could do exactly what you are saying at the age of 17.

Mr. DAVIES. I guess essentially what I am doing is

agreeing with you, but again saying that there should be some caution because I realize this. I made a study of it in one particular school district and I have seen as high as five deaths—

Mr. BONETTO. I am aware of it.

Mr. DAVIES. —and 10 disabling injuries in a short span of less than 10 years.

Mr. BONETTO. I am aware of the accident rates in the younger people as well as anyone. We have had these statistics brought forth to us constantly, and unfortunately we have got to do something in this particular category and we find that this is probably the correct solution. These people now will be subject to the penalties under this code the same as you and I, and I think that those penalties are pretty well set up and they are very strict.

The SPEAKER pro tempore. Thank you.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

A question of Mr. Bonetto please?

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

Mr. BONETTO. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DeVERTER. Mr. Speaker, if in fact we delete this entire section through your amendment, where does this place our driver education programs within the various school districts of this Commonwealth?

Mr. BONETTO. It does not jeopardize the driver's education courses for various reasons. One is that drivers education is always a good thing. In fact maybe we ought to try to work something out in the future to extend that type of drivers education to all of us. Because we are all capable of learning from day to day. We all make mistakes, and that is the reason why there are accidents. But it does not jeopardize the educational program in the public schools.

What we have said though is that because of the problem in the public schools and in the private schools which we support, it has become extremely difficult for young people to obtain a senior license because of the line that they must attend in order to get this thing done; it is almost impossible. So we are eliminating too many people.

Mr. DeVERTER. Well, Mr. Speaker, my problem is this, that it is conceivable that a child could elect not to take the driver education course and place the entire course in a school district in jeopardy and could be eliminated so that those children would, many of them would, not even be able to avail themselves of this opportunity. Is that correct?

Mr. BONETTO. It will be the jurisdiction and the authority of the individual school districts. Many of them that I know, in talking with the Department of Education, want to eliminate it. This is a people's thing. Let them go to their school board and demand that such education be continued. There is nothing wrong with it.

Mr. DeVERTER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Mr. Speaker, I would just like to clarify about this motorcycle matter. If you are age 16 or if you are age 60, you still have to take a separate application

for a separate permit and they have to take that permit, and after you get that permit, age 16 or 60, you still have to take a separate test to get a motorcycle operator's license.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Mr. Speaker, would Mr. Bonetto submit to another question please?

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

Mr. BONETTO. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. HALVERSON. Mr. Speaker, I do not like to belabor the point, Mr. Bonetto, but I do not have a copy of the amendment. I would just like to know if on page 98—

Mr. BONETTO. Page 98, line 7.

Mr. HALVERSON. —did you take that out also?

Mr. BONETTO. What we do there on page 98, lines 7 through 9—Do you have it?

Mr. HALVERSON. Yes.

Mr. BONETTO. We strike out "AND WHO HAVE" in line 7, all of line 8, and "VEHICLES," on line 9. Is that okay?

Mr. HALVERSON. Yes, sir. Thank you very much.

And one more question: On these six classes of licenses or identities on your license, would you have to obtain a permit for each class and, if so, would you have to pay a fee?

Mr. BONETTO. Except for the grandfathering at the present time, you would be required to have a permit for each class and each class will have a fee of \$5. Okay?

Mr. HALVERSON. Thank you.

The SPEAKER pro tempore. Does the gentleman from Lehigh, Mr. Ritter, desire recognition?

Mr. RITTER. Yes.

The SPEAKER pro tempore. The Chair recognizes Mr. Ritter.

Mr. RITTER. Mr. Speaker, Mr. DeVerter touched briefly on what the real problem here is. And I am afraid that if you support this amendment, for all practical purposes you are going to eliminate or severely curtail the driver education program in this Commonwealth. The school districts are hard pressed for funds; we all know that. And if it is not a requirement for the kids to have to have driver education in order to get a license, I think many school districts are going to look at their budgets and they are going to say, well, let us eliminate the driver training program; we really do not have to provide it, and I think that we are going to take a step backwards in terms of traffic safety and highway safety. I again urge a negative vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Thank you, Mr. Speaker, would Mr. Bonetto submit to a question?

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

Mr. BONETTO. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RUGGIERO. Mr. Speaker, under this proposal,

would the 16-year-old still have to get parental consent in order to be issued a regular license or has that been eliminated?

Mr. BONETTO. That has not been changed.

Mr. RUGGIERO. In other words, it still is necessary under your proposal to have the parental consent?

Mr. BONETTO. You would have to sign the permit.

Mr. RUGGIERO. That is the parent would have to sign it?

Mr. BONETTO. Correct. Or guardian.

Mr. RUGGIERO. Or guardian or person acting as a parent?

Mr. BONETTO. Correct.

Mr. RUGGIERO. Thank you.

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

Mr. COHEN. Mr. Speaker, I agree with Mr. Ritter, that if we do this and vote with Mr. Bonetto on this issue, some schools are going to stop offering driver education. Now when that happens there are going to be more accidents in the Commonwealth of Pennsylvania, and when there are more accidents in the Commonwealth of Pennsylvania, we are all going to be paying more insurance. So I think that while we probably will save some tax dollars in not paying for driver education, we are going to be making it up by paying that in additional insurance premiums.

I think the driver education programs for years seemed to be worthwhile. And this whole amendment makes absolutely no sense unless we assume that the driver education programs are incapable of producing safe drivers, and there is absolutely no evidence that has been presented for that, and I think that we are all going to be paying for this in insurance. So I would urge a "no" vote on this amendment.

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

Mr. BEREN. Thank you, Mr. Speaker.

I do support this amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BONETTO and RITTER and were as follows:

YEAS—112

Anderson, J. H.	Garzia	McIntyre	Schweder
Arthurs	Geesey	McLane	Scirica
Bellomini	Giammarco	Mebus	Seltzer
Bennett	Gillespie	Milanovich	Shane
Beren	Gillette	Miller, M. E.	Shelhamer
Berlin	Gleason	Miller, M. E., Jr.	Shelton
Bittle	Gleason	Milliron	Smith, E.
Bonetto	Green	Miscevich	Spencer
Brunner	Greenfield	Mullen, M. P.	Stapleton
Butera	Halverson	Myers	Stout
Cessar	Hamilton, J. H.	O'Brien	Taddonio
Cole	Hasay	O'Keefe	Taylor
Cowell	Haskell	Pancoast	Vroon
Cumberland	Hayes, D. S.	Parker, H. S.	Walsh, T. P.
DeMedio	Hepford	Perri	Wansacz
Dicarlo	Hopkins	Perry	Wargo
Dietz	Irviss	Plevsky	Westenberg
Dombrowski	Katz	Polite	Whelan
Dorr	Kelly, J. B.	Pratt	Wilson
Doyle	Kernick	Rappaport	Wilt, R. W.
Eckensberger	Kistler	Ravenstahl	Worrilow
Englehart	Knepper	Renninger	Yahner
Fawcett	Kolter	Rieger	Yohn
Fee	Kowalshyn	Ryan	Zearfoss
Fischer	Lederer	Ross	Zeller
Fisher	Letterman		

Flaherty	Manderino	Ruggiero	Fineman.
Foster, W.	McCue	Salvatore	Speaker
Gallagher	McGinnis	Scheaffer	

NAYS—65

Abraham	Hutchinson, A.	Menhorn	Saloom
Bradley	Hutchinson, W.	Moehlmann	Schmitt
Brandt	Itkin	Morris	Shuman
Burns	Kelly, A. P.	Mrkonc	Shupnik
Cimini	Klingaman	Musto	Sirianni
Cohen	Kusse	Novak	Smith, L.
Davies	LaMarca	Noye	Stahl
Deverter	Laudadio	Oliver	Thomas
DiDonato	Laughlin	Petrarca	Toll
Dininni	Lehr	Pitts	Turner
Fryer	Levi	Prendergast	Ustynoski
Gallen	Lincoln	Pyles	Wagner
George	Lynch	Reed	Weidner
Goodman	Manmiller	Renwick	Wilt, W. W.
Grieco	McCall	Rhodes	Wright
Gring	McClatchy	Ritter	Zwilk
Hayes, S. E.			

NOT VOTING—19

Barber	Foster, A.	McGraw	Trelia
Berson	Geisler	Mullen	Valcenti
Caputo	Hammock	O'Connell	Wojdak
Crawford	Hill	O'Donnel	Zord
Dreibelbis	Johnson, J.	Richardson	

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

QUESTIONS OF PERSONAL PRIVILEGE

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

Mr. A. C. FOSTER. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it. How does the gentleman care to be recorded?

Mr. A. C. FOSTER. Mr. Speaker, I would like to be recorded in the affirmative on the Bonetto Amendment No. 8.

The SPEAKER pro tempore. The gentleman, Mr. A. C. Foster, would like to be recorded in the affirmative.

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

Mr. RICHARDSON. Mr. Speaker, I was called out of the halls of the House and I would like to be recorded in the negative on the last amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and notes that he desires to be recorded in the negative.

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

Mr. BONETTO. This is Mr. Eckensberger's amendment.

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

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

Amend Sec. 1 (Sec. 3369), page 200, line 23, by striking out "90" and inserting: 60

Amend Sec. 1 (Sec. 3369), page 201, line 16, by striking out "120" and inserting: 60

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

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

Mr. BONETTO. This amendment appears on page 200 and page 201. What it does is to strike from the original bill on line 23 the number 90 and inserts 60, and on page 201, line 16, it strikes 120 and inserts the number 60.

What it does is to require the inspection or testing of the electronic devices used by state police and the speedometers of automobiles of state police to every 60 days.

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

Mr. ECKENSBERGER. Mr. Speaker, the present law requires that these devices be tested every 30 days, and originally I felt that we should return our proposal back to that 30-day requirement. But in the interest of saving the expense of testing these devices that frequently, I think that the motorists will be adequately protected by having them tested every 60 days, and I agree to that amendment.

The SPEAKER pro tempore. Does the gentleman from Montgomery, Mr. Beren, desire recognition?

Mr. BEREN. I support the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 25, line 11, by striking out "and" and inserting: , armed forces emergency vehicle, one private vehicle of a fire or police chief or assistant chief or ambulance corps commander or assistant commander or of a river rescue commander used for answering emergency calls

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Will Mr. Wilson take the microphone please? This is his amendment.

(Reading:)

Amend Sec. 1 (Sec. 102), page 25, line 11, by striking out "and" and inserting: , armed forces emergency vehicle, one private vehicle of a fire or police chief or assistant chief or ambulance corps commander or assistant commander or of a river rescue commander used for answering emergency calls

I ask for approval of the amendment.

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

Mr. WILSON. Thank you, sir.

Is this No. 2 as I had No. 2 written?

I think it is correct. I made a slight correction in my amendment. It is only technical.

Mr. BONETTO. This is the one that you gave us.

Mr. WILSON. The same one?

Mr. BONETTO. Exactly.

Mr. WILSON. Okay.

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

Mr. BONETTO. Mr. Beren, do you approve of this amendment?

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

Mr. BONETTO. It is agreed to.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 30, line 24, by inserting a comma after "less"

Amend Sec. 1 (Sec. 1303), page 64, line 14, by inserting after "agreement": or pursuant to the act of August 1, 1963 (P. L. 479, No. 250), relating to Bus Taxation Proration Agreement

Amend Sec. 1 (Sec. 1305), page 67, line 30, by inserting after "appropriate.": This subsection is applicable only for the period during which the lease remains in effect.

Amend Sec. 1 (Sec. 3345), page 186, line 17, by removing the period after "safety" and inserting: or until boarding school children have completed boarding the bus.

Amend Sec. 1 (Sec. 3345), page 186, line 26, by inserting after "actuated": on streets in urban districts designated by the department or local authorities, at intersections or other places where traffic is controlled by uniformed police officers or appropriately attired persons authorized to direct, control or regulate traffic, or in school bus loading areas designated by the department or local authorities

Amend Sec. 1 (Sec. 4107), page 236, line 8, by inserting after "equipment" where it appears the last time: affecting the operation of the vehicle

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. This amendment, Mr. Speaker, clarifies and changes some of the bus regulations that have been inserted in the code. It begins on page 30 of 1817 and line 24. And all we do there is insert a comma after the word "less."

### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. KUSSE. Mr. Speaker, would the gentleman identify the amendment please?

Mr. BONETTO. Yes.

Mr. KUSSE. Is there someone's name on it?

The SPEAKER pro tempore. The Chair recognizes Mr. Bonetto.

Mr. BONETTO. Yes. Amend Section 1—

Mr. KUSSE. No, but is there someone's name at the top?

The SPEAKER pro tempore. Yes, Mr. Bonetto's name is on the amendment.

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

Mr. BEREN. Well, Mr. Speaker, I think I can help you clarify the question that Mr. Kusse raised. Apparently

some of the amendments that have been passed out have other members' names on them, and if Mr. Bonetto, as he did with the Wilson Amendment, would point out whose amendment he is bringing up, then our members can find the amendment with a greater degree of care.

Mr. KUSSE. Yes, Mr. Speaker, it does get a little confusing. I have a stack of amendments here about one-inch thick. I put them together alphabetically, but I am not a mind reader. I get the feeling sometimes that it is not a motor vehicle bill but a railroad bill, because, really, it gets a little hard to identify some of these. And I think if we could probably have a little less conversation, there would be less interrogating if we did have copies of the amendments.

Now Mr. Bonetto keeps saying that this amendment has been passed out but, believe me, a lot of them have not been passed out.

The SPEAKER pro tempore. Do the members have this amendment before them? This is Mr. Bonetto's amendment.

Mr. BONETTO. Mr. Speaker, I do not know whether they are passed out but I can tell you this, they were given to the clerk and they were supposedly to be passed out last night.

The SPEAKER pro tempore. Would the gentleman proceed with the description of the amendment?

Mr. BONETTO. Yes.  
(Reading:)

Amend Sec. 1 (Sec. 102), page 30, line 24, by inserting a comma after "less"

Amend Sec. 1 (Sec. 1303), page 64, line 14, by inserting after "agreement": or pursuant to the act of August 1, 1963 (P. L. 479, No. 250), relating to Bus Taxation Proration Agreement

Amend Sec. 1 (Sec. 1305), page 67, line 30, by inserting after "appropriate.": This subsection is applicable only for the period during which the lease remains in effect.

Amend Sec. 1 (Sec. 3345), page 186, line 17, by removing the period after "safety" and inserting: or until boarding school children have completed boarding the bus.

Amend Sec. 1 (Sec. 3345), page 186, line 26, by inserting after "actuated": on streets in urban districts designated by the department or local authorities, at intersections or other places where traffic is controlled by uniformed police officers or appropriately attired persons authorized to direct, control or regulate traffic, or in school bus loading areas designated by the department or local authorities

Amend Sec. 1 (Sec. 4107), page 236, line 8, by inserting after "equipment" where it appears the last time: affecting the operation of the vehicle

That is what the amendments contain. It has been requested by the Bus Association that this appear in the new code.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BEREN. I support the amendment, Mr. Speaker.

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

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

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

Amend Amendments, page 1, lines 3 through 5, by striking out all of said lines which read: "Amend Sec. 1 (Sec. 102), page 23, line 18, by striking out "more than ten" and inserting: six or more"

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. This amendment corrects the question that was brought forth in the General Assembly yesterday by Mr. Taddonio, who raised a question regarding the nine-passenger station wagon. This amendment corrects that situation as follows:

Amend Amendments, page 1, lines 3 through 5, by striking out all of said lines which read: "Amend Sec. 1 (Sec. 102), page 23, line 18, by striking out "more than ten" and inserting: six or more"

We are amending the amendment but deleting the entire section. It goes back to the original bill as it was in printer's No. 1774.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BEREN. Mr. Speaker, the only question I have is, does this satisfy the intent? Was it Mr. Taddonio who raised the question?

Mr. BONETTO. Right.

Mr. BEREN. Is he satisfied with the language? And if he is, I am satisfied.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Taddonio.

Mr. TADDONIO. As I understand it, it would read "more than ten".

Mr. BEREN. Right.

Mr. TADDONIO. That satisfies me.

Mr. BEREN. It reads, Mr. Speaker: "by striking out 'more than ten' and inserting: 'six or more'". Now does that meet with your desire?

Mr. TADDONIO. No; I understood that the original amendment said—

Mr. BEREN. Oh, you are amending. Okay. It is agreed to, Mr. Speaker.

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

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

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

Amend Sec. 1 (Sec. 3369), page 201, line 7, by striking out "the timing may only be done"

Amend Sec. 1 (Sec. 3369), page 201, line 8, by striking out "if it" and inserting: such timing may be done only if the highway

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

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

Mr. BONETTO. This is a technical amendment. (Reading:)

Amend Sec. 1 (Sec. 3369), page 201, line 7, by striking out "the timing may only be done"

Amend Sec. 1 (Sec. 3369), page 201, line 8, by striking out "if it" and inserting: such timing may be done only if the highway

It is a very technical amendment and there should be no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BEREN. It is agreed to, Mr. Speaker.

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

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

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

Amend Sec. 1 (Sec. 1504), page 97, line 8, by striking out "26,000" and inserting: 30,000

Amend Sec. 1 (Sec. 1504), page 97, line 10, by striking out "9,000" and inserting: 10,000

Amend Sec. 1 (Sec. 1504), page 97, line 17, by striking out "26,000" and inserting: 30,000

Amend Sec. 1 (Sec. 1504), page 97, line 18, by striking out "9,000" and inserting: 10,000

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. This amendment changes the restrictions by utilities in their trucking of materials and equipment within their own system. It is all on page 97. (Reading:)

Amend Sec. 1 (Sec. 1504), page 97, line 8, by striking out "26,000" and inserting: 30,000

Amend Sec. 1 (Sec. 1504), page 97, line 10, by striking out "9,000" and inserting: 10,000

Amend Sec. 1 (Sec. 1504), page 97, line 17, by striking out "26,000" and inserting: 30,000

Amend Sec. 1 (Sec. 1504), page 97, line 18, by striking out "9,000" and inserting: 10,000

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BEREN. They are agreed to, Mr. Speaker.

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

### QUESTION OF PERSONAL PRIVILEGE

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

Mr. W. W. WILT. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, I would like to be

recorded in the negative on the Bonetto amendment which was just agreed to.

The SPEAKER pro tempore. The gentleman from Blair, Mr. Wilt, desires to be recorded in the negative. His remarks will be inserted in the record.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1311), page 72, line 29, by inserting after "space": or spaces

Amend Sec. 1 (Sec. 4727), page 263, line 10, by removing the comma after "registered" and inserting: and

Amend Sec. 1 (Sec. 4727), page 263, lines 11 through 13, by striking out all of said lines and inserting: is signed and contains the information required by section 1311(a) (relating to registration card to be signed and exhibited on demand).

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. The next amendment is primarily technical in nature. It deals with a no-fault insurance clause within the new code, and it reads as follows:

(Reading:)

Amend Sec. 1 (Sec. 1311), page 72, line 29, by inserting after "space": or spaces

Amend Sec. 1 (Sec. 4727), page 263, line 10, by removing the comma after "registered" and inserting: and

Amend Sec. 1 (Sec. 4727), page 263, lines 11 through 13, by striking out all of said lines and inserting: is signed and contains the information required by section 1311(a) (relating to registration card to be signed and exhibited on demand).

What this does is this: It does not impose a restriction upon an inspection station owner as an enforcement agency of the government on no-fault insurance. All he is interested in is whether or not that card is signed by the owner indicating that he has no-fault insurance.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BEREN. They are agreed to, Mr. Speaker. I believe in this language that Mr. Fisher and Mr. Westenberg, in our caucus, worked on.

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

Mr. RITTER. Mr. Speaker, may I interrogate Mr. Bonetto, please?

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

Mr. BONETTO. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, does the no-fault insurance law require that these certificates of insurance be shown to inspection stations? And if that is true, do we not also have to change the no-fault insurance law?

Mr. BONETTO. It does not require that, Mr. Speaker.

Mr. RITTER. It does not?

Mr. BONETTO. No, not the no-fault law; the code does.

Mr. RITTER. Thank you, Mr. Speaker.

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

Mr. GARZIA. I have a question for Mr. Bonetto.

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

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GARZIA. Now if I understand this right, you cannot get your license or your tags unless you have car insurance. Do I understand that right?

Mr. BONETTO. No. There will be amendments offered on the floor of the House, I believe, by Mr. Fisher. Do we have it? Anyway, there will be amendments, I presume, on the floor of the House whereby the application shall indicate whether or not you have no-fault insurance. If not, then the department can refuse or will refuse to send you your registration plates.

What this deals with primarily is that the back of the registration card must indicate that you have no-fault insurance. Failure to indicate that and sign it means that that inspection station cannot and will not inspect your car.

Mr. GARZIA. Oh, in other words, if you take out a premium and pay 3 months in advance, you automatically get a license with a stamp that you have insurance, right?

Mr. BONETTO. That is the way it works.

Mr. GARZIA. Now what happens after 3 months if you do not make your payments?

Mr. BONETTO. Well, now you are getting into another section of the code and that means that the insurance company, upon cancellation, is required to notify the Department of Transportation that you have canceled your insurance.

Mr. GARZIA. And then what happens?

Mr. BONETTO. That is an enforcement provision. That is an enforcement problem of the Department of Transportation and it is not contained in the code.

Mr. GARZIA. Well, did you ever stop and think of doing something like that? You know, if you are going to have no-fault insurance, you should have some kind of a provision to take a license away from a person when they let their premium lapse.

Mr. BONETTO. Again, it is an enforcement provision for the Department of Transportation, and the Department of Transportation, I am informed, will suspend your registration privileges until such time that you get other insurance.

Mr. GARZIA. Thank you. That answers the question.

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

Mr. BEREN. We support this amendment.

Mr. BONETTO. This is the one whereby they are required to sign the back of the card and, in so doing, they must show it to an inspection station. Failure to do so would mean that there would be no inspection.

Mr. BEREN. We so support.

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

### QUESTION OF PERSONAL PRIVILEGE

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

Mr. HILL. I rise to a question of personal privilege. The SPEAKER pro tempore. The gentleman will state it.

Mr. HILL. I think earlier today I had a leave of absence. I would like to be recorded on the master roll call.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. BONETTO. That is the only way you get paid.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1339), page 84, lines 10 through 12, by striking out "The department SHALL not" in line 10, all of lines 11 and 12

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Mr. Speaker, this amendment ought to be quite interesting to the members of the House. We have amended the bill on page 84. Originally in the code, all members of Congress, all members of the General Assembly, all ambassadors, and so forth and so on, would receive a plate for the sum of \$24 but would not be required to pay the extra \$20 for the so-called special-plate.

We have amended the bill so that now you will be required to not only pay the \$24 for the plate but to get your "HR" plate, you are going to be required to pay an additional \$20 the same as everybody else.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BONETTO. Before Mr. Beren answers that question, both of us are retiring. We do not give a damn.

The SPEAKER pro tempore. So is the Speaker pro tempore.

### PARLIAMENTARY INQUIRY

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

Mr. BEREN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BEREN. Mr. Speaker, would this additional \$20 cost be a proper deduction on your income tax?

I think the members are on their own on this, Mr. Speaker. I am not going to support it.

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

Mr. MCGINNIS. Mr. Speaker, may I interrogate Mr. Bonetto?

The SPEAKER pro tempore. Will the gentleman, Mr. Bonetto, submit to interrogation?

Mr. BONETTO. Yes.



The SPEAKER pro tempore. The gentleman may proceed.

Mr. MCGINNIS. I would like to find out—after we pay for our plate—what happens after we are defeated in the first term? Do we keep that plate or do we turn it in?

Mr. BONETTO. Right. Mr. Speaker, upon termination of your term, you shall be required to return such plate to the Department of Transportation.

Mr. MCGINNIS. I understand that, but normally when you pay for a special plate, it is for 5 years.

Mr. BONETTO. Not necessarily. It is paid only the first time.

Mr. MCGINNIS. No. If I go to get my initials on a plate and I pay for that plate the first time, for the special plate, I get that plate for 5 years.

Mr. BONETTO. Again I say, not necessarily. The department may issue plates each year; they may issue plates every 5 years; they may issue plates every 10 years, but you only pay this special fee the first time.

Mr. MCGINNIS. Up until now, it has been for 5 years, but it is a moot question.

Thank you very much, Mr. Speaker.

Mr. BEREN. Mr. Speaker, I think I ought to clarify my remarks too. I think Mr. Bonetto was very correct in pointing out that as far as the two of us are concerned, it really does not make any difference how we vote on this amendment; we are not running for reelection. The question that each member, therefore, has to face on their own is whether or not they think the public should see that legislators' cars are clearly identified as such and whether or not legislators should pay that fee along with everyone else. You are on your own.

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

Mr. RITTER. Mr. Speaker, I support the amendment. I just want to make sure the record is very clear that until this moment we have paid an extra price for that special plate. I do not want the public to think that legislators were getting those special plates issued free of charge. We paid a double fee in order to get the legislator plate.

This amendment simply, in effect, seeks to keep that same provision in—not necessarily doubled but we would pay an additional \$20—and I support the amendment.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—167

Abraham	George	McCall	Scheaffer
Anderson, J. H.	Gillespie	McCue	Schmitt
Arthur	Gillette	McGinnis	Schweder
Barber	Gleason	McIntyre	Scitica
Bellomfni	Gleason	McLane	Seltzer
Bennett	Goodman	Mebus	Shane
Berlin	Green	Menhorn	Shelhamer
Bittle	Greenfield	Millanovich	Shelton
Bonetto	Grieco	Miller, M. E.	Shuman
Bradley	Gring	Miller, M. E., Jr.	Shupnik
Brandt	Halverson	Milliron	Strianni
Brunner	Hamilton, J. H.	Miscevich	Smith, E.
Burns	Hasay	Moehlmann	Smith, L.
Rutera	Haskell	Morris	Spencer
Caputo	Hayes, D. S.	Mrkonje	Stahl
Cohen	Hayes, S. E.	Musto	Stapleton

Cole	Hepford	Myers	Stout
Cowell	Hopkins	Novak	Taddonio
Cumberland	Hutchinson, A.	Noye	Taylor
Davies	Hutchinson, W.	O'Brien	Thomas
DeMedio	Irvia	O'Keefe	Toll
Deverter	Itkin	Oliver	Turner
Dicarlo	Johnson, J.	Pancoast	Ustynoski
DiDonato	Katz	Perri	Wagner
Dietz	Kelly, A. P.	Perry	Walsh, T. P.
Dintini	Kelly, J. B.	Petrarca	Wansacz
Dombrowski	Kernick	Pievsky	Wargo
Dorr	Kistler	Pitts	Weidner
Doyle	Klingaman	Pratt	Westerberg
Eckensberger	Kolter	Prendergast	Whelan
Englehart	Kowalshyn	Pyles	Wilson
Fawcett	Kusse	Ravenstahl	Wilt, R. W.
Fee	Laudadio	Reed	Wilt, W. W.
Fischer	Laughlin	Renninger	Worriow
Fisher	Lederer	Renwick	Wright
Flaherty	Lehr	Rhodes	Yohn
Foster, A.	Letterman	Richardson	Zearfoss
Foster, W.	Levi	Ritter	Zeller
Fryer	Lincoln	Ruggiero	Zwickl
Gallagher	Lynch	Ryan	
Gallen	Manderino	Saloom	Fineman, Speaker
Garzia	Manmiller	Salvatore	
Geesey			

NAYS—3

Giammarco	Mullen, M. P.	Vroon
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NOT VOTING—26

Beren	Hammock	O'Connell	Ross
Berson	Hill	O'Donnell	Trello
Cessar	Knepper	Parker, H. S.	Valicenti
Cimini	LaMarca	Polite	Wojdak
Crawford	McClatchy	Rappaport	Yahner
Dreibelbis	McGraw	Rieger	Zord
Gelsler	Mullen		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. CIMINI. Mr. Speaker, my button was locked in. I want to be recorded as voting in the affirmative on the last amendment, please.

The SPEAKER pro tempore. The remarks of the gentleman will be placed on the record.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3706), page 215, line 7, by inserting after "trailer": , mobile home

Amend Sec. 1 (Sec. 4732), page 266, line 7, by striking out "AND TWO MEMBERS" and inserting: an independent repair shop operator and one member

Amend Sec. 1 (Sec. 4732), page 266, line 8, by striking out "ARE LICENSED DRIVERS." and inserting: is a licensed driver.

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. There is one technical change on the next amendments.

(Reading:)

Amend Sec. 1 (Sec. 3706), page 215, line 7, by inserting after "trailer": , mobile home

The next two sections of the amendment are:  
(Reading:)

Amend Sec. 1 (Sec. 4732), page 266, line 7, by striking out "AND TWO MEMBERS" and inserting: an independent repair shop operator and one member

Amend Sec. 1 (Sec. 4732), page 266, line 8, by striking out "ARE LICENSED DRIVERS." and inserting: is a licensed driver.

These are primarily technical in nature, and I ask for their approval.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Beren.  
Mr. BEREN. They are agreed to, Mr. Speaker.

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

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

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

Amend Sec. 1 (Sec. 1943), page 154, by inserting between lines 17 and 18:

(d) Multiple highway crossings.—The annual fee for a single permit for multiple highway crossings, as provided in section 4965 (relating to single permits for multiple highway crossings), shall be \$25.

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

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

Mr. BONETTO. This amendment primarily corrects an error that we omitted in the code originally.

(Reading:)

Amend Sec. 1 (Sec. 1943), page 154, by inserting between lines 17 and 18:

(d) Multiple highway crossings.—The annual fee for a single permit for multiple highway crossings, as provided in section 4965 (relating to single permits for multiple highway crossings), shall be \$25.

This was omitted accidentally in the original code and the amendment is primarily correcting it.

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

Mr. BEREN. Agreed to, Mr. Speaker.

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

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

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

Amend Sec. 1 (Sec. 3369), page 200, line 19, by striking out "three-tenths" and inserting: two-tenths

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

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

Mr. BONETTO. This is also being done at the request of Mr. Eckensberger.

(Reading:)

Amend Sec. 1 (Sec. 3369), page 200, line 19, by striking out "three-tenths" and inserting: two-tenths

This involves the signing of the highways. We require the Department of Transportation to place signs upon the highways every three-tenths of a mile. This would require the Department of Transportation to place speed signs every two-tenths of a mile.

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

Mr. BEREN. Mr. Speaker, may I interrogate either Mr. Bonetto or Mr. Eckensberger on this?

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

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BEREN. Mr. Speaker, in House bill No. 1817, as we have it before us, there are, until this amendment, no provisions that changed speed limits to be posted with more than one sign. This amendment would correct that, would it not?

Mr. BONETTO. That is correct.

Mr. BEREN. I support this amendment.

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

Mr. ECKENSBERGER. Mr. Speaker, may I just comment on that?

I have looked at the amendments—you need more than one in order to do this—and I could not find an appropriate amendment that would amend another section I think has to be amended. So I suggested to Mr. Bonetto that we hold this amendment until this afternoon to make certain that we are going to put in the proper requirements.

Mr. BONETTO. I so move to withdraw the amendment at this point.

Mr. BEREN. I have no quarrel with that.

I would point out that we had considerable discussion in the caucus over the question of whether the changed speeds would be posted properly, and certainly this amendment speaks to that problem. When it is offered, we will support it.

#### AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Without objection, the amendment is withdrawn by the gentleman, Mr. Bonetto, until a later time today.

Mr. BONETTO. Right. We have a man who is calling the Reference Bureau right now to correct the situation, so we will just hold this in abeyance until that correction comes down.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

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

Amend Sec. 1 (Sec. 4944), page 276, line 8, by striking out "of the publications listed in"

Amend Sec. 1 (Sec. 4944), page 276, line 9, by striking out "No. 119 (49 C.F.R. 571.119)"

Amend Sec. 1 (Sec. 4944), page 276, line 12, by inserting after "with": any

Amend Sec. 1 (Sec. 4944), page 276, line 12, by striking out "No. 119"

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. Mr. Speaker, this amendment is quite important to every member of the House and every citizen of the Commonwealth who owns a vehicle.

At the present time the Federal Government requires certain types of standards for tires and they are marked. For example, trucking tires are marked at 119; automobile tires are marked 109. If those tires are marked, you must comply with the regulation of the Federal Government.

What this amendment does is remove the numbers. It means this: If your tires are not marked, you will operate as usual; if the tire is marked, you will naturally be operating under that section. This is in compliance with the Federal Government regulation.

What we do is remove the number "119." We do not insert the number "109," and we operate as usual.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Beren.

Mr. BEREN. Mr. Speaker, I do not have a copy of this amendment. I would like to look at it. Could we hold for just a second?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. DiCarlo.

Mr. DiCARLO. Mr. Speaker, I am wondering, while we are waiting for the minority side, could the gentleman, Mr. Bonetto, explain what he is trying to do? I heard him, but I have no idea what he means and most of my colleagues around me do not either.

The SPEAKER pro tempore. Will the gentleman, Mr. Bonetto, submit to interrogation?

Will the gentleman, Mr. DiCarlo, suspend until the conference is over?

### PERMISSION TO ADDRESS HOUSE

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

Mr. SHANE. Mr. Speaker, yesterday's action of the House concerning the discount given for early payment of real estate taxes in Allegheny County was described in a newspaper article on the front page of this morning's Pittsburgh Post-Gazette by the Pittsburgh Post-Gazette reporter, Mr. Edward Jensen, which I find very disturbing.

Contained in that Pittsburgh Post-Gazette article are paragraphs that I, personally, consider to be irresponsible journalism. In that article Mr. Jensen purportedly quotes newly elected Commissioner Peirce in saying that the gentleman, Mr. Valicenti—who had some vigorous remarks on our floor yesterday—had been drinking. This is absolutely false and needs to be corrected on our record.

Now the gentleman, Commissioner Peirce, immediately realized the serious mistake he had made, according to the Allegheny County lobbyist, Miss Goldstein, and immediately took steps to correct his indiscreet remarks by asking the journalist, Mr. Jensen, to please exclude those remarks from any article that Mr. Jensen might write.

Now all of us, of course, make indiscreet remarks from time to time which we regret; but I submit to you, my colleagues, that this newspaper writer had a reasonable period of time to reflect and therefore had a reasonable opportunity to come to the proper conclusion that that unfounded allegation should not be included in his newspaper article.

I, therefore, stand before you today to say that I consider this utterly irresponsible journalism and I feel that we should publicly criticize Mr. Jensen for this irresponsible act which irreparably damages the personal reputation of one of our colleagues without any evidence or just cause whatsoever.

I have read the newspaper articles of Mr. Edward Jensen. I have also had the opportunity to read the newspaper articles of his predecessors, Mr. William Deibler and Mr. David Runkel. I consider Mr. Deibler and Mr. David Runkel two of the finest reporters that we have had down here in Harrisburg, in my brief tenure, covering the events here. I find the quality of Mr. Jensen's work as a reporter falls far short of the standard of quality set forth by his predecessors, Mr. Deibler and Mr. Runkel. Since the quality of Mr. Jensen's reporting falls so far short of the work of his predecessors, apparently he has to resort to cheap sensationalism to attract a readership in his paper, the Pittsburgh Post-Gazette.

As far as I am concerned, this is probably the most irresponsible journalist act I have seen in my 5 years here in Harrisburg and, for this reason, I take this microphone to publicly condemn Mr. Edward Jensen of the Pittsburgh Post-Gazette for this act.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair requests the gentleman to hold his remarks until we have completed the consideration of the amendment presented by Mr. Bonetto.

### AMENDMENT TO HOUSE BILL 1817 WITHDRAWN

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

Mr. BONETTO. Mr. Speaker, I would like to withdraw the amendment I just gave you previously in reference to the number "119," and I would like to submit this one in its place.

The SPEAKER pro tempore. Without objection, the amendment offered by the gentleman, Mr. Bonetto, is withdrawn.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4944), page 276, lines 5 through 12 by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Mr. Speaker, previously, under the other amendment, I mentioned to you that the Federal Government has imposed Federal standards for tires. Mr. Westerberg has submitted an amendment with Mr. L. E. Smith. This is their amendment.

Because of the confusing part of this entire section, it has been recommended by Mr. Westerberg and Mr. L. E. Smith that all of lines 5 through 12 be stricken out of the bill on page 276 until such time that the Federal Government comes up with some standards. I recommend that this amendment be approved.

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

Mr. BEREN. Mr. Speaker, this amendment that Mr. Bonetto is offering, as he said, is done in cooperation with and in support of the work done by Mr. Westerberg, and, therefore, I am very happy to support it.

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

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

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

Amend Bill, page 339, by inserting between lines 19 and 20:

Section 5. Applicability of Statutory Construction Act.—The provisions of 1 Pa. C. S. §§ 1952 (relating to effect of separate amendments on code provisions enacted by same General Assembly) and 1974 (relating to effect of separate repeals on code provisions by same General Assembly) shall not be applicable to any provisions of Title 75 of the Pennsylvania Consolidated Statutes as added by this act.

Amend Sec. 5, page 339, line 20, by striking out "5." and inserting: 6.

Amend Sec. 6, page 340, line 11, by striking out "6." and inserting: 7.

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

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

Mr. BONETTO. Mr. Speaker, I want to refer this amendment to Mr. Beren particularly, who questioned this section of the Statutory Construction Act.

The reason for this amendment is this: In the event that during the course of this year anybody were to amend the old code, it would take precedence over the new code. So by having this amendment, done at the request of the Legislative Reference Bureau, that would not take place nor would it happen. I ask approval of this amendment.

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

Mr. BEREN. Mr. Speaker, I have some serious questions as to whether or not this is the proper way to proceed. I understand that this amendment is requested by the Legislative Reference Bureau; it is not an amendment that is put forth per se by Mr. Bonetto.

But what this amendment does is to say that the Statutory Construction Act shall not apply to House bill No.

1817, and the Legislative Reference Bureau has given its reasons. I think that Mr. Bonetto has presented those reasons to you.

I think that I have to oppose this amendment in its present form because I do believe the Statutory Construction Act is specifically called for in dealing with legislation as comprehensive as that with which we are dealing now.

I would wonder out loud to Mr. Bonetto whether or not we should have some language that would try to accomplish what the Legislative Reference Bureau wants us to do with regard to amendments that we would pass between now and the end of this session to the old Vehicle Code and still preserve the Statutory Construction Act as it applies to the 300 or 400 pages that exist in this bill.

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

Mr. BONETTO. Mr. Speaker, can we, in order to clarify this thing, go back to the Legislative Reference Bureau and maybe make the changes that are necessary?

Mr. BEREN. Yes. Let us see if they can come up with something that would preserve what they are talking about as well as how the Statutory Construction Act will apply to all the language in this bill now.

#### AMENDMENT WITHDRAWN

Mr. BONETTO. Mr. Speaker, let us withdraw this amendment until sometime this afternoon during which time we will try to get some clarifying language.

The SPEAKER pro tempore. The Chair wishes to advise Mr. Bonetto that a portion of the amendment which was just presented had already been adopted by a previous amendment.

Mr. BONETTO. Right. But we will withdraw and let it go back to the Reference Bureau and let them change it.

#### POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BEREN. Mr. Speaker, your comment on this past amendment that was withdrawn indicated that a portion of it had already been adopted. What portion of that was adopted, Mr. Speaker?

The SPEAKER pro tempore. The portion that was adopted was adopted in the fifth amendment offered by Mr. Bonetto concerning section 5, page 339, line 20, by striking out "5" and inserting 6.

Mr. BEREN. Mr. Speaker, it was my understanding—and I believe that it was spelled out yesterday by Mr. Bonetto—that this section was not to be adopted yesterday. That is why he put the amendment forth today. So there may be some confusion as to actually what was done yesterday.

Mr. BONETTO. Yesterday, Mr. Speaker, we removed that particular section from that amendment. The numbers remained the same.

Mr. BEREN. Has that been clarified, Mr. Speaker?

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 26, line 29 by removing the period after "university" and inserting: or private or public school.

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

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

Mr. BONETTO. Mr. Speaker, this amendment was submitted to the committee by Mr. Prendergast.

All it does, on page 26, line 29, is to remove the period after "university" and insert: or private or public school. I ask for its adoption.

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

Mr. BEREN. Mr. Speaker, with regard to this amendment, let us dispose of this amendment right now. I agree to it.

Then let me get back to my point of order because I do not recall getting an answer from you as to whether or not the question that I raised a couple of minutes ago was satisfactorily answered.

So, first, I agree with this amendment.

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

Mr. BEREN. I am satisfied.  
The SPEAKER pro tempore. Thank you.

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

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

Amend Sec. 1 (Sec. 1538), page 117, line 19, by striking out "may" and inserting: shall

Amend Sec. 1 (Sec. 1538), page 117, line 21, by striking out "shall" and inserting: should

Amend Sec. 1 (Sec. 1538), page 117, line 23, by striking out "hearing"

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

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

Mr. BONETTO. Mr. Speaker, these are the last amendments that will be presented until sometime this afternoon. I am presenting two other corrections. But for today—and whatever the majority leader wants to do—I have the final amendments. They are technical in nature.

(Reading:)

Amend Sec. 1 (Sec. 1538), page 117, line 19, by striking out "may" and inserting: shall

Amend Sec. 1 (Sec. 1538), page 117, line 21, by striking out "shall" and inserting: should

Amend Sec. 1 (Sec. 1538), page 117, line 23, by striking out "hearing"

These are the final amendments that we will present from the members of the committee.

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

Mr. BEREN. I support the amendments, Mr. Speaker.

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

## HOUSE SCHEDULE

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

Mr. IRVIS. Mr. Speaker, for the edification of the members, you will be going home today, just as soon as we finish with the amendments to be offered to House bill No. 1817.

We are going to reprint this bill. Mr. Gleason is correct, the bill is too massive and has been amended in too many places to ask the members to vote in all fairness on this bill without having seen it in print first. It will take more than 36 hours to have the bill reprinted. I do not think it wise to hold you here until Thursday night or Friday morning for that purpose when we can change the schedule for next week.

I am asking, therefore, that the chairmen who have scheduled meetings for next Monday afternoon cancel those meetings. We shall be in voting session on House bill No. 1817 only, unless there is some emergency measure which I know nothing about as I stand here in front of you, on Monday afternoon, beginning at 1 p.m.

I am asking all members to have ready all amendments which they wish to be considered by the House this afternoon. I am asking the House to join with me in rejecting any amendments that may be offered beyond this afternoon. It costs over \$22,000 to reprint this bill. I do not want to, the Speaker does not want to, Mr. Butera does not want to, no other leader wants to reprint and reprint at that cost level. When we order the bill reprinted for final passage this weekend, we intend that that will be the last reprinting. So we are asking all members to do us the courtesy, as other members of the House have done, of submitting all amendments today. And after today, let there be no further amendments to the bill.

Monday afternoon we will call up the bill for debate and a final vote.

I am also requesting that those members who have amendments to be offered this afternoon to check and see if their amendment has not already been either included or excluded by the amendments passed this morning so that you are not repetitious. Please do not offer us this afternoon an amendment which we have already taken care of, having voted it either up or down this morning.

As soon as we complete the work of the amendments, the members will be permitted to leave for this week. The bill will be reprinted. It will be available Monday morning, and there will be a complete summary available Monday morning as to what the bill contains on final passage. Monday afternoon it is my intention to call up the bill for debate and final passage.

Mr. Butera, do you have an announcement? Mr. Beren do you? If there is no further announcement, Mr. Speaker, I would like to ask that the House now be recessed for lunch until 1 p.m., when there is going to be a motion to override the Governor's veto. I would ask that you be back in your seats at that time. Then we will go on with the amendments.

Thank you, Mr. Speaker.

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

Mr. BUTERA. Mr. Speaker, for the benefit of the members, the veto which will be sought to be overridden is on the constables' bill, which we discussed some weeks ago in both caucuses.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### RECESS

The SPEAKER pro tempore. Without objection, the House will stand in recess until 1 p.m.

### AFTER RECESS

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

### THE SPEAKER PRO TEMPORE (James B. Kelly) IN THE CHAIR

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

Mr. KNEPPER. Thank you, Mr. Speaker.

I would just like to pass on a comment to the Chair and perhaps you could convey it to the chief clerk's office. Last night I had more than one comment from some people who were sitting up in the gallery, and they indicated that the smoke, apparently in the room, has coated the Plexiglas in the gallery to the extent that it is rather difficult for them to see from the other side.

I wonder if maybe during the next few weeks somebody could clear out the smoke-filled room a little.

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

Mr. GARZIA. Mr. Speaker, I would like to make a suggestion. Maybe we ought to cut out smoking altogether in this place.

The SPEAKER pro tempore. The Chair thanks the gentleman for making that comment.

The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Mr. Speaker, I have a further suggestion for the gentleman, Mr. Knepper. Perhaps he could propose an amendment to the "Sunshine" law which might provide a way to clear the air there.

The SPEAKER pro tempore. Mr. Ruggiero, I am sure that Mr. Knepper appreciates your comments.

Thank you.

### ANNOUNCEMENT

The SPEAKER pro tempore. The Chair takes this opportunity to announce the results of the first annual charity basketball game which was held last night. This was a major victory for the House of Representatives' team. We understand that the score was 63 to 29.

Mr. Shane will be pleased to hear that the House of Representatives did defeat the Press Corps 63 to 29.

Mr. Manderino takes the liberty to note that the newspapers have not yet reported the score.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. SHANE. Mr. Speaker, I appreciate the athletic footnote, but I want the members to know that the end of this affair is not over. I have asked the Legislative Reference Bureau to draft a resolution of censure which I will have available for signatures this afternoon.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair is awaiting the arrival of Mr. Bonetto for the presentation of additional amendments.

### RECONSIDERATION OF VOTE ON RECOMMITTAL OF SENATE BILL No. 891

Mr. FRYER moved that the vote by which SENATE BILL No. 891, printer's No. 1695, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," providing that the county commissioners shall have the sole responsibility for collective bargaining negotiations for all employes paid from the county treasury.

was recommitted to the Committee on Labor Relations on Tuesday, March 9, 1976, be reconsidered.

Mr. MEBUS 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 second consideration?

Bill was agreed to.

Ordered, That the bill be transcribed for third consideration.

### BILL AND VETO MESSAGE REMOVED FROM TABLE

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

Mr. MORRIS. Mr. Speaker, I move to take House bill No. 803, printer's No. 2077, and the Governor's veto message from the table for the purpose of a vote on this bill as to whether or not it should become law, the veto of the Governor to the contrary notwithstanding.

I made my motion, Mr. Speaker. I think a reading of the veto message is in order.

The SPEAKER pro tempore. The gentleman from Chester moves that House bill No. 803, printer's No. 2077, and the veto message be removed from the table. Is that correct?

Mr. MORRIS. Yes, Mr. Speaker. I think you have to put the question as to whether the bill and the veto message should be taken from the table.

The SPEAKER pro tempore. The question is first, as I understand it, on the motion as to whether or not the bill and the message should be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER pro tempore. The veto message will be read by the clerk in full:

(Reading:)

COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE  
HARRISBURG

November 26, 1975

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 803, Printer's No. 2077, entitled "An Act clarifying the powers of constables, county detectives, sheriffs, deputy sheriffs, WATERWAYS PATROLMEN AND GAME PROTECTORS."

This Bill purports to clarify the powers of constables, county detectives, sheriffs, deputy sheriffs, waterways patrolmen and game protectors.

However, in fact the measure would further confuse an already badly confused situation regarding the powers and duties of these several types of law enforcement agents. The myriad statutory provisions relating to these law enforcement agents are in many cases quite old and are in need of revision, especially considering that the court interpretations of the statutory duties have been so numerous and so conflicting.

Furthermore, The Supreme Court, by its Rules of Criminal Procedure, has ruled that these law enforcement agents shall not have the power of arrest without warrant. The effect of this bill on that rule is uncertain in light of Article V, section 10 (c) of the Constitution.

I believe that the area of the powers and duties of constables, sheriffs, and other law enforcement agents is clearly one requiring intensive study and analysis. My administration stands ready to assist in these efforts. I urge the General Assembly to investigate this situation and I would hope that the courts, perhaps through the Court Administrator, would also address the problems here.

For these reasons, I must return House Bill No. 803 without my signature.

MILTON J. SHAPP  
Governor

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

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

Mr. MORRIS. Thank you, Mr. Speaker.

I would hope that those members who are still in their offices might come here to the floor. We are dealing now with a vote as to whether to override the Governor's veto on House bill No. 803, and, as you know, we need a two-thirds majority to do so.

This is a very simple bill. All it says is this:

(Reading:)

Constables, county detectives, sheriffs, deputy sheriffs, waterways patrolmen and game protectors shall perform all those duties authorized or imposed on them by statute.

All rules and regulations limiting the powers of constables, county detectives, sheriffs, deputy sheriffs, waterways patrolmen and game protectors or suspending any statute relating thereto are repealed in so far as they are inconsistent herewith.

The SPEAKER pro tempore. The question before the House at the moment and the motion that is being raised by Mr. Morris is: Shall House bill No. 803, printer's No. 2077, become law, the objections of the Governor to the contrary notwithstanding?

Mr. MORRIS. I am anxious for people as well as

order, Mr. Speaker. Could you urge those in their offices to come to the floor again?

The SPEAKER pro tempore. Will all those members in the Capitol not on the floor of the House please come to floor of the House immediately?

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

Mr. RITTER. Mr. Speaker, would the gentleman, Mr. Morris, consent to a brief interrogation?

The SPEAKER pro tempore. Does the gentleman submit to interrogation or do you desire to finish your remarks?

Mr. MORRIS. I do.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, on House bill No. 803, if we override the Governor's veto, are we in effect allowing sheriffs, deputy sheriffs and constables to enforce the provisions of the Motor Vehicle Code since they would be considered to be police officers?

Mr. MORRIS. To the extent that they are considered to be police officers, I would assume that is correct, although that code which has been before us has been amended several times now and I am not absolutely certain on that section of the code which has to do with the requirements of obeying lawfully authorized officers who are controlling traffic. I would assume that is what you mean, Mr. Speaker. Is that correct?

Mr. RITTER. No, Mr. Speaker. I mean, can a sheriff, a deputy sheriff or a constable stop a motorist on the street and issue a traffic ticket for a violation of the Motor Vehicle Code if we override the Governor's veto?

Mr. MORRIS. I am sorry I cannot answer that off-hand.

What this bill does, Mr. Speaker, is to say that constables, county detectives, and so on, shall perform those duties authorized or imposed on them by statute. If the Motor Vehicle Code does not impose or authorize them to do what you have said, then they cannot do it; if it does, then they can. It is a question as to what the Motor Vehicle Code says.

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

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

Mr. WAGNER. Thank you, Mr. Speaker.

Would the gentleman, Mr. Morris, stand to be interrogated?

The SPEAKER pro tempore. Would the gentleman consent to interrogation?

Mr. MORRIS. Yes, indeed, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WAGNER. Mr. Speaker, I am not quite familiar as to what the rights of arrests are for private citizens, outside of policemen.

Mr. MORRIS. Well, I do not think the arrest rights of a private citizen are encompassed within this bill.

Mr. WAGNER. No, but it makes a difference to me.

Mr. MORRIS. Well, I do not know what they are either, precisely. This is a very difficult area of the law.

Mr. WAGNER. Let me ask you—if you do not know, maybe if someone does know the answer they can answer it for us—if a felony is committed in my presence and I

say "my" as a private citizen, am I permitted to apprehend that person and arrest him?

Mr. MORRIS. I cannot answer that, Mr. Speaker, I am sorry. There are a great many limitations and strictures on the rights of private citizens to arrest. It is generally considered to be a dangerous thing to do; not necessarily physically, although no doubt that is true too, but legally. The right exists, however.

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

Mr. CAPUTO. Mr. Speaker, I was just going to say what the gentleman, Mr. Morris, said. A private citizen may make a citizen's arrest in the case of a felony committed in his presence.

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

Mr. WAGNER. Mr. Speaker, may I also ask the question of Mr. Morris, and I hope that Mr. Caputo listens: Would the same rule apply for a misdemeanor committed in my presence?

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

Mr. CAPUTO. Mr. Speaker, an arrest for a misdemeanor committed in the presence of a private citizen can only be effected by the issuance of information.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, all this bill does is to return the former powers of arrest to constables the way it has existed for the past 200 years or more. They are not asking for anything more or less; just the former powers.

This bill was passed by the House 188 to 5 and by the Senate 46 to 2. It not only seems to be the wish of the Constables' Association but also of the people of Pennsylvania. I would ask my colleagues on both sides of the aisle to support this override on this veto.

The SPEAKER pro tempore. The question is, Shall House bill No. 803, printer's No. 2077, become a law, the objections of the Governor to the contrary notwithstanding? Those in favor of House bill No. 803 becoming law will vote "aye"; those in favor of sustaining the Governor's veto will vote "no."

On the question recurring,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

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

YEAS—183

Abraham	George	Manmiller	Schmitt
Anderson, J. H.	Giammarco	McCall	Schweder
Arthurs	Gillespie	McClatchy	Scirica
Barber	Gilletta	McCue	Seltzer
Bellomini	Gleason	McGinnis	Shane
Bennett	Gleason	McIntyre	Shelhamer
Beren	Goodman	McLane	Shelton
Berlin	Green	Mebus	Shuman
Berson	Greenfield	Menhorn	Shupnik
Bittle	Grleco	Millanovich	Sirianni
Bonetto	Gring	Miller, M. E.	Smith, E.
Bradley	Halverson	Miller, M. E., Jr.	Smith, L.
Brandt	Hamilton, J. H.	Milliron	Spencer
Brunner	Hammock	Miscevich	Stahl
Burns	Hasay	Moehlmann	Stapleton
Butera	Haskell	Morris	Stout
Caputo	Hayes, D. S.	Mrkonic	Taddontio

Cessar	Hayes, S. E.	Mullen, M. P.	Taylor
Cimini	Hepford	Mullen	Thomas
Cole	Hill	Musto	Toll
Cowell	Hopkins	Myers	Trello
Crawford	Hutchinson, A.	Novak	Turner
Cumberland	Hutchinson, W.	Noye	Ustynoski
Davies	Irvis	O'Brien	Valicenti
DeMedio	Itkin	O'Keefe	Vroon
Deverter	Johnson, J.	Oliver	Wagner
DiCarlo	Katz	Pancoast	Walsh, T. P.
Dietz	Kelly, A. P.	Parker, H. S.	Wansacz
Diminni	Kelly, J. B.	Perri	Wargo
Dombrowski	Kernick	Petrarca	Weidner
Dorr	Kistler	Pievsky	Westerberg
Doyle	Klingaman	Pitts	Whelan
Eckensberger	Knepper	Polite	Wilson
Englehart	Kolter	Pratt	Wilt, R. W.
Fawcett	Kowalshyn	Prendergast	Wilt, W. W.
Fee	Kusse	Pyles	Wojdak
Fischer	LaMarca	Ravenstahl	Worrlow
Fisher	Laudadio	Reed	Wright
Flaherty	Laughlin	Renninger	Yahner
Foster, A.	Lederer	Renwick	Yohn
Foster, W.	Lehr	Rieger	Zearfoss
Fryer	Letterman	Ruggiero	Zeller
Gallagher	Levi	Ryan	Zwickl
Gallen	Lincoln	Saloom	
Garzia	Lynch	Salvatore	Fineman,
Geesey	Manderino	Scheaffer	Speaker
Geisler			

NAYS—2

Ritter Ross

NOT VOTING—11

Cohen	McGraw	Perry	Richardson
DiDonato	O'Connell	Rappaport	Zord
Dreibelbis	O'Donnell	Rhodes	

The two-thirds majority of the elected members having voted in the affirmative, the question was determined in the affirmative, that the bill become a law, the objections of His Excellency, the Governor, to the contrary notwithstanding.

Ordered, that the clerk inform the Senate accordingly.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I just wanted to point out that this vote may have seemed overwhelming, but the Governor actually did better here than he did in Florida yesterday.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. BUTERA. Mr. Speaker, I think the record should be made clearer. The votes here, I think, were two votes in favor of sustaining the veto. That is only 1 percent. The Governor actually did better than that in Florida.

The SPEAKER pro tempore. The Chair thanks the minority leader.

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

Mr. RYAN. Mr. Speaker, I noted that the minority leader, Mr. Butera, made a mistake in that he failed to call to the attention of the House that the Governor was also edged out here by those non-voting, the same way as with the non-preference votes in Florida.

The SPEAKER pro tempore. The Chair sincerely thanks the gentleman.

CONSIDERATION OF HOUSE BILL No. 1817 RESUMED

Agreeable to order,



The House resumed consideration of **House bill No. 1817, printer's No. 2774**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding revised, compiled and codified provisions relating to vehicles.

On the question recurring,

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

#### AMENDMENT WITHDRAWN

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

Mr. BONETTO. Mr. Speaker, before we get into the amendment battle on House bill No. 1817, I would like to move to withdraw the amendment that I submitted this morning which amends Section 1 (Section 3369), page 200, line 19, by striking out "three-tenths" and inserting two-tenths. We are going to withdraw that.

The SPEAKER pro tempore. Without objection, the amendment is withdrawn.

Mr. BONETTO. I thought that we did it this morning, but I want to make sure that there is a motion on the books to withdraw.

The SPEAKER pro tempore. Will the gentleman advise the Chair, do you have an amendment prepared to be offered?

Mr. BONETTO. Mr. Speaker, Mr. Eckensberger will sign the amendments and, when he signs them, we will submit them right away.

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

Mr. BEREN. Mr. Speaker, we have a question as to what amendment was withdrawn. Would you please advise us?

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

Mr. BONETTO. Mr. Beren and I, Mr. Speaker, are prepared now to accept amendments from the floor of the House.

Mr. BEREN. Mr. Speaker, I have a question as to what amendment that was inserted this morning was withdrawn this afternoon?

Mr. BONETTO. We did withdraw it this morning. It was the amendment that went from three-tenths of a mile to two-tenths of a mile in erecting of signs and clocking, just clocking.

Mr. BEREN. Mr. Speaker, would you explain to me and to the House just what the result of withdrawing that amendment is?

Mr. BONETTO. It goes back to "three-tenths."

Mr. BEREN. "Three-tenths." Now, this relates solely to signs?

Mr. BONETTO. No, it relates to clocking.

Mr. BEREN. Clocking?

Mr. BONETTO. Clocking by a policeman who does not use an electrical device. He must follow an automobile for three-tenths of a mile prior to making an arrest.

Mr. BEREN. Okay.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3362), page 195, by inserting between lines 14 and 15:

(b) Posting of speed limit.—No maximum speed limit established under subsection (a)(1) or (3) shall be effective unless posted on fixed or variable official traffic-control devices erected at intervals of no more than two-tenths of a mile.

Amend Sec. 1 (Sec. 3362), page 195, line 15, by striking out "(b)" and inserting: (c)

On the question,

Will the House agree to the amendments?

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

Mr. BONETTO. Mr. Speaker, I will yield to Mr. Eckensberger who is the sponsor of this particular amendment.

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

Mr. ECKENSBERGER. Mr. Speaker, this amendment should be inserted on page 195, between lines 14 and 15.

The present law requires that all speed zones which are under 55 miles per hour shall be posted with signs at intervals of not more than one-eighth of a mile. This amendment would somewhat alter that in that we would now require those speed zones to be posted by signs appearing not more than two-tenths of a mile. This means that in a given mile, you would have to have five such signs posted in order to establish the speed zone.

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

Mr. BEREN. Mr. Speaker, I understand what the gentleman is attempting to do generally, and we discussed that this morning. I indicated that I support the concept and it is important that we have the speed posted with more than just one sign.

Now, the question I have with regard to the amendment which the gentleman offers, is, would that require our municipalities now to change the locations of the signs in order to conform with the new vehicle code?

Mr. ECKENSBERGER. Mr. Speaker, I do not intend to require municipalities to change any postings unless the present postings are insufficient. If they have fewer than the number of signs that are required by this amendment, then they would obviously have to post additional signs to meet the requirements. But inasmuch as this amendment would require fewer signs, it seems to me that there would be very few municipalities, if any, that would have to do any reposting. If the speed zone is presently posted with eight signs per mile as now required, I certainly would not intend that they take down three signs, inasmuch as we are saying that the signs should be posted at not more than two-tenths-of-a-mile intervals.

Mr. BEREN. I support the amendment, Mr. Speaker.

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

Mr. SHELHAMER. Mr. Speaker, I would like to expand the question a little bit further for Mr. Eckensberger, if I might?

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

Mr. ECKENSBERGER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SHELHAMER. Mr. Speaker, does this mean that there will now be a reduction in the number of signs? Presently, the law, if I am not mistaken, is that every eighth of a mile there must be a sign in order for a person to be clocked in a reduced-speed zone?

Mr. ECKENSBERGER. That is correct.

Mr. SHELHAMER. And now you are reducing them to every two-tenths of a mile, is that correct?

Mr. ECKENSBERGER. That is correct, Mr. Speaker.

Mr. SHELHAMER. Which would actually be a reduction in the number of signs that would be required?

Mr. ECKENSBERGER. That is correct, Mr. Speaker.

Mr. SHELHAMER. Thank you, Mr. Speaker.

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

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

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

AMENDMENT TO BONETTO AMENDMENT No. 3  
TO HOUSE BILL No. 1817

Amend Amendments, page 2, lines 21 through 23, by striking out "No maximum speed established under this section shall be effective unless posted upon fixed or variable official traffic-control devices."

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. Mr. Speaker, this is the companion amendment to the one we have just passed. It strikes out: "No maximum speed established under this section shall be effective unless posted upon fixed or variable official traffic-control devices."

This involves the three-tenths of a mile of posting, and it amends Amendment No. 3 that we submitted this morning.

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

Mr. BEREN. Yes, I agree, Mr. Speaker.

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

The SPEAKER pro tempore. Does the gentleman have an additional amendment?

Mr. BONETTO. Mr. Speaker, that concludes the amendments that we have on behalf of the committee and the members who have submitted amendments to us. We have now finished approximately 250-some amendments and we are now prepared—the minority chairman of the Transportation Committee and myself and other members and subcommittee chairmen are now prepared—to listen to the members of this House who

have amendments. And I understand that a listing has been prepared for the Speaker to call up amendments by that listing.

The SPEAKER pro tempore. That is correct.

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

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

Amend Sec. 1 (Sec. 3369), page 201, lines 4 through 9, by striking out "The rate of speed of any vehicle may" in line 4, all of lines 5 through 9

Amend Sec. 1 (Sec. 3369), page 201, lines 22 through 26, by striking out all of said lines

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson.

Mr. A. K. HUTCHINSON. Mr. Speaker, my amendment will take out of House bill No. 1817, the local governments' use of radar. It is a very technical amendment.

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

Mr. MEBUS. Mr. Speaker, I am utterly opposed to this amendment. I would agree that possibly the provision in the bill could be drafted to give that right to fewer police forces, but I think that the right to use radar is absolutely necessary in some municipalities.

Amongst my municipalities, I have one borough which is half a square mile in area, and there is no conceivable way that you can financially afford to put three people out there to make time and distance checks in a little bitty borough like that and stop anyone from speeding.

Now when these speeders drive the local citizens crazy with what they do, complaints are made to borough council and the councilmen say there is nothing we can do about it because the legislature will not give us the opportunity to use radar to catch those people who are speeding.

We have a street not very far from where I live where we have had two children hit recently because of local speeders, but you cannot ever prove that they are speeding. Now the people who have hit these children are charged with other offenses. But nonetheless, you cannot get them and try to slow people down in tricky areas, which would really be for their own benefit as well as those of the pedestrian traffic in the area, unless you can use radar.

Now, I will agree that there will be possibly some municipalities who would abuse it. But if you increase the size of the force that is involved who would be permitted to use it and insure that there are properly trained people who would employ the radar, I think that we are off in the right direction. I think that the basic drafting of the provision that is in the bill is good. To remove it is to really ignore the safety of people in some of the smaller and more densely populated municipalities.

These are the reasons that I want to see it in there. It is not just for my own purposes. Frankly, I am one of those who could conceivably be caught and not be happy

about it sometime in the future. But realistically I think that it will serve to improve the safety and save some lives. Therefore I am in favor of it and I would hope that this effort to delete it would be beaten down.

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

Mr. RITTER. Mr. Speaker, I rise also to oppose the amendment. Those of us who come from large municipalities desperately need this authorization for our local police departments to use radar. I want to point out to the members, Mr. Speaker, that 46 states out of 50 presently allow local police to use radar. Two states, California and Massachusetts, allow local police to use radar but do not allow state police to use radar. At the moment, Pennsylvania ranks with South Dakota, Oklahoma, and I am not certain of the third other state that does not allow local police to use radar.

I am not concerned about the abuses that may take place. I come from Allentown, and I think we have the finest municipal police force in Pennsylvania. Our police officers know and will know how to use the radar equipment. But if you are concerned about abuse and for that reason you want to deny that use of radar, well, Mr. Speaker, let me just put it this way: If people are concerned about some police officers abusing a radar machine and for that reason they want to deny the use to every other police officer, then I would hope that there are maybe police officers who may abuse the privilege of carrying a gun. But I do not see anybody getting up here advocating that we take away guns from every other police officer simply because some may or may not abuse the privilege.

Municipalities need this legislation. If you are concerned about automobile safety, traffic safety, look at the statistics which indicate over and over again that speed kills. We need weapons in the hands of our local police departments to deal with that situation. Radar is an accepted device. Its use has been proven; its effectiveness has been proven. I am asking that we defeat this amendment and allow our local police forces to use radar and I would ask for an overwhelming, negative vote on this amendment.

Thank you.

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

Mr. MCGINNIS. Mr. Speaker, I rise to support my colleague, Mr. Hutchinson, with this amendment for a number of reasons.

Number one I believe the police are more interested in House bill No. 919, their pension bill, than they are in this radar.

Number two anybody who votes to give the local police radar better be prepared to see Seymour over in the Department of Transportation, and I am not prepared to do that.

But I think when we talk about safety with radar, if you put an amendment in here that says local police can have radar but the fines must go to the state, you would not have anybody apply for radar.

Now for those of you who have driven through the states of South Carolina, North Carolina and Georgia, I

certainly do not want my area like that. And I will support Mr. Hutchinson. Thank you very much.

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

Mr. POLITE. Thank you, Mr. Speaker.

I rise to oppose Mr. Hutchinson's amendment to the proposed change in the Motor Vehicle Code which will prevent local police from using a mechanical or electrical speed-timing device.

As originally introduced, the change was to allow local police departments having 10 or more officers to use radar. I have been contacted by the Police Chiefs Association of Montgomery County which wholeheartedly supports this measure. They have informed me that the local police officials have been working for some time now to amend the Motor Vehicle Code to permit municipal police to employ microwave equipment or radar, as it is more commonly known, to decrease the number of speeding offenses. As you know, the use of such devices is currently restricted to the State Police and would remain as is if this amendment is adopted.

It should be pointed out that local police may legally arrest motorists exceeding the speed limit based on the results of another type of test which is conducted by two officers using stop-watches over a measured section of a road. As I said, this method is permitted by the state even though the law enforcement officials openly admit that this method of determining a car's velocity is frequently inaccurate.

The need to stop those who exceed the speed limit becomes more important as the increased availability of gasoline allows more motorists to pay less and less attention to the lower speed limits.

Ignoring the speed laws is not just a minor offense as some might contend. Breaking this law can quite easily result in the driver's death and unfortunately also endangers the safety of other motorists.

The death rate as related to traffic accidents is increasing, but the State Police have announced that although they are making every effort to enforce the law, that they are hampered by the lack of manpower.

And it therefore seems reasonable that since all the police officials in the Commonwealth are charged with the responsibility of enforcing laws, local police should be permitted to employ accurate and modern devices to guarantee highway safety to all Pennsylvanians.

For these reasons, I strongly urge the defeat of this amendment and I would also like to stress that it is important that the alteration permits police forces of 10 or more officers to use radar.

Sixty-seven percent of the police departments in Pennsylvania consist of approximately 10 people. To increase the number of officers needed in a department before allowing the use of radar would render the proposed changes in the law ineffective as 85 percent of all local police departments would then be unable to use this equipment. I, therefore, urge the members to vote "no" on this amendment so that the police departments of 10 or more will be permitted to use radar as a means of decreasing speeding violations and saving lives.

It is interesting to note that each year millions of tax dollars are spent for various safety programs. Yet to date our state has not permitted local police from employing the most up-to-date methods to enforce laws and thus prevent accidents.

I again ask for the defeat of this amendment so that the police officials in our Commonwealth, whether local or state, can effectively make our highways safer and reduce the rate of injury and death.

Thank you, Mr. Speaker.

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

Mr. RENNINGER. Mr. Speaker, I also urge the House to defeat this amendment. I think that over the years—it has been something like six or seven years—I have supported this along with many other members of this House. And one of the reasons I supported it was related to the safety of your policemen. You are asking a man to get into a car and go tearing around after a carload of people who decide that they are going to make a racetrack out of Newtown Borough or New Hope Borough in Bucks County. And there is a safety feature that is being ignored when these people are out trying to do their job. They are risking their own lives in trying to apprehend people who are obviously creating a threat to the community.

The second thing that I strongly would point out to you is the safety itself. The fact that the machine is around has a lot to do with how people drive and behave.

When I was a younger man, they had a chief up in Buckingham Township. And the chief would wave you down no matter what happened. It was amazing how the word got around that that is one township you did not speed in in Bucks County because you were going to get a charge and you were going to be taken to court. Now the chief did not have this kind of equipment, but he felt very strongly about this. His own son was killed in an automobile accident, and he was out to save lives.

You have to realize that down in our area today we need help in areas of development which had collector roads under the planning of those areas, but certain roads in those areas, because of the expansion of population, are now almost superhighways, and the public does not realize that they have to control themselves in operating vehicles.

I think you are helping people by permitting local radar and you are helping them to stay alive, to stay out of the batter houses and to stay out of the hospitals, which I mean by a batter house; you know, where you take the busted people to after an accident, with the bloody noses, the broken shoulders, severed pelvises and all of the things that happen in automobile accidents. There is no excuse for this happening, and we should find any way we can to add to safety on the highway.

Mr. Speaker, the first duty of government and the only reason we ever had government when we used to live in patriarchal societies was for public safety. And I think this is a weapon for public safety that we have to use.

Thank you very much, Mr. Speaker.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, we have heard from two former JP's and we have heard from a couple bleeding hearts, and now I would like to have you hear some common sense.

If anyone thinks that they are going to do their constituents any favors, I have news for them. I ran a police department for 8 years and I can tell you that this so-called clocking device that Mr. Polite is talking about—if

they ever saw a group of people up in arms because of what happened.

The police department wants to go out and catch the speeder, they say. They tell this to the borough council and the mayor because the mayor and borough council had a few complaints. They have got to get the monkey off their back, so they tell the police to get out there and make some arrests. So they set up a clock set-up.

Now the people they were catching were the poor guys who have to go to work and make a living and pay the very taxes to keep the community going. They never did get the speeders. They got a couple of people—a guy who had to make it to the job in the morning, some lady who was going to the store to get a bottle of milk for the kid and in a hurry, because they have about 1,500 jobs to do, these ladies today. It is not like it used to be, that is in regard to doing dad's work with the car and the kids and everything. So you are going to pick those people up.

Now I went to Ohio last year and I talked to the police departments all over the State of Ohio, the southern part of it that is. They told me that they had not stopped anything out there. All they had done was pacify some mayors and some councilmen.

Just the other day you saw in the paper—we hear the bleeding hearts talk about safety—about people getting killed. Well, Ohio has had radar for some time, and just the other day we had a speeder go through a stop sign and hit eight children and kill them all, and put three more in the hospital. So radar has not helped them too much in Ohio.

Radar has not helped them much anywhere, except help the JP's and the arresting mills. They have helped a lot of other areas, but they have not helped any safety. They have been hurting a lot of good citizens, though, good honest citizens. And every guy and gal in this room cannot tell me that occasionally they have not stepped on the gas. I have done it; you have done it. And that is about the time you are going to get nailed by these radar characters.

Okay, now we talk about cost. Let me tell you what it is going to cost your little borough. We have two police cars in the borough of Emmaus and we have an extra one, a station wagon, that they use for special occasions. Now you are going to have to have more cars because they have got to have them for other work. You are going to have a policeman sitting in a car, and they are going to say they are going to have to detect someone. They are going to have a guy down the road in a pursuit car. They are going to make this real cozy because they have got to catch people, and so therefore your budget is going to have to go up.

Now, if you people think you are going to do your local people a favor, you had better think that one over.

And I would like at this time to ask the Chair—and there have been all kinds of rulings this week on so-called fiscal notes, and I have been amazed by the kind of rulings we have been receiving. It seems as though they fit the occasion. I would like to find out now, since we are going to put an extra burden on our townships and boroughs and cities, I would like to ask a ruling on a fiscal note at this time please. If I have to make a motion to that effect or how, I would like to have a ruling on that.

The SPEAKER pro tempore. Are you asking to interrogate Mr. Wojdak concerning the fiscal note?

Mr. ZELLER. Mr. Speaker, there may be a fiscal note on it. I would like to know what it is.

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

Mr. BONETTO. Mr. Speaker, I would hope that every member who speaks on any amendment would try to be as concise and as short as possible. I am asking this because there are many people in this House who have amendments to this bill.

And to get into some of the technicalities, Mr. Zeller, the fiscal note was submitted with House bill No. 1817. You have a copy of the fiscal note? It was submitted to you by the Appropriations Committee. So let us not get into that technical thing. Let us stay with: Is radar good for municipalities with 10 police or more or is it no good? Let us make that decision by the members of this General Assembly. Convince the members, because the longer you talk, Mr. Zeller, you are losing votes.

The SPEAKER pro tempore. For the information of the members, there are approximately 17 individuals who are desiring to present any number of amendments, so we could have upwards of 10 or 15 hours of debate yet. So the Chair would advise the members to make their remarks short and to the point, and it will make it much easier for a freshman Speaker to keep order in the House.

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

Mr. ZELLER. Mr. Speaker, I still have the floor, please.

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

Mr. ZELLER. Thank you. I have not relinquished it, and thank you very much.

With all respect, and I do not want to get rough because I have had the habit of doing that, but I would like to tell—I would like to inform, I should say—Mr. Bonetto that he is not in my district; I do not remember him moving there; and there are 57,000 people who tell me what to do. And, as a matter of fact, if I care to speak on this issue while I am on the floor, Mr. Bonetto, I intend to speak on it and I am not going to have you be my guiding light—and I thank you—whether I lose votes or not. I want to let you know that you do not run this House. Okay?

Now I would like to close with one thing that I—

The SPEAKER pro tempore. Will the gentleman confine his remarks to the merits of the issue before the House?

Mr. ZELLER. And I do not want them stricken from the record. Thank you very much.

But I would like to say this, Mr. Speaker: I would like to have it known that I am against radar because of what I said—it is going to do harm to our people—and I request that everybody supports Mr. Hutchinson's amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. McCUE. Mr. Speaker, the two gentlemen prior to the last speaker brought out the old, worn-out argument of safety. I submit that the proponents of radar in municipalities are not so much concerned about safety as they

are about revenue raising. This gets back to the old squire and constable speed trap, a method of exacting tribute out of the traveling public.

I think also that giving this power to the municipalities would be empire building on the part of the local police. This could very well be a part of the police arguments or demands in their arbitration for pay and for working conditions. I think that this would be empire building, that the police would say, well, now, we have this problem; we have to get out and patrol the streets; we need more policemen; we need more pay; we need more equipment. And in the meantime the more serious crimes go undetected, because it is easier for a policeman to build up his statistics on what he is doing by making arrests on a summary offense.

I think also this provision would only help the sale of the equipment.

Again I submit to you that safety is a straw-man issue. It is a straw man that would build for ourselves and knock down. This, of course, is pretty much the lifeblood of persons who work in bureaus, whether it be in the armed forces in the Federal service, national defense, with police and with other departments in safety. And I submit that we should support this amendment of the gentleman, Mr. Hutchinson, for the protection of the people we represent, so that they will not be harassed and they will not be extorted when traveling on the roads of Pennsylvania.

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

Mr. ZEARFOSS. Mr. Speaker, just very briefly to put this amendment into perspective: The law is on the books about speeding. We have speeding laws. We have charged police, local and state police, with the enforcement of those speeding laws. We have included in the code methods to enforce and to detect speeders, such as clocking by car or having a timed area which the car goes through.

What we are doing with adding radar is giving them another method to enforce the law that we are going to pass about speeding. The method we are giving them does not change the law of speeding; it merely says that they can use the most economical and the most efficient method to clock speeders. It does not say it is going to be any more of a fining mill than any other method of clocking speeding.

I have been asking for this kind of legislation for 6 years, because my township has requested that we give them the ability to stop speeders in the township with the fewest number of policemen necessary, and radar certainly makes it easier to clock speeders with fewer people and at a lesser cost to the township. That will free up these other policemen to do what they are supposed to be doing with the more serious crimes.

What we are doing by voting for this amendment of my good friend, Mr. Hutchinson, is asking to take a tool away from the police. We are making it difficult for them to do the job. Do not do that. This saves the townships and the boroughs money, and that is what we should be about.

Thank you, Mr. Speaker.

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

Mr. RENNINGER. Thank you, Mr. Speaker.

I would just like to add on the local cost feature of this

thing. You are talking about safety here, and I do think this is the issue and I think the cost is one which your local communities and the public generally will support.

One of the harshest arguments I know, when you are talking about public safety—just as we had in nonpublic school busing—is facing up to the fact that safety is the feature we have to support here. And I was asked if I would tear a bill like that apart when it came up in a public meeting of people who were very opposed to the busing bills, and I said, first you have to get them to the school safely. And I do not know anybody in my district who would not reach in his pocket and pull out a buck to help some kid, particularly after the damage has been done.

Let us put the damage by the side. It can be avoided. Let us get in on this and let us defeat this amendment and support this basic concept of local radar, giving people the tools they need to do the job. Thank you very much.

The SPEAKER pro tempore. The Chair thanks future Congressman Renninger.

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

Mr. RITTER. Mr. Speaker, let me emphasize that. Police departments across this Commonwealth are requesting this legislation. It is not just mayors and city councilmen interested in trying to raise some money. Police departments are asking us to give them the right to use the latest weapons available so they can enforce the laws that we up here pass.

And on this business about fining mills, that same observation was made during the debate on whether or not state police should be allowed to use radar. People stood on the floor and said, if you let state police use radar, they are going to use them as fining mills. Now I do not know if anyone can stand on this floor and say that state police have used radar as a means of raising revenue for this Commonwealth.

This is a "may" bill. There are municipalities across this Commonwealth that want it. Virtually every police department in this Commonwealth wants it. They want to help us to do the job that we are up here for. We pass the laws and say, you will, you shall, enforce the laws on speeding. For God's sake, give them the latest weapons to do it. Vote "no" on this amendment. Thank you.

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

Mr. MCGINNIS. I apologize to my colleagues for rising a second time, but I have to rise again on this safety aspect. If we vote to allow the police forces of Pennsylvania to have radar but the fines go to the State of Pennsylvania, they will not go out and buy one radar unit. They give you all that routine about safety. As I said before, they are more interested in House bill No. 919 than that. Vote for Mr. Hutchinson's amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to agree with Mr. Hutchinson. I support his amendment and I would like to give my reasons why.

I sat and listened to member after member who dis-

agrees with Mr. Hutchinson and what they said about safety. Well, let me tell you, if radar has helped the state police make our highways any safer, I would like somebody to show me, because I drive that turnpike twice a week, as everyone who comes from the west does, and I will tell you what: You go by Everett and you go by Breezewood, where there has never been an accident to my knowledge, and they have a picture taker and three or four or five chase cars arresting people for going 6 miles an hour over the speed limit. And I will tell you, there must be about 400 men on that turnpike detail. Half of them have never made an arrest other than a traffic arrest. We have got state police back home. We have got unsolved murders; we have got unsolved burglaries; we have got unsolved assaults; we have got old women losing their purses to people. And what do you do? You read the paper daily about that and you go out on the highway and you see 25 and 30 and 40 of their men working as traffic patrolmen.

Now if we are going to be oriented toward that in our police departments, then I think someday we are going to have to decide that the state police in Pennsylvania should be highway patrolmen. We are going to decide that we have a highway department in our cities and boroughs and we have a regional police force to take care of the crime that happens to be out there.

I personally believe if you give all these communities and municipalities the right to use radar, you are going to see a heck of a lot of unsolved crimes go by because that is all they are going to be doing—sitting on their hind ends in a car writing up tickets to the good people who drive to and from work. And if you want to give them that right, then you go ahead and vote against Mr. Hutchinson's amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Mr. Speaker, I would just like to rise for a moment to relate some of my personal experiences with the use of radar insofar as the state police are concerned and give you at least my views.

I was a justice of the peace along the turnpike when radar was first approved, I think back in 1961, and up until that time a justice of the peace received a variation of arrests, meaning perhaps it was like a 50-50 spread—50 for speeding and 50 for other offenses. The common-practice question of me at that time was, Well, I guess your business really increased now that radar has been approved in the State of Pennsylvania? In actuality I found that over the years it did not increase one bit, but what did increase was the number of speed arrests. I think when I left in 1966, probably 90 percent of the arrests that I received in my office were speeding arrests.

All I am saying is that I do not believe anybody in this House of Representatives is against safe driving and driving within the laws that we set forth. The question is as to what is the best way to enforce our motor vehicle laws, whether speeding is in effect the worst crime that can be committed under the Vehicle Code.

Also, another point that could be made is that I think today with the citizen-band radios, many people who own the citizen-band radios are making a mockery of the speeding laws in any event. They know exactly where you put your radar devices and so forth. So I would agree with Mr. Hutchinson and ask for an affirmative vote on the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I am opposed to the use of radar by local police and I should like to have the members of the House reflect on the basic difference.

One, as we know, presently the State Police have this right. We know further that, for instance, when a state policeman in the exercise of this duty does apprehend a motorist, it is very, very seldom that he has someone there before him whom he knows, so that, hopefully, we would have an even distribution of justice. What do you suppose that state trooper does if he happens to stop his brother, another relative or a close friend?

Now let us then go to the local police, where basically they are going to be dealing with people whom they know, their friends and their neighbors. Some they like; some they do not. I submit to you that there would be some sort of campaign on for those whom they do not care for. I am saying there would not be an even distribution of justice. I would say that under the State Police system it is going on. They do recognize friends and they recognize relatives. But if you carry this to the local level, you are going to be dealing people with people, and we all know what human nature is. So let us not tempt them. Let us not give them radar. Thank you.

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

Mr. VROON. Mr. Speaker, I believe I am the only one rising on this bill who has a little different approach. My approach is not all black or all white. I believe in a modified approach to this particular question.

I do not think it is a good idea to give complete jurisdiction with radar to our local police, but I do believe there are situations where they should be able to use radar advisedly and in connection with and with the consent of the state police, and that is on limited-access highways and divided highways and only then by agreement with the state police. I think this is a very desirable compromise of this situation, and I am prepared to offer an amendment to that effect.

I believe sincerely that local police can abuse this all over the place, and I am also calling the attention of the House to one very important factor no one else has brought out so far, and that is that in our new code we propose to raise the fines drastically. Now just picture local police having widespread latitude with radar and assessing these fines. This could be murder, and I do not think this is really what we intend to do. But I can see the situation on limited-access highways, where we have real danger and where we have high speed, where we do need some help for the state police. In this situation and in this situation only, I think we could allow local police to monitor these highways with radar.

So I would propose to vote "no" on this amendment with the proposition of supporting my modified amendment which I will introduce later.

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

Mr. MEBUS. Mr. Speaker, this is my second trip to the microphone on this matter and, I realize, the last.

I would say to Mr. Halverson and Mr. Vroon that what I am talking about and my concerns are not the highways where the state police do occasionally come into my area and do monitor these highways with radar, but

rather on our local streets where the speed is frequently higher than it is on the limited-access highways because people do not exercise good judgment.

There is a curve within a mile of where I live where people regularly go through a railing and down an embankment to the bottom, and the reason is because we cannot stop speeders. There is just no chance to do it. And if we send a police car chasing somebody doing 55 or 60 miles an hour through an urban area, we are liable to cause accidents instead of stopping them, and they are bad enough already.

This is the point I am trying to make. It is not the highways; it is the urban areas where you have larger police forces that can conceivably use this for the protection of the traveling public and the local residents all together. This is why it is necessary. It is not just the highways, because you can get the state police occasionally to monitor highways that are state highways with radar at the present time.

Thank you.

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

Mr. BUTERA. Mr. Speaker, I just think this whole issue is unnecessarily confusing. Let us make it very clear that this bill as it presently stands does not force local police departments to use radar; it merely permits them to. And I think we have to have enough faith in our local officials to realize that only those who think the improvement in highway safety will justify the expenditure will go into radar.

What you do not realize is that a lot of us live in communities where we have no state police. Therefore, there is virtually no monitoring of speed-limit adherence in our communities, and we need this help. If you do not want it in your communities, your communities will not adopt it.

So let us defeat the amendment, pass the bill, and permit those of our communities who need this help to have it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson.

Mr. A. K. HUTCHINSON. Mr. Speaker, I am not afraid of my local police; I am afraid of the police in the other places. Vote "yes" on my amendment. Thank you.

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

Mr. ZELLER. Mr. Speaker, we are talking about this business of "may." I have heard all kinds of "may" bills. In other words, these "may" bills at this time of the year just do not work, because that might work in May, but this happens to be March. And I can tell you that right now what I am getting at is the psychological effect it has upon people. For instance, you talk about arresting mills. You have not seen anything yet until you turn radar over to your local people. Turn it over to them and you will see arresting mills. As a matter of fact, the natural psychological effect is to sit in that car and have somebody else go out and chase them after you have triggered it. What are they going to do in the small communities where you only have two or three

policemen on during the day? What are you going to do?

Mr. Zearfoss talked about how efficient it is going to be. You are going to have to put on more police officers; you are going to have to buy all this expensive equipment; you are going to have to have pursuit cars.

He talked about costs, and if any of the members of this House think that they are going to do their people any favors, I have news for you. You are going to set up these arresting mills and you are going to have a very unpopular situation.

So let us roll it, and let us vote for Mr. Hutchinson's amendment.

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

Miss SIRIANNI. Mr. Speaker, I dislike disagreeing with my leader, but, from the voice of experience, I would say we have too much radar now. The state is more than I can handle. Please do not give me local.

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

The yeas and nays were required by Messrs. A. K. HUTCHINSON and MEBUS and were as follows:

YEAS—104

Arthur	Goodman	McCall	Rieger
Barber	Green	McCue	Ross
Bellommi	Greenfield	McGinnis	Saloom
Bennett	Grieco	McIntyre	Salvatore
Beren	Halverson	McLane	Schmitt
Berson	Hamilton, J. H.	Milanovich	Seltzer
Bradley	Hasay	Miller, M. E., Jr.	Shelhamer
Brunner	Haskell	Morris	Shelton
Caputo	Hopkins	Mrkonje	Shuman
Cohen	Hutchinson, A.	Mullen	Shupnik
Cole	Hutchinson, W.	Mullen, M. P.	Sirianni
Dicarlo	Irvis	Musto	Stahl
DiDonato	Itkin	Myers	Stout
Dietz	Johnson, J.	Noye	Taddonio
Dombrowski	Katz	O'Brien	Taylor
Eckensberger	Kistler	Oliver	Toll
Englehart	Klingaman	Perri	Trello
Fee	Kolter	Perry	Walsh, T. P.
Fryer	Laudadio	Petrarca	Wargo
Gallagher	Laughlin	Pievsky	Weldner
Garzia	Lederer	Pitts	Whelan
Geesey	Letterman	Pratt	Wilt, R. W.
Gelsler	Lincoln	Ravenstahl	Wojdak
George	Lynch	Renwick	Worrilow
Gleason	Manderino	Rhodes	Yahner
Gleeson	Manmiller	Richardson	Zelner

NAYS—84

Abraham	Flaherty	Mebus	Shane
Anderson, J. H.	Foster, A.	Menhorn	Smith, E.
Berlin	Foster, W.	Miller, M. E.	Smith, L.
Bittle	Gallen	Milliron	Spencer
Bonetto	Giammarco	Miacevich	Stapleton
Brandt	Gillespie	Moehlmann	Thomas
Burns	Gillette	Novak	Turner
Butera	Gring	O'Keefe	Valicenti
Cassar	Hayes, D. S.	Pancoast	Vroon
Cimini	Hayes, S. E.	Parker, H. S.	Wagner
Cowell	Hepford	Polite	Wanasz
Crawford	Hill	Prendergast	Westerberg
Cumberland	Kelly, A. P.	Pyles	Wilson
Davies	Kelly, J. B.	Reed	Wilt, W. W.
DeMedio	Kernick	Renninger	Wright
Deverter	Knepper	Ritter	Yohn
Dinanni	Kowalyahyn	Ruggiero	Zearfoss
Dorr	Kuase	Ryan	Zwickl
Doyle	LaMarca	Scheaffer	
Fawcett	Lehr	Schweder	
Fischer	Levi	Scirica	Fineman, Speaker
Fisher	McClatchy		

NOT VOTING—8

Dreibelbis	McGraw	O'Donnell	Ustynowski
Hammock	O'Connell	Rappaport	Zord

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAVENSTAHL. Mr. Speaker, on the last vote to House bill No. 1817, I wanted to vote in the negative and my switch was locked out.

The SPEAKER pro tempore. The Chair thanks the gentleman, and his remarks will be printed in the record.

The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Thank you, Mr. Speaker. On the last vote to House bill No. 1817, I wish to have my vote recorded in the negative.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Franklin, Mr. Shuman.

Mr. SHUMAN. I also was in error. I would like my vote recorded in the negative also.

The SPEAKER pro tempore. The remarks of the gentleman will be printed on the record.

The Chair recognizes the gentleman from Dauphin, Mr. Manmiller.

Mr. MANMILLER. Mr. Speaker, I would like to have the last vote recorded in the negative.

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

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, on the vote on the A. K. Hutchinson amendment to House bill No. 1817, I voted in error. I would like to be recorded in the affirmative.

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

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

Mr. POLITE. Mr. Speaker, it seems to me that three people have changed their votes from "ayes" to "nays," and since the count was 103 to 84, I would like to have another vote on it and let them vote again. That will bring it down to 101.

The SPEAKER pro tempore. The gentleman should be reminded that a majority vote is all that is required for the insertion or the adoption of an amendment.

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

Mr. BONETTO. Mr. Speaker, I would like to request that the Speaker permit Mr. Wilson to introduce his amendment that would permit the print out for radar.

On the question recurring,



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

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

Amend Sec. 1 (Sec. 3369), page 201, line 9, by inserting after "Police.": All new units purchased after the effective date of this act including those purchased for the Pennsylvania State Police shall have printed output.

On the question,

Will the House agree to the amendment?

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

Mr. WILSON. Mr. Speaker, this amendment would speak to radar units purchased after the effective date of this act. It would simply say that all those radar units that are purchased after the effective date of the act shall in fact have a print-out unit which shall be attached to the radar, and you would have a physical evidence of what the speed actually was when you are tabulated by radar. I move the adoption of the amendment. It is very simple, technical, as Mr. Bonetto would describe it. It is Wilson amendment No. 4.

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

Mr. BONETTO. Mr. Speaker, I ask for the approval of this amendment. It is a good one, and let us roll it.

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

Mr. BEREN. I support the amendment, Mr. Speaker.

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

Mr. LINCOLN. Would the gentleman, Mr. Wilson, consent to a brief interrogation?

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

Mr. WILSON. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. LINCOLN. Mr. Speaker, in your amendment, does it have any provision for this particular print out being introduced as evidence in a hearing or a trial?

Mr. WILSON. No, it does not, but I would suggest that it would be the intent that it may be introduced and probably should be on the citation as issued, attached thereto.

Mr. LINCOLN. Is there anything in your amendment that would allow the arresting officer the discretion as to whether he did want to introduce it or not?

Mr. WILSON. Well, it is not specifically described in the language that the officer has any discretion in the print out or the use of the print out. It would be my intention, however, that the use of that print out would be an attachment to the citation submitted to the issuing department, that is the district justice. And it would then be evidence in a trial after that or a hearing.

Mr. LINCOLN. Mr. Speaker, do you not believe that it would have been wise to have included that in the amendment?

I personally support your amendment as far as that print out being produced in the manner you described, but I believe that you should hold the amendment and add to it specific wording that it would be introduced as evidence and must be produced at any hearing or trial.

Mr. WILSON. Well, I do not disagree with you and I would support your amendment, if you would care to amend my amendment. But the majority leader suggests that on Monday, we are going to vote against everything and after today, it is going to be too late. I would at least like to get this part in. And if you want to run upstairs and get an amendment to the amendment or an amendment after the amendment, fine. I support you, sir.

Mr. LINCOLN. Fine. Thank you.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—182

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

NAYS—4

Caputo	Gleason	Halverson	McCue
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NOT VOTING—10

Crawford	O'Connell	Ritter	Zord
Dreibelbis	O'Donnell	Ryan	Zwilk
McGraw	Rhodes		

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

RECONSIDERATION OF VOTE ON  
A. K. HUTCHINSON AMENDMENT TO  
HOUSE BILL No. 1817

Mr. MILLIRON moved that the vote by which the A. K.

Hutchinson amendments to House bill No. 1817, printer's No. 2774, were agreed to on this day be reconsidered.

Mr. BONETTO seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the amendments?

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

Mr. RITTER. Mr. Speaker, just briefly.

With the adoption of the Wilson amendment which would require that this radar unit now be of the computer print-out type, it seems to me that this is more protection for those who are concerned about abuses by local policemen. Since that requirement is in the bill now and it would apply to local police departments who use radar, I am asking again that we defeat the Hutchinson amendment and permit local police to use radar with the further provision that the Wilson amendment put in, that they must buy the type which gives a computer write out.

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

Mr. ECKENSBERGER. Mr. Speaker, unfortunately the Wilson amendment is limited only to use of radar by state police.

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

Mr. McCUE. Mr. Speaker, even with the Wilson amendment, it still would not correct the problem to which I addressed my remarks earlier. It would not prevent the harassment to the motoring public of the tribute which you would have to pay to travel through another town. The gentleman, Mr. Hutchinson, said that he is not afraid of the policemen in his own town; he is afraid of policemen in the other.

I suggest to the gentleman, Mr. Mebus, that a more practical way would be to set a toll booth at the border of his hometown and have everybody pay \$5 for the privilege of traveling through the town. That at least would be fair. Everyone going through his town would have to pay this fee, and it would be a lot cheaper than to require the municipality to purchase a complicated radar system.

I still say that the idea of local radar is tribute and harassment rather than safety and I would ask again that we support the Hutchinson amendment.

The SPEAKER pro tempore. We might take this opportunity to remind the members of the House of two things. First of all, the bill clerks are not receiving eight copies of the amendments. Some people are sharing their proposed amendments with others and not getting them back, so we do not have them up front. And we will not accept future amendments unless there are eight copies.

Secondly, rule 10 of the House provides that any member may address a question only twice. I would like some of you to reconsider your desire to speak on this issue because we did debate it just a few minutes ago.

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

Mr. WILSON. Mr. Speaker, just a brief point on this motion to reconsider Mr. Hutchinson's motion. I think it is most important to consider that if you have a sophisticated device such as radar, it is more honest, more decent, more accurate than two cops out there with stopwatches. Believe me, my own township used a stopwatch system for years and it is nothing but a big controversy because one guy stands at the end of the measured mile or quarter mile with a stopwatch and a walkie-talkie radio. He says now, and maybe the other guy picks it up or maybe he does not, he pushes his watch, and that is highly inaccurate.

I think we ought to defeat this. We have got some way of checking how much or how fast the vehicle is going with the print out on the unit. I think we ought to defeat the Hutchinson amendment.

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

Mr. ECKENSBERGER. Mr. Speaker, I want to apologize to the members. I made a statement that the Wilson amendment did not apply to those radar devices used by local police if this is adopted, and apparently that statement was incorrect. So I withdraw that statement and I apologize to the members.

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

Mr. FISHER. Thank you, Mr. Speaker.

I rise in opposition to the Hutchinson amendment. I think there are two things I would like to point out here. First of all, as Mr. Wilson has alluded to, the manpower that is required to be used presently by local officials who try to police dangerous strips of local roads is much greater than the manpower that would be needed if radar was available to them if they decided to adopt radar for those municipal police departments.

Secondly, we have a situation that has developed in western Pennsylvania and, I understand, in a couple other communities around the state which have adopted home rule. One community, particularly Mount Lebanon in Allegheny County which is now a home rule community, has decided that they will promulgate an ordinance which has allowed the townships of Mount Lebanon, Pennsylvania, as they are now called, to use radar and to have the results of radar admissible at the hearing on a violator.

What we have here, if we adopt the Hutchinson amendment, is an incongruity. The other communities around the home rule communities are not going to be able to use radar, but the home rule communities, if these types of ordinances are adopted, will be able to use radar.

So we are going to have so many inconsistencies here that I think it would be best that we gave the right to all communities, if they so desire, to use radar for their police departments to enforce the motor vehicle laws which will be included in this code.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

I would like to remind you that there are four speakers desiring to address this issue who have already spoken twice. I think the other members of the House would appreciate getting on with taking a roll call on this issue, having heard each of you speak to it once before.

## PARLIAMENTARY INQUIRY

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

Mr. MEBUS. I would like to raise a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his point of parliamentary inquiry.

Mr. MEBUS. I am in the process of having an amendment drafted which would change the number of members required for a local police force to employ this reuse of radar. Now if this amendment is defeated a second time, is there any way I can have it called up again in an effort to try to amend it or have I lost that right if this thing goes down at this point?

The SPEAKER pro tempore. Do you mean the amendment was approved?

Mr. MEBUS. All right, the amendment was approved, but can I ask for reconsideration still again so that I can hopefully have the bill amended on line 4 of page 201?

The SPEAKER pro tempore. Any motion may be reconsidered twice is the understanding of the Speaker.

Mr. MEBUS. If this is voted now and is accepted the second time, I cannot ask for still another reconsideration? Can I or can I not? That is what I am trying to find out.

The SPEAKER pro tempore. I am advised that you may not ask for another reconsideration.

I have asked the cooperation of the House because many of you have spoken to this issue twice. The issue has fairly well been defined, Mr. Zeller and others, and I ask your leave to continue with the debate on this and other amendments.

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

Mr. IRVIS. Mr. Speaker, in partial reply to the gentleman, Mr. Mebus, even though you would be foreclosed under the rules, you could ask a waiver of the rule. If the House agreed to waive the rule, then, of course, any number of reconsiderations may be taken. That is the method which I have used from time to time.

Mr. MEBUS. All right. Well, I am expecting that amendment momentarily, but I do not have it in my hot little hand at this moment.

Mr. IRVIS. The only thing to amend, Mr. Speaker, that I would suggest is that if Mr. Hutchinson is agreeable, and he may not be—I am told by Mr. Hutchinson's cohorts that he is not agreeable—he could withdraw his amendment from the floor, which would permit you to bring yours forth before a vote were taken. But if Mr. Hutchinson insists on his amendment, then of course there is nothing we can do about that.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. DeMedio.

Mr. DeMEDIO. Mr. Speaker, we have many amendments that this House has to act on this afternoon. The issues here were fully debated on the first time around, and I suggest we get on with the business of the House and vote either for or against the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman, and recognizes the gentleman from Berks, Mr. Stahl.

Mr. STAHL. I do not want to belabor this, but I think the Chair made an error in its ruling. The amendment to be offered by Mr. Mebus, first of all, is a different

amendment and is not necessarily an amendment to Mr. Hutchinson's amendment. His amendment makes it 25.

Now second of all, it says in the rules of the House that no motion defeated can be twice reconsidered. Therefore, it was only passed twice and has yet to be defeated, if the amendment prevails again. So I think that you ought to reconsider your decision.

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

Mr. MORRIS. Mr. Speaker, is Mr. Mebus' amendment before the House now? It is not.

The SPEAKER pro tempore. It is not.

The Chair thanks the gentleman, Mr. Stahl, for his parliamentary wisdom and recognizes the gentleman, Mr. Zeller, for the last time.

Mr. ZELLER. Mr. Speaker, this is the first time that I have spoken on this particular amendment. I spoke twice on the other one.

The SPEAKER pro tempore. The Chair reminds the gentleman that it is the third time that he has spoken on this amendment. You are out of order. Now you are stretching the patience of this Chair at any rate.

Mr. ZELLER. Mr. Speaker, you had Mr. Mebus who spoke four times already; you had Mr. Ritter who spoke three times.

The SPEAKER pro tempore. The Chair reminds the gentleman that this is the Hutchinson amendment which you have spoken on twice before and the Chair requests that—

Mr. ZELLER. Only on the one issue. Now, Mr. Speaker, my patience is waning away too in regard to your handling of this case.

The SPEAKER pro tempore. The gentleman is out of order and rightfully so should request the pleasure of the House to address the House.

Mr. ZELLER. Well, I would like to ask the pleasure of the House to address the House, if that is the case, sir, because I have a very important point that I would like to bring out and I would like to have you quit playing favorites to other members.

The SPEAKER pro tempore. The gentleman would be well advised to sit down.

Mr. ZELLER. Not by you, sir. Not by you, sir. I have 57,000 people in my area who voted me to come down here and speak and I want that right to speak.

## PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINCOLN. Will the rule that prohibits a member to speak more than twice on any particular issue apply to an issue that is being reconsidered? I believe that you would be allowed to speak two more times on the reconsideration.

The SPEAKER pro tempore. No. The Speaker has been advised by the parliamentarian that the rule applies to the issue only, and that the issue has been addressed by this House this afternoon and that the myriad number

of speakers requesting another opportunity to speak are asking for a third opportunity.

Mr. LINCOLN. Mr. Speaker, then I will make a brief statement to the effect that I do not always agree with Mr. Zeller, but if that rule is going to be invoked on Mr. Zeller at this time, I will be at this microphone each and every time that a member violates that for the rest of this day.

Thank you.

The SPEAKER pro tempore. The Chair certainly does thank the gentleman because the Chair does intend to invoke that rule, Mr. Zeller.

Mr. ZELLER. Mr. Speaker, we have an altogether different type of amendment.

The SPEAKER pro tempore. Will the House agree to the question before the House? Mr. Zeller, the question before the House at the moment is, Will the House agree to this amendment? Now if there is any other member who has not spoken twice but desires to address the House, they may do so.

Mr. ZELLER. Mr. Speaker, a point of order.

The SPEAKER pro tempore. Mr. Zeller, you are out of order.

Mr. ZELLER. I want a point of order. I asked you for a point of order. Just because you do not like my personality, big boy, let me have a point of order.

The SPEAKER pro tempore. Does the gentleman from Lycoming, Mr. Grieco, desire to be recognized?

Mr. GRIECO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. I rise to support Mr. Hutchinson's amendment due to the fact that the present bill is a discrimination against my police forces in the 84th district. We have a police force of eight men, some have three and some have five. I would say all communities should have radar or none of them should have it, so I rise in support of Mr. Hutchinson's amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. ZELLER. A point of personal privilege, Mr. Speaker. A point of personal privilege.

The SPEAKER pro tempore. The gentleman is out of order. There is nothing before the House but the vote.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. A. K. HUTCHINSON and RITTER and were as follows:

YEAS—109

Arthurs	Gleason	McCue	Saloom
Barber	Goodman	McGinnis	Salvatore
Bellommi	Green	McIntyre	Schmitt
Bennett	Greenfield	McLane	Seltzer
Berson	Grieco	Milanovich	Shelhamer
Bittle	Gring	Miscevich	Shelton
Bradley	Halverson	Moehlmann	Shupnik
Brunner	Hamilton, J. H.	Morris	Sirianni
Caputo	Hasay	Mrkonic	Smith, L.
Cohen	Hopkins	Mullen, M. P.	Spencer
Cole	Hutchinson, A.	Mullen	Stahl
Deverter	Irvia	Myers	Stout
Dicarlo	Itkin	Novo	Taddonio
DiDonato	Johnson, J.	O'Brien	Taylor
Dietz	Katz	Oliver	Toll
Dininni	Kelly, A. P.	Perrl	Trello
Dombrowski	Kistler	Perry	Turner
Eckensberger	Klingaman	Petrarca	Walsh, T. P.

Englehart	Kolter	Pievsky	Wargo
Fee	Laudadio	Pitts	Weidner
Flaherty	Laughlin	Pratt	Whelan
Fryer	Lederer	Rappaport	Wilt, R. W.
Gallagher	Letterman	Renwick	Wojdak
Garzia	Lincoln	Rhodes	Worrlow
Geisler	Lynch	Richardson	Yahner
George	Manderino	Rieger	Zeller
Giammarco	McCall	Ross	Zwilk
Gleason			

NAYS—78

Abraham	Foster, W.	Mebus	Schweder
Anderson, J. H.	Gallen	Menhorn	Scirica
Beren	Geesey	Miller, M. E.	Shane
Berlin	Gillespie	Miller, M. E., Jr.	Shuman
Bonetto	Gillette	Milliron	Smith, E.
Brandt	Haskell	Musto	Stapleton
Burns	Hayes, D. S.	Novak	Thomas
Butera	Hayes, S. E.	O'Keefe	Valcenti
Cessar	Hepford	Pancoast	Vroon
Cimini	Hill	Parker, H. S.	Wagner
Cowell	Kelly, J. B.	Polite	Wansacz
Cumberland	Kernick	Prendergast	Westerberg
Davies	Knepper	Pyles	Wilson
DeMedio	Kowalshyn	Ravenstahl	Wilt, W. W.
Dorr	Kusse	Reed	Wright
Doyle	LaMarca	Renninger	Yohn
Fawcett	Lehr	Ritter	Zearfoss
Fischer	Levi	Ruggiero	
Fisher	Manmiller	Ryan	Fineman,
Foster, A.	McClatchy	Scheaffer	Speaker

NOT VOTING—9

Crawford	Hutchinson, W.	O'Connell	Ustynoski
Dreibelbis	McGraw	O'Donnell	Zord
Hammock			

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, on the vote on the A. K. Hutchinson amendment to House bill No. 1817, which was reconsidered, I voted in error. I would like to be recorded in the affirmative.

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

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BRUNNER. Mr. Speaker, on the vote on the A. K. Hutchinson amendment as reconsidered, my switch was inoperable. I would like to be recorded as having voted in the affirmative.

The SPEAKER pro tempore. The remarks of the gentleman will be spread on the record.

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

Mr. ZWIKL. I rise to a question of personal privilege. The SPEAKER pro tempore. The gentleman will state it.

Mr. ZWIKL. Mr. Speaker, I was called from the floor

during the last vote and I would like the record to reflect a negative vote on my behalf on the A. K. Hutchinson amendments as reconsidered.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### 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. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Mr. Speaker, Mr. Grieco had been in the hall of the House, but when that vote was taken somehow or other he was recorded as voting in the affirmative on that amendment. I know on the last amendment he voted "no" on that very same amendment. I would like to have his name removed from the roll call.

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

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

Mr. DeVERTER. Mr. Speaker, there seems to have been some confusion on that vote with regard to whether we were voting to reconsider or whether we were voting on the amendment. Now if the Speaker declines to retake the roll, I would like to have my vote cast in the negative rather than the affirmative. I would request the Speaker to please so rerun the roll.

The SPEAKER pro tempore. No. The Chair thanks the gentleman. His remarks will be spread on the record.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4525), page 246, line 20, by removing the period after "studs" and inserting: and ice grips.

Amend Sec. 1 (Sec. 4525), page 246, lines 20 and 21, by striking out "No person shall drive any vehicle upon a" in line 20 and all of line 21 and inserting: From November 1 of each year to April 30 of the following year tires in which have been inserted ice grips or tire studs of wear-resisting material, installed in such manner as to provide resiliency upon contact with the road, with projections not to exceed two thirty-seconds (2/32) of an inch beyond the tread of the traction surface of the tire, and constructed to prevent any appreciable damage to the road surface.

Amend Sec. 6, page 340, lines 12 through 21, by striking out all of said lines and inserting: This act shall take effect in one year.

On the question,

Will the House agree to the amendments?

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

Mr. GREEN. Mr. Speaker, the new proposed code prohibits the use of tire studs in Pennsylvania. My amendment will return the present law which permits the use of studs from November 1 to April 30.

Mr. Speaker, I do not deny that tire studs may cause road damage any more than I can say that salt does not damage roads. My main interest, in addition to the safety factors in returning tire studs in the code, is the

fact that most of the tire studs manufactured in the United States are made in Slippery Rock, my hometown. The plant in Slippery Rock is about half a mile from my front door and employs about 80 neighbors and friends. Mr. Speaker, if Pennsylvania eliminates tire studs, you will see a domino effect in the United States, and there is no question in my mind that there will be 80 neighbors and friends unemployed.

Mr. Speaker, I stand here as each of you would do if this plant were in your district. I ask for an affirmative vote in returning tire studs in Pennsylvania from November 1 to April 30.

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

Mr. BONETTO. Mr. Speaker, the present code provides the elimination of studded tires in the next four years. This has been recommended to the Transportation Committee by the task force. There are ample statistics to indicate that studded tires do damage to the highway system. There are several states that have done away with studded tires.

We now have an opportunity to make a decision in this General Assembly. Do we want to continue studded tires under the present law or under the amendments submitted by Mr. Green or do we want to comply with the new code by the elimination of studded tires within the next four years? It would be our choice. I ask for a negative vote on the amendment.

### AMENDMENTS DIVIDED

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

Mr. BEREN. Mr. Speaker, before I speak on the substance of this amendment, I would like to ask whether or not this amendment is divisible.

The reason I do so is the second portion of the amendment, Amend Sec. 6, page 340, lines 12 through 21, dealing with the effective date of the act states that this act shall take effect in one year. Now the problem with that is that on page 340, which is the last page of the bill dealing with the effective date, the bill sets out two or three different standards when this act should become effective. For example it deals with the point system and that should become effective immediately. So should this amendment go in with the new language on the effective date, that would drastically change the intention of the drafters of the Vehicle Code with regard to the effective date.

So the first thing I would like to suggest is that this amendment be divisible, and we can deal with the effective-date part of it. I wonder if Mr. Green is agreeable to that?

The SPEAKER pro tempore. The Chair advises the gentleman that the amendment is divisible and recognizes the gentleman, Mr. Green.

Mr. GREEN. The only change in the law as it presently reads is that studs are permitted in Pennsylvania from November 30, from November to April. I am just going to continue this is in the new code, which would continue it to be a year from the effective date that the act would go into law.

Mr. BEREN. Mr. Speaker, the language in the amendment states that this eliminates all of sec. 6 on page 340, which is the effective date. So your amendment would

change the effective date of the entire act, not just the effective date as it would relate to studded tires.

Mr. GREEN. We will divide it then.

Mr. BEREN. Fine. So the amendment is divisible.

Mr. Speaker, shall we take this portion of the amendment up first or should we take the studded tire portion up first? I have no preference.

#### PORTION OF AMENDMENTS DELETED

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

Mr. BONETTO. May I question the sponsor of the amendment?

Would you be agreeable to eliminate the second section of your amendment by saying, "Amend Sec. 6, page 340, lines 12 through 21." I am sorry, "by striking out all of said lines and inserting "this Act shall take effect in one year."? If we agree to omit that, then we can take up only that portion of the amendment that deals with studded tires.

Mr. GREEN. Yes, that is perfectly all right. I agree to that.

Mr. BONETTO. It is agreeable, Mr. Speaker, that that section of the amendment be deleted.

The SPEAKER pro tempore. It is understood by the Chair that the amendment has been divided by the will of the House and the second section of the amendment has been deleted with the concurrence of its chief sponsor. The question then recurs on the first portion of the amendment, and the Chair recognizes the gentleman from Montgomery, Mr. Beren.

Mr. BEREN. Yes, Mr. Speaker, if I can speak to that, but first let me preface my remarks by saying I can well understand the importance of the amendment as it is offered by Mr. Green in view of the fact that he has a major constituency that deals with studded tires. And while I am aware that there is some degree of controversy with regard to the effectiveness of studded tires, I have been advised since my joining the Transportation Commission that the effect of studded tires on our highways is indeed a very negative one. As a matter of fact, if you will look at the fiscal note that is provided in this bill, it suggests and indeed states that at the completion of four years, the savings in terms of maintenance costs to the Commonwealth of Pennsylvania as a result of the elimination of studs would be some \$40 million. For these reasons I would oppose the amendment.

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

Mr. L. E. SMITH. Mr. Speaker, I rise to ask for support for Mr. Green's amendment.

Mr. Bonetto has stated that statistics will prove that studs have a deteriorating effect on the highways. I want to bring to your attention that the restrictions we have presently have only been in effect for one year and there is no way of knowing what the damage by studs to highways is over a period of the present law. Furthermore, if you really want to talk about what deteriorates highways, why do we not talk about salt and eliminate the use of salt? I am certain that I can produce statistics which will show that salt does probably ten times the damage that metal studs do and, since we have not had them or since our present law has only been in effect for

one year, I would urge that we give some consideration to this matter and at least give studded tires, for the period they are used now, a chance to prove that they do damage the highways.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Yes, Mr. Speaker. I rise to support the amendment offered by the gentleman, Mr. Green.

I do not have any manufacturing plants in my district that produce these studs but we do have the weather conditions in Erie County and northwestern Pennsylvania that call for studded tires. I think just yesterday's snowstorm here in Harrisburg had shown the people what a studded snowtire could do. Many of the local government officials at home have written to me asking me if I would try to have the studded tire made legal in Pennsylvania for the coming years. They want this because they serve many areas outside the city of Erie that are real hard to get to in severe weather conditions. Without studded tires they would not be able to get into these areas and they serve people who are needy of their services. I would urge the members on both sides to support this amendment.

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

Mr. McCUE. Mr. Speaker, I too rise to support the amendment. I have a constituency which is a neighbor of that of the sponsor, although my reason is not an economic one. As far as I know none of my constituents are employed in this company.

But the area which I represent is a very hilly area. It is rugged country. There are very few main roads. In fact I do not know if PennDOT knows that we exist in Armstrong County. So it is necessary, if my citizens, my neighbors, want to travel, that they do need studs or they do need chains. I think there is a safety matter in this thing. We cannot produce statistics on it because we do not know how many accidents would have occurred if citizens had not had studded tires.

I think that the talk about the destruction to the highways is minimal when it comes to the safety of my wife and my children driving on these back roads which are necessary to go from home to town. My situation is typical of most of my friends and neighbors in Armstrong County along the Allegheny Valley. I urge support of the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Warren, Mr. Kusse.

Mr. KUSSE. Yes, Mr. Speaker, I would like to interrogate Mr. Green briefly.

The SPEAKER pro tempore. Does the gentleman indicate that he will submit to interrogation?

Mr. GREEN. He does.

Mr. KUSSE. Yes. I have already talked to Mr. Green about this and we are not quite clear on it, but I am having trouble with the language in his amendment. It seems to me that there is no verb in this paragraph that he is inserting and it does not really say whether the tires may be used or may not be used. I wonder if Mr. Green would comment on that?

Mr. GREEN. Mr. Speaker, when I went to the Legislative Reference Bureau and asked them to prepare this amendment, they did so and advised me that they took the language that does now exist in the code. So there

will be no difference; whatever the provisions are in the code now, this is what my amendment would cover.

Mr. KUSSE. What I am afraid of is that in the existing code there may have been a lead-in paragraph that stated that tires could be used under the "following conditions," whereas in this case, in House bill No. 1817, there is no such lead-in paragraph, and each one of the items in this section actually is a complete sentence. For example, the words you are replacing says "no person shall drive any vehicle upon a" highway with tires, but all your amendment says is that "tires in which have been inserted" grips and studs and so on. It does not really state whether or not they may or may not be used. I support the amendment, but I would like to be sure that legislative intent is ascertained here. It is your intent that they would be permitted to be used?

Mr. GREEN. Yes, sir.

Mr. KUSSE. Mr. Speaker, may I also make a further comment?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KUSSE. Mr. Speaker, I do support the amendment. One of my home counties, Warren, sustained 70 inches of snow in the month of January this year alone. In view of the fact that PennDOT has indicated that they may not be able to keep up with a bare-roads policy in the future because of their lack of funds, I think we do run the risk that our highway surfaces are going to be such that tire studs would indeed be an important adjunct. I also have the problem that many of my people work over the border in Jamestown, New York. Many of the communities in that portion of New York State are extremely hilly, and many of the boroughs impose penalties on people who have trouble with traction over there and create traffic tieups. Therefore, tire studs are exceedingly important to the people in my district.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker. I too rise to support Mr. Green's amendment. I also have a Kennametal plant in my area. Because of this I visited the establishment and I found that the new studs are completely different. They are made and constructed in the taper and now, as the rubber wears, the studs recede. Also when Kennametal approached PennDOT and asked them for new tests, PennDOT refused them.

The chief of police of Allegheny Township, Jim Mann, told me the best thing that ever happened to their police cars were the studs in the wintertime. The ambulance drivers in my area and the fire companies came to me and they too said that at one time to go into a rural area, they would have to put the chains on. When they reached the highway in high speed, they would have to remove the chains. And as they reached the hospital which was half a mile off the road, they would have to put the chains on again.

I cannot see why PennDOT refused to give Kennametal this opportunity. As past chairman of the Street Committee of Vandergrift, I know what salt does to damage the roads. It exceeds what studs would do. Now the studs only protrude two thirty-seconds of an inch. It is an improvement on the old studs. When they first came out, the truckers thought it was a wonderful idea and they put the studs on. Then they found it was not feasible. When they had to recap the tire, if they missed

a stud, it would destroy the tire. So we have come a long way.

This is an opportunity to keep industry in the state of Pennsylvania and also to go along with the ambulances, the fire companies and the police.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Schmitt.

Mr. SCHMITT. Mr. Speaker, I would like to rise in support of Mr. Green's amendment for several reasons, one of which I think is more important than the other two.

One of the reasons is, of course, the studs are produced and manufactured in Westmoreland County, and although I do not directly represent that district, it is nevertheless a part of the counties that I do represent.

I think the economics of it is important. We need to keep these jobs, but I think even more important than that is the fact that, in my opinion, at least, the studs save lives. And if studs save lives, I think we should disregard the amount of damage they do to the highway just as we do with salt. We say that salt does a lot of damage to the highway, but nevertheless we continue to use salt because we know it is a preservation of safety of human lives.

For that reason, if for none other, I offer my support to Mr. Green's amendment in the interest of protecting human lives. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Hopkins.

Mr. HOPKINS. The principle here is between safety of life and a slight damage to the highways.

Now all of us in northwest Pennsylvania need these studded tires to get around in the wintertime, and I would urge that we vote in favor of this amendment.

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

Mr. WHELAN. Mr. Speaker, I also rise to support the Green amendment.

I think one fact was left out in the comments. The National Safety Council also makes the statement that studs improve the efficiency of stopping on ice by some 200 percent, and also allow a 16- to 24-percent improvement in stopping ability in winter weather.

The Kennametal plant is in the Latrobe area, which I represent, and there are a number of supportive jobs besides the ones mentioned at Slippery Rock that are performed by people in Latrobe.

I strongly support this. I think we need it in western Pennsylvania particularly, and it represents a major part of our industry in the State of Pennsylvania.

Thank you very much.

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

Mr. SALOOM. Mr. Speaker, I think enough has been said about the quality of the studs and the need for the protection of our drivers in Pennsylvania.

I do support Mr. Green's amendment and would ask for an affirmative vote on the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, I will make mine very

short. I support Mr. Green's amendment for safety reasons only. Thank you.

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

The yeas and nays were required by Messrs. GREEN and BONETTO and were as follows:

YEAS—138

Abraham	Gleeson	McCue	Saloom
Arthur	Goodman	McGinnis	Salvatore
Barber	Green	McIntyre	Scheaffer
Bellomonte	Greenfield	McLane	Schmitt
Bennett	Grieco	Menhorn	Shelton
Berlin	Gring	Miller, M. E.	Shuman
Bittle	Halverson	Miller, M. E., Jr.	Shupnik
Brandt	Hamilton, J. H.	Milliron	Sirianni
Brunner	Hasay	Miscevich	Smith, E.
Burns	Haskell	Moehlmann	Smith, L.
Caputo	Hayes, D. S.	Morris	Spencer
Cessar	Hayes, S. E.	Mrkonic	Stapleton
Cimini	Hill	Mullen	Stout
Cohen	Hopkins	Musto	Taddonto
Cowell	Hutchinson, A.	Myers	Taylor
Cumberland	Hutchinson, W.	Novak	Thomas
DeMedio	Itkin	Noye	Trello
Deverter	Johnson, J.	O'Brien	Turner
Dicarlo	Katz	O'Keefe	Ustynoski
Dietz	Kelly, J. B.	Pancoast	Valcenti
Dininni	Kistler	Perri	Wagner
Dombrowski	Killingaman	Perry	Walsh, T. P.
Doyle	Kolter	Petrarca	Wansacz
Englehart	Kowalshyn	Plevsky	Wargo
Fawcett	Kusse	Polite	Weldner
Fee	LaMarca	Pratt	Whelan
Fischer	Laudadio	Prendergast	Wilt, R. W.
Fisher	Lederer	Pyles	Worrilow
Flaherty	Letterman	Ravenstahl	Wright
Foster, W.	Levi	Reed	Yahner
Garzia	Lincoln	Renwick	Zearfoss
Geisler	Lynch	Rieger	Zeller
George	Manmiller	Ross	
Gillespie	McCall	Ruggiero	Fineman,
Gleason	McClatchy	Ryan	Speaker

NAYS—46

Anderson, J. H.	Gallen	Milanovitch	Shane
Beren	Geesey	Mullen, M. P.	Shelhamer
Berson	Gillette	Oliver	Stahl
Bonetto	Hepford	Parker, H. S.	Toll
Bradley	Irvic	Pitts	Vroon
Butera	Kelly, A. P.	Renninger	Westerberg
Cole	Kernick	Rhodes	Wilson
Dorr	Knepper	Richardson	Wilt, W. W.
Eckensberger	Laughlin	Ritter	Wojdak
Foster, A.	Lehr	Schweder	Yohn
Fryer	Manderino	Scirica	Zwickl
Gallagher	Mebus		

NOT VOTING—12

Crawford	Dreibelbis	McGraw	Rappaport
Davies	Giammarco	O'Connell	Seltzer
DiDonato	Hammock	O'Donnell	Zord

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

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

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

Amend Sec. 1 (Sec. 1310), page 72, line 14, by inserting after "department.": For the purposes of this section, designated agents shall include authorized messenger services.

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

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

Mr. LEDERER. Mr. Speaker, this is a very uncomplex amendment. On the issuance of temporary tags, it gives the right to authorized messenger services to issue temporary tags.

Now we know that many messenger services are bonded today according to state law. Many of them are bonded at a higher rate of bond than used-car dealers and car dealers. I think it is a needed piece of legislation for the small-time messenger service and I would appreciate House support on this amendment.

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

Mr. BONETTO. Mr. Speaker, I rise in opposition to this amendment. At the present time the Secretary of Transportation has the right to designate those who may issue temporary plates. I would like to keep it that way, and, for that reason, I ask a negative vote on the amendment.

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

Mr. LEDERER. Mr. Speaker, may I interrogate the chairman of the House Transportation Committee?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Bonetto, consent to interrogation?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LEDERER. Mr. Speaker, could you tell me what the difference is between a designated agent and authorized messenger service? Indeed, would not the Secretary of Transportation say who the authorized messenger services would be?

Mr. BONETTO. I do not know, but I think the secretary has the right under the code to designate those agencies that would issue temporary plates.

Mr. LEDERER. Well, do you think that it is monopoly that the chosen few can be picked by the Secretary of Transportation?

Mr. BONETTO. I do not know whether the Secretary of Transportation is trying to make a monopoly out of this thing. I have no idea. You would have to ask him that question.

Mr. LEDERER. Well, I am asking you as the chairman of the Transportation Committee.

Mr. BONETTO. We originally passed an act in this General Assembly providing that the Secretary of Transportation would designate those agencies that will issue temporary plates. I would like to keep it that way and I do not want to put anything in the law designating any particular agency to issue temporary plates. I would oppose that.

Mr. LEDERER. Mr. Speaker, I would ask support on this piece of legislation.

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

The yeas and nays were required by Messrs. LEDERER and BONETTO and were as follows:

YEAS—58

Abraham	Hayes, S. E.	Miller, M. E., Jr.	Ritter
Cowell	Hopkins	Milliron	Ross
Deverter	Hutchinson, A.	Miscevich	Ruggiero
Dietz	Hutchinson, W.	Myers	Ryan
Fischer	Katz	Novak	Saloom
Garzia	Kolter	Noye	Salvatore



Gillespie	Kowalyszyn	O'Keefe	Schweder
Gillette	LaMarca	Oliver	Shelton
Gleason	Lederer	Perri	Stapleton
Goodman	McClatchy	Perry	Valicenti
Green	McGinnis	Petrarca	Vroon
Greenfield	McIntyre	Prendergast	Whelan
Halverson	McLane	Ravenstahl	Wilt, R. W.
Hamilton, J. H.	Menhorn	Rieger	Zwikel
Haskell	Miller, M. E.		

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Anderson, J. H.	Foster, W.	McCall	Sirtanni
Arthurs	Fryer	McCue	Smith, E.
Barber	Gallagher	Mebus	Smith, L.
Bellomini	Gallen	Milanovich	Spencer
Bennett	Geesey	Moehlmann	Stahl
Beren	Geisler	Morris	Stout
Berlin	George	Mrkonjc	Taddonio
Berson	Gleason	Mullen, M. P.	Taylor
Bittle	Grieco	Mullen	Thomas
Bonetto	Gring	Musto	Toll
Bradley	Hasay	O'Brien	Trello
Brandt	Hayes, D. S.	Pancoast	Turner
Brunner	Hepford	Parker, H. S.	Ustynoski
Burns	Irvic	Pievsky	Wagner
Butera	Itkin	Pitts	Walsh, T. P.
Caputo	Johnson, J.	Pohte	Wansacz
Cessar	Kelly, A. P.	Pratt	Wargo
Cimini	Kelly, J. B.	Pyles	Weidner
Cole	Kernick	Rappaport	Westerberg
Cumberland	Kistler	Reed	Wilson
DeMedio	Klingaman	Renninger	Wilt, W. W.
Dininni	Knepper	Renwick	Wojdak
Dombrowski	Kusse	Richardson	Worrilow
Dorr	Laudadio	Scheaffer	Wright
Doyle	Laughlin	Schmitt	Yahner
Eckensberger	Lehr	Scirica	Yohn
Englehart	Letterman	Seltzer	Zearfoss
Fawcett	Levi	Snane	Zeller
Fee	Lincoln	Sheibamer	
Fisher	Lynch	Shuman	Fineman, Speaker
Flaherty	Manderino	Shupnik	
Foster, A.	Manmiller		

NOT VOTING—14

Cohen	DiDonato	Hill	O'Donnell
Crawford	Dreibelbis	McGraw	Rhodes
Davies	Giammarco	O'Connell	Zord
Dicarlo	Hammock		

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4551), page 251, line 13, by inserting after "of": exceptional (physically or mentally defective)

Amend Sec. 1 (Sec. 4551), page 251, line 18, by striking out "school" and inserting: such

Amend Sec. 1 (Sec. 4552), page 251, line 27, by inserting after "bus": used for the transportation of exceptional (physically or mentally defective) school children

Amend Sec. 1 (Sec. 4552), page 252, line 4, by inserting after "bus": used for the transportation of exceptional (physically or mentally defective) school children

Amend Sec. 1 (Sec. 4552), page 252, line 9, by inserting after "bus": used for the transportation of exceptional (physically or mentally defective) school children

Amend Sec. 1 (Sec. 4552), page 252, line 21, by inserting after "bus": used for the transportation of exceptional (physically or mentally defective) school children

Amend Sec. 1 (Sec. 4552), page 252, line 24, by inserting after "bus": used for the transportation of exceptional (physically or mentally defective) school children

Amend Sec. 1 (Sec. 4552), page 253, line 7, by inserting after "of": exceptional (mentally or physically defective)

Amend Sec. 1 (Sec. 4553), page 253, line 9, by inserting after "transporting": exceptional (mentally or physically defective)

Amend Sec. 1 (Sec. 4553), page 253, line 13, by inserting after "of": exceptional (mentally or physically defective)

Amend Sec. 1 (Sec. 4553), page 253, line 17, by inserting after "transport": exceptional (mentally or physically defective)

On the question,

Will the House agree to the amendments?

AMENDMENTS WITHDRAWN

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

Mr. LEDERER. Mr. Speaker, I will withdraw that amendment and go to the next amendment marked "2A."

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

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

Amend Bill, page 253 by inserting between lines 8 and 9: § 4553. Special requirements for certain school buses.

(a) Special equipment.—All school buses used in the transportation of exceptional (physically or mentally handicapped) students shall be equipped with safety straps, securely anchored to the floor to hold wheelchairs firmly in place. All school buses fitted with a lift for raising and lowering wheelchairs into and out of said bus shall have such equipment inspected daily and said lifts shall be equipped with straps to hold the wheelchairs securely in place during operation.

(b) Personnel.—All school buses used in the transportation of exceptional (physically or mentally handicapped) students shall have a matron in the bus at all times when there are students in the bus. The duties of a matron shall include, but not be limited to, maintaining order, providing first aid, supervising of emergency exiting, and furnishing care for any mentally or physically handicapped students who are in the bus.

(c) Training for personnel.—Matrons shall receive mandatory training in first aid and emergency care of children who are susceptible to seizures. Matrons and school bus drivers shall regularly supervise emergency exiting drills so as to familiarize the students with the procedures to be followed in case of an accident or other emergency.

Amend Sec. 1 (Sec. 4553), page 253, line 9 by striking out "4553" and inserting: 4554

On the question,

Will the House agree to the amendments?

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

Mr. LEDERER. Mr. Speaker, there was a fiscal note passed through the House.

This amendment deals with the busing of special children. On reading the amendment, they are described as "exceptional" children. The United States Supreme Court has told us that we have to educate these children, and I feel that it is time the Commonwealth of Pennsylvania makes sure that they are protected.

Now if the members will look at the fiscal note that we received from the Appropriations Committee which used as its source of information the Department of Education, I do not necessarily agree with their totals but it calls for 1,000 matrons in the State of Pennsylvania. Mr. Speaker, I do not believe that there are 1,000 buses in the State of Pennsylvania that are transporting school children who are handicapped or have physical ailments, but this is what the Appropriations Committee has given me.

Now, if it be so, Mr. Speaker, then this amendment to the Motor Vehicle Code will create 1,000 jobs in Pennsylvania. I would ask support on this amendment.

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

Mr. BONETTO. Mr. Speaker, I would like to ask Mr. Lederer one question.

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

Mr. LEDERER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BONETTO. I do not have a copy of the fiscal note before me, but I would like to ask Mr. Lederer to indicate to me what the cost of this amendment would be.

Mr. LEDERER. The cost would be, according to the Appropriations Committee, \$1,500,000 for the matrons. They would make a salary of \$2.36 per hour for 4 hours a day for 180 days a year.

There would also be a one-time cost of \$500,000, according to the Appropriations Committee, for straps for wheelchairs for buses.

Mr. BONETTO. Who will pay this money?

Mr. LEDERER. Mr. Speaker, I would hope that the state would.

Mr. BONETTO. You are not sure whether the state would or would not?

Mr. LEDERER. No, I am not, Mr. Speaker.

Mr. BONETTO. That is all.

Mr. Speaker, I rise in opposition to this amendment for the sole reason of where are we going to get the \$1½ million?

Secondly, unless there is some type of agreement between the Department of Education and the Department of Transportation, of which there is no indication in the amendment at all, I would ask for a negative vote.

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

Mr. RICHARDSON. Mr. Speaker, I am wondering whether or not we can ascertain the information that Mr. Bonetto asked for and ask that the gentleman withdraw his amendment at this time and try to get some clarity on the fiscal note before we pass it.

The SPEAKER pro tempore. Does the gentleman, Mr. Lederer, desire to withdraw the amendment?

Mr. LEDERER. No, Mr. Speaker. I would like to run the amendment. I thank Mr. Richardson, but I would like to run the amendment.

I would like to speak further on it, if I may.

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

Mr. RICHARDSON. I would like to speak to the amendment then.

Mr. Speaker, I think that over and over again so many times we have handicapped young people, particularly in our district, who do have to board those school buses in order to get to and from school, and some are with matrons and someone without matrons. Sometimes you have to rely on the bus driver to assist and aid in putting those young people on the bus.

I just feel that the amendment is a sound one, and although I understand that there is a problem with receiving the money, I do believe that if it is possible, it is very important that the Secretary of Education and the Department of Transportation get together and make some decision as to how we can spend the money.

We have more than once come up with situations before

this House that deal with handicapped children and handicapped people, and a lot of people are seemingly concerned about the money aspect. I believe that sometimes we inadvertently or we knowledgeably vote for bills which give a lot of money to any department, to museums and to other kinds of institutions in this state, and we never see what it goes for. But here is a situation where we know that this \$1 million—and that is what the fiscal note calls for—will be given toward handicapped persons so that they can go to and from school by allowing matrons to ride on the bus with them. I stand in support of this amendment and ask that the members do likewise. Thank you very much.

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

Mr. LEDERER. Mr. Speaker, in the 19 months that I have spent in the legislature, I have seen money go for the Louis Kahn papers; I have seen moneys go for the Bicentennial. Now these are mentally retarded and physically retarded children who have no one here lobbying for them but every member of this House, and if you are not going to rise to the occasion now, then you will never rise to it. Besides, if it is true, you are going to pick up 1,000 jobs for the State of Pennsylvania. I ask your support on this.

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

Mr. GARZIA. Mr. Speaker, I rise to support this amendment. I happened to have the occasion where I have got involved with some handicapped boys and girls going to school. Some of these buses are not even fit to be ridden in, and I think the state and the school district can find some solution for safety factors.

Now in answer to Mr. Bonetto concerning where the money is coming from, I think we can find the money the same place where the judges' salaries are coming from.

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

Mr. SALVATORE. Thank you, Mr. Speaker.

First of all, Mr. Speaker, I rise in support of this amendment. I, too, have seen hundreds of thousands of dollars given away in this House for less worthy things than this important thing.

The most important thing in a person's life is his child. Now when a person's child is at stake—and maybe none of you has a mentally retarded child, and I do not have one, but I can feel for the parent who has a mentally retarded child. And I think that mentally retarded child is deserving of an education and deserving of having someone watch over him whether his handicap may be that he is epileptic, blind, crippled or mentally retarded, but he deserves a chance like every other child in this Commonwealth. I hope that everyone will look at it not in the dollar signs but in the humane way and support this amendment. Thank you, Mr. Speaker.

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

Mr. BEREN. Mr. Speaker, as I read this amendment, it appears to me as though this amendment has the effect of mandating this equipment and saying to our local school districts, you pay for it. So we are not spending the Commonwealth's money here; we are spending our local school districts' money.

If Mr. Lederer were to agree to amend his amendment and have it redrafted so that the Commonwealth would pay for this change in our school-busing requirements, I will support this amendment 100 percent.

Under the present conditions, I cannot support this amendment, however laudatory it is—and it is—because we are going to go back to the school districts and say, look, school district in Montgomery County or Philadelphia or Allegheny or Westmoreland or wherever it is, we are now saddling you with another cost. And if you live in a school district such as I do, you know that we strangle our taxpayers with this type of legislation.

So, Mr. Speaker, will the gentleman, Mr. Lederer, consent to interrogation, please?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lederer, consent to interrogation?

Mr. LEDERER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BEREN. Would you agree to withdraw this amendment so that you could have it redrafted so that the Commonwealth would pick up the cost that you refer to?

Mr. LEDERER. Mr. Speaker, if this amendment would indeed pass, I would offer another amendment, which the Speaker has, that it would not have to take effect for 1 year. In that time, I would introduce new legislation to pay for this bill.

Mr. BEREN. And you and I will not be here then.

Mr. LEDERER. Hopefully.

#### PARLIAMENTARY INQUIRY

Mr. LEDERER. Mr. Speaker, a parliamentary inquiry. The SPEAKER pro tempore. The gentleman will state it.

Mr. LEDERER. Mr. Speaker, could I put this amendment on the table to redraft it, hold it over temporarily?

#### AMENDMENTS WITHDRAWN

The SPEAKER pro tempore. Does the gentleman desire to withdraw the amendment temporarily?

Mr. LEDERER. Yes, I do.

The SPEAKER pro tempore. Without objection, the amendment is withdrawn.

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

Mr. BONETTO. Mr. Speaker, I would like to advocate to Mr. Lederer that an amendment of this kind should be made to the School Code and not to the Vehicle Code.

There is more to just what Mr. Beren has said about this amendment. If you look at this amendment carefully, the inspection of the school buses fitted with lifts for raising and lowering wheelchairs—these inspections are going to cost money. And I am saying to you that this ought to be part of the School Code and not part of the Vehicle Code.

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

Mr. LEDERER. Mr. Speaker, I assume that about everything today costs money.

#### PARLIAMENTARY INQUIRY

Mr. LEDERER. I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LEDERER. Is this amendment germane to the Vehicle Code?

The SPEAKER pro tempore. The Chair would like to advise the gentleman that since the amendment is no longer before the House, the question itself is moot.

Would you care to address that question to the House at the time that the amendment is under consideration?

Mr. LEDERER. Thank you, Mr. Speaker. I will.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4903), page 268, by inserting after line 30:

(c) Securing loads of logs.—Every load of logs on a vehicle shall be securely fastened with at least three binders, chains or straps and, in the case of an open-body or stake-body vehicle, trailer or semi-trailer there shall be a sufficient number of vertical metal stakes or posts securely attached on each side of the vehicle, trailer or semi-trailer at least as high as the top of the load to secure such load in the event of a failure of the binders, chains or straps.

Amend Sec. 1 (Sec. 4903), page 269, line 1, by striking out "(c)" and inserting: (d)

Amend Sec. 1 (Sec. 4903), page 269, line 6, by striking out "(d)" and inserting: (e)

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, the amendment I am offering is similar to a piece of legislation I have introduced in the three sessions that I have been here. During the first session I was told that the department could do it by rules and regulations. During the second session I was told that we were going to revise the Motor Vehicle Code and we could take care of it there. During this session the revision of the Motor Vehicle Code is here and this part of it is still left out.

My amendment concerns the securing of loads of logs. It states: (Reading:)

Every load of logs on a vehicle shall be securely fastened with at least three binders, chains or straps and, in the case of an open-body or stake-body vehicle, trailer or semi-trailer there shall be a sufficient number of vertical metal stakes or posts securely attached on each side of the vehicle, trailer or semi-trailer at least as high as the top of the load to secure such load in the event of a failure of the binders, chains or straps.

The reason I am interested in this amendment is because the logs that are brought down to the Hammermill Paper Company—that is on the extreme northern end of my district—are brought down Route 8, which runs through the center of the city. There are four schools where the children use crossings to get back and forth to the schools. There is always a danger of these loads spilling out onto the highway. It has been done many times, fortunately never within the city limits, although we did find some logs on the streets in the city. I ask an affirmative vote on this amendment.

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

Mr. BONETTO. I have no objections to inserting this amendment into the Vehicle Code.

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

Mr. BEREN. Nor do I, Mr. Speaker.

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

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

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

Amend Sec. 1 (Sec. 6122), page 296, by inserting after line 30:

(e) Costs.—The cost of erection of traffic signals located on State-designated highways shall be borne by the Commonwealth; and at intersections of State-designated highways and local roads, such costs shall be borne by the Commonwealth and the local authorities having jurisdiction over the local road, each paying one-half of such costs, but local authorities may, at their option, pay more than their half of the costs in such cases.

Amend Sec. 6, page 340, by inserting after line 21:

(d) Erection of traffic control devices.—Section 6122 (relating to authority to erect traffic-control devices) shall take effect July 1, 1977.

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

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

Mr. WILSON. Thank you, Mr. Speaker.

If we all pay attention, we will make this real short so we do not have to repeat it for everybody. I know it is getting late and everybody is tired.

I think this is most important to every Representative here who has problems with traffic signals and who pays the cost. What I am suggesting is that the cost of traffic signals, beginning July 1 of 1977, shall be borne in the following manner: Where, in fact, the intersection is 100 percent state roadways, the cost will be paid 100 percent by the state. Where, in fact, the roadways are one municipal and one state roadway, they will be 50 percent each—50 percent borne by the local; 50 percent by the state. Where, in fact, all the roadways are local roadways intersecting, 100 percent of the cost will be borne by the local.

We have a fiscal note on this particular item. It will cost \$2,800,000 beginning July 1 of 1977.

I would suggest that out of the budget of nearly \$1 billion that the department has, surely they can support part of this cost of state roadways that intersect in small towns, small villages, little boroughs, little townships where their entire budget is maybe \$50,000. They are expected to pick up the \$20,000 cost for a traffic signal that really is benefiting those thousands of motorists from without the state, from without the community that has to pay the tab.

I suggest that we can support this. I think it is time for a move in this direction and I would ask your support of this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Milliron.

Mr. MILLIRON. Mr. Speaker, perhaps this is not germane. This deals more with the fiscal note rather than with the amendment itself. There is a Proctor-Silex plant in the district of one of my colleagues from Blair County, Mr. Hayes, and many of the people who are employed at Proctor-Silex live in my district. For the past 7 to 8 months, we have been attempting to get from PennDOT various survey statistics on traffic counts and a permit to have a light put at the entrance of this plant which is on traffic Route 220 in Blair County.

After all the research was done by Proctor-Silex, specifications were met by Proctor-Silex for a traffic light and two flashing warning lights, one on either direction warning of a plant entrance, and a bill was submitted by a private company to Proctor-Silex in the amount of \$9,300. This fiscal note from PennDOT says a minimum cost of \$20,000 a light.

The only thing I am trying to get at, Mr. Speaker, is once again PennDOT manipulates figures, evidently at the top the same as they do at the bottom. If it suits their purpose and they do not want an amendment in, they juggle figures.

Well, if I can get a private company to meet PennDOT's specifications with total installation, warning lights and everything for \$9,300 and they are paying \$20,000, it is just frustrating as hell.

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

Mr. BONETTO. Mr. Speaker, I oppose the amendment. At the present time the department does share in the cost of installation of traffic lights on state highways with the municipality. I would like to keep it that way, and there are valid reasons for doing so.

The Commonwealth of Pennsylvania provides the local municipalities of this Commonwealth some \$90 million in liquid fuel tax reimbursement. That money could very easily be used for whatever is needed within that municipality so long as they comply with the regulations of the Commonwealth. For that reason, I ask for a negative vote on this amendment.

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

Mr. MORRIS. Mr. Speaker, I am going to oppose this amendment, too. The idea has much merit, but there is one problem here which I think we should pay attention to, and it is a very practical problem; it is not a legal problem.

If you want to get a traffic light installed, even if your municipality is going to pay the entire cost, it is just plain hell to get it out of PennDOT to get that approved. You can imagine, Mr. Speaker, how many traffic lights are going to be approved if PennDOT has to pay the cost out of their budget.

Thank you.

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

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

The SPEAKER pro tempore. Will the gentleman, Mr. Bonetto, submit to interrogation?

Mr. BONETTO. I will.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. W. W. WILT. Mr. Speaker, did I understand the

gentleman to say that the Department of Transportation participates in the cost of purchasing and installing traffic signals with local governments?

Mr. BONETTO. On state highways I understand that they do.

Mr. W. W. WILT. On a newly constructed highway they do, but they do not in the replacement, or if the light is installed at the request of the local government, they do not participate?

Mr. BONETTO. At the request of the local government, Mr. Speaker, if it involves a state highway, it is my understanding that the Department of Transportation will participate in the financing of that particular installation. If it involves a local street, it is the sole purpose and cost to the local municipality.

Mr. W. W. WILT. That has not been my experience, Mr. Speaker. We have an intersection of U.S. Route 22 and also Route 220 in Blair County. The original traffic signals were installed by the former Department of Highways, but when the local government requested that a more adequate and a better system be installed, the local government was required to meet the full cost of those lights and the cost of operation also.

Thank you.

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

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. Wilson, consent to interrogation?

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

Mr. WILSON. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, Mr. Morris raised a real problem, and that is whether or not PennDOT would give permission to install a traffic signal if in fact they had to pay for 50 percent or all of it. Is there anything in your amendment that would prevent the township or the local government from paying the entire cost or paying more than 50 percent if it elected to do so and if it was necessary to get the signal?

Mr. WILSON. No. In answer to the question, I made a note on Mr. Morris' statement there. If you read the amendment, down toward the bottom of the first paragraph under (e) it says, and I quote: ". . . each paying one-half of such costs, but local authorities may, at their option, pay more than their half of the costs in such cases."

In other words, if the department wants to play games in order to cut down and cut back in the cost, the local municipality can go ahead and pay the entire cost if they so desire. So Mr. Morris' argument is not valid.

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

Mr. MENHORN. Thank you, Mr. Speaker.

I am going to oppose this amendment also, but not on the basis that anyone else has mentioned. I think, as Mr. Morris does, that the idea is commendable, but I do not think it speaks to all the situations. There are many times that traffic signals are installed at three-way intersections. This is at the insistence of the state, and I feel that the local communities should not bear more than one-third of the cost. Nowhere does this speak to that specific problem.

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

Mr. POLITE. Mr. Speaker, would Mr. Bonetto consent to brief interrogation?

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

Mr. BONETTO. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. POLITE. Mr. Speaker, did I understand you correctly that PennDOT will share in the cost of installation of traffic signals if it is a state highway and a local highway or a county highway or a township highway?

Mr. BONETTO. No; I did not say that. I said that the Commonwealth has participated in paying for half of the installation of a traffic light that is installed on a state highway.

The traffic counts are made by the state and so forth, and once their approvals are made, they have paid, and I think will continue to pay, half of the traffic lights. They have not done it in every instance, but they have done it in many, many instances. So therefore, I think that they are permitted to use the liquid fuel tax that goes back to local municipalities for this purpose. We are giving \$90 million back to local municipalities and some \$26 million back to counties. Let us use some of that money as well.

Mr. POLITE. I must have misunderstood you, because there was a traffic signal just installed on Route 309, which is a state highway, at the intersection of North Wales Road, which is a township highway, and my municipality, Montgomery Township, had to pay for the entire installation.

Mr. BONETTO. That is highly possible. There is no question about it. I say to you that the Commonwealth has participated in paying for half of the installation of lights in many instances. They have not paid for half also in other instances. But I say that they do participate from time to time.

Mr. POLITE. Would you give me the name of the person to contact in PennDOT so that maybe I can get some of this money back?

Mr. BONETTO. As a member of the General Assembly, I would never contact anybody below the secretary if I were you. Do you have his number? It is 5574. And I would call him.

Mr. POLITE. Thank you, sir.

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

Mr. ZELLER. Mr. Speaker, I know of no time when the Pennsylvania Highway Department has ever participated in paying any costs, except through the TOPICS program, which is a quasi-state-Federal operation. They have never ever paid I know in our area for any lights. As a matter of fact, all we have ever had to do was get permission from them first. So, therefore, I would like to know and you to specifically tell me the programs where the Department of Highways is paying for any traffic lights. I would like to know because I know of none. As a matter of fact, we have one right now in our area which is being taken care of under the Federal Highway Safety Program. They are going to pay for the whole thing, everything. But that is defunct. That is over with as of last year. There is no more of that.

But the present one under TOPICS is the only one

that I know of, and I do not know the exact operation of that except there is a matching deal. But they are not going to pay for, that I know of, any of our borough or township traffic lights. We have had to pay the whole thing ourselves. We had to get permission from them to put it up.

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

Miss SIRIANNI. Mr. Speaker, I would like to advise Mr. Bonetto that I have documentation in my office from PennDOT stating that it is not legal for them to spend funds for a light on a state highway that is running through a town or is requested by a town. I have documentation for two boroughs. And if you know otherwise, sir, I would like your help.

Mr. BONETTO. That may be true. You may have the letters and documentation. But what I am saying to you is that there have been instances in which the department has participated in the funding of a traffic signal. So my suggestion for you, as a member of this General Assembly, is to call and get over there and ask and find out whether or not that can be done for you.

Miss SIRIANNI. Mr. Speaker, is there not anybody here who could advise us whether they are acting legally or illegally or showing partiality?

Mr. BONETTO. This I do not know. I cannot answer. You are asking me something that I do not know. I wish I could help you. If I can, I will do everything I possibly can to help you and your municipality.

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

Mr. WILSON. Mr. Speaker, just very quickly on the point that the gentleman from Allegheny, Mr. Bonetto, brings up. I think that it is wise to note here that the few cents out of the total package of gas tax dollars that is returned is a very minuscule share of the entire take that the state gets. In addition, there is nowhere that the state is paying for any part of a traffic signal unless they mandate that the signal be installed, unless they go in and rebuild an entire roadway, unless they tear down a light that is already there. That is the only time that the state comes in and pays for a light. Yes, it is true they do occasionally—when they build a four-lane roadway instead of a two, when they design a light into the thing that is not there, or when they tear a light down. That is the only time.

I think it is time that the local municipalities get their fair share in this light deal.

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

Mr. BONETTO. Let us roll it, Mr. Speaker.

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

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

YEAS—94

Abraham	Green	Milanovich	Shuman
Brandt	Grieco	Miller, M. E.	Sirianni
Burns	Gring	Miller, M. E., Jr.	Smith, E.
Butera	Halverson	Moehlmann	Smith, L.
Cessar	Hamilton, J. H.	Musto	Spencer
Cimini	Hasay	Myers	Stahl
Cohen	Haskell	Novak	Stapleton
Cole	Hayes, D. S.	Noye	Taddonio

Cowell	Hayes, S. E.	O'Keefe	Taylor
Cumberland	Hill	Pancoast	Thomas
Deverter	Hopkins	Parker, H. S.	Turner
DiDonato	Hutchinson, W.	Perri	Ustynski
Dietz	Katz	Pitts	Vroom
Dininni	Kelly, J. B.	Polite	Wagner
Doyle	Klingaman	Pratt	Weidner
Fawcett	Letterman	Pyles	Whelan
Fischer	Levi	Rieger	Wilson
Fisher	Lincoln	Ruggiero	Wilt, R. W.
Fryer	Lynch	Ryan	Wilt, W. W.
Gallen	McCall	Salvatore	Worriflow
George	McClatchy	Seltzer	Wright
Gillespie	McCue	Shelhamer	Yohn
Gillette	McGinnis	Shelton	Zearfoss
Gleason	McIntyre		

NAYS—83

Anderson, J. H.	Geesey	Lehr	Ritter
Arthurs	Geisler	Manderno	Saloom
Barber	Giammarco	Manmiller	Scheaffer
Bellomini	Gleeson	McLane	Schmitt
Bennett	Goodman	Mebus	Schweder
Berlin	Greenfield	Menhorn	Shane
Berson	Hepford	Milliron	Shupnik
Bonetto	Hutchinson, A.	Miscevich	Stout
Bradley	Irvis	Morris	Toll
Brunner	Itkin	Mrkonc	Trello
Caputo	Johnson, J.	Mullen, M. P.	Walsh, T. P.
DeMedio	Kelly, A. P.	Mullen	Wansacz
Dicarlo	Kernick	O'Brien	Wargo
Dombrowski	Kistler	Petrarca	Westenberg
Dorr	Kolter	Pievsky	Wojdak
Eckensberger	Kowalyszyn	Prendergast	Yahner
Englehart	Kusse	Ravenstahl	Zeller
Fee	LaMarca	Reed	Zwikel
Flaherty	Laudadio	Renninger	
Foster, A.	Laughlin	Renwick	Fineman, Speaker
Foster, W.	Lederer	Richardson	
Garzia			

NOT VOTING—19

Beren	Gallagher	O'Donnell	Ross
Bittle	Hammock	Oliver	Scirica
Crawford	Knepper	Perry	Valicenti
Davies	McGraw	Rappaport	Zord
Dreibelbis	O'Connell	Rhodes	

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3732), page 219, lines 4 and 5, by striking out "TO A DEGREE WHICH RENDERS HIM INCAPABLE OF SAFE DRIVING"

Amend Sec. 1 (Sec. 3732), page 219, line 8, by removing the comma after "Act"

Amend Sec. 1 (Sec. 3732), page 219, line 9, by striking out "to a degree which renders him incapable of safe driving"

Amend Sec. 1 (Sec. 3732), page 219, line 11, by inserting a period after "substance"

Amend Sec. 1 (Sec. 3732), page 219, lines 11 and 12, by striking out "to a degree which renders him incapable" in line 11 and all of line 12

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

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

Mr. WILSON. Mr. Speaker, by this amendment to page 219, I am suggesting this when we are talking about the influence of alcohol. I would suggest that you read this; I think it is very important, because this is what I call another judgment call on the part of the officer. What it says here in the bill as proposed on page 219, line 4, is that the driver is considered under the influence of alcohol or a controlled substance when—and it says under (2)—

"under the influence of alcohol to a degree which renders him incapable of safe driving".

My amendment simply strikes out on page 219, lines 4 and 5, that article where it says, "To a degree which renders him incapable of safe driving". That is strictly a judgment call, in my opinion, on the part of the officer. He has got to determine that you are incapable of safe driving, and really, there is no argument for it in this case. I just simply recommend that it be amended out.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, I rise to oppose this amendment, and the reasoning behind my opposition is that this is taken directly from the Uniform Vehicle Code. And let us say this: Without these words in the code, tell me what a policeman is going to do.

Mr. WILSON. Right now?

Mr. BONETTO. You would like to have him do something or you would like to have him do nothing. Now the only way that a policeman can determine if a person is under the influence of liquor in 99 4/10 cases is by apprehending him for some other offense, and then when he sees him, he must make a determination whether or not this man is capable of driving or incapable of driving.

Yes, it is a judgment case, but that is exactly what it means—a judgment case. For that reason I strongly oppose this amendment, and let us get on with it.

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

Mr. WILSON. Just one brief point: The gentleman from Allegheny, Mr. Bonetto, says there is no way that you can arrest a person while under the influence. I would suggest and submit that, yes, you can, if you read the bill. All you are doing is striking out section (2). But as to driving under the influence of alcohol or a controlled substance, it says: "Offense defined.—A person shall not drive any vehicle while: (1) there is 0.10% or more by weight of alcohol in his blood;" and we have eliminated number (2), but then it says, "under the influence of any controlled substance, as defined in the act . . ." et cetera, number (4), et cetera, et cetera.

So there is a way that it can be determined if a person is driving while under the influence. I am just saying that I could have one drink and the officer could smell it and say, man, you're just incapable of safe driving. Therefore, I arrest you under section 3732, sub (2). So long. It is like too fast for conditions.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—9

Burns	Hopkins	McCue	Wilson
Gleason	Klingaman	Weidner	Wright
Hasay			

NAYS—172

Abraham	Geisler	McGinnis	Saloom
Anderson, J. H.	George	McIntyre	Salvatore
Arthurs	Gillespie	McLane	Scheaffer
Barber	Gillette	Mebus	Schmitt
Bellomini	Gleason	Menhorn	Schweder
Bennett	Goodman	Milanovich	Seltzer
Berlin	Green	Miller, M. E.	Sheihamer

Berson	Greenfield	Miller, M. E., Jr.	Shelton
Bonetto	Grieco	Milliron	Shuman
Bradley	Gring	Miscevich	Shupnik
Brandt	Halverson	Moehlmann	Sirianni
Brunner	Hamilton, J. H.	Morris	Smith, E.
Butera	Haskell	Mrkonic	Smith, L.
Caputo	Hayes, D. S.	Mullen, M. P.	Spencer
Cessar	Hayes, S. E.	Mullen	Stahl
Cimini	Hepford	Musto	Stapleton
Cohen	Hill	Myers	Stout
Cole	Hutchinson, A.	Novak	Taddonio
Cowell	Hutchinson, W.	Noye	Taylor
Cumberland	Irvis	O'Brien	Thomas
Davies	Itkin	O'Keefe	Toll
DeMedio	Johnson, J.	Oliver	Trello
Deverter	Katz	Pancoast	Turner
Dicarlo	Kelly, A. P.	Parker, H. S.	Ustynoski
DiDonato	Kelly, J. B.	Perri	Vroon
Dietz	Kernick	Petrarca	Wagner
Diminni	Kistler	Pievsky	Walsh, T. P.
Dombrowski	Knepper	Pitts	Wansacz
Dorr	Kolter	Polite	Wargo
Doyle	Kowalshyn	Pratt	Westerberg
Eckensberger	Kusse	Prendergast	Whelan
Engelhart	LaMarca	Pyles	Wilt, R. W.
Fawcett	Laudadio	Ravenstahl	Wilt, W. W.
Fee	Laughlin	Reed	Wojdak
Fischer	Lederer	Renninger	WorriLOW
Fisher	Lehr	Renwick	Yahner
Flaherty	Letterman	Rhodes	Yohn
Foster, A.	Levi	Richardson	Zearfoss
Foster, W.	Lincoln	Rieger	Zeller
Fryer	Lynch	Ritter	Zwinkl
Gallagher	Manderino	Ross	
Gallen	Manmiller	Ruggiero	Fineman,
Garzia	McCall	Ryan	Speaker
Geesey	McClatchy		

NOT VOTING—15

Beren	Giammarco	O'Donnell	Shane
Bittle	Hammock	Perry	Valicenti
Crawford	McGraw	Rappaport	Zord
Dreibelbis	O'Connell	Scirica	

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1538), page 116, line 19 by striking out "AND UPON PAYMENT TO THE DEPARTMENT OF A FEE OF \$10"

Amend Sec. 1 (Sec. 1538), page 117, lines 11 and 12 by striking out "AND UPON PAYMENT TO THE DEPARTMENT OF A FEE OF \$10"

On the question,

Will the House agree to the amendments?

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

Mr. GREENFIELD. Mr. Speaker, my amendment seeks to eliminate the fee which is charged in this bill for attendance at the school and for the departmental hearings which are granted under the bill.

Mr. Speaker, as I said before, this bill is not a revenue-raising bill. We passed the fee bill several months ago. This is supposed to be a traffic safety bill, with deterrents built in here to avoid hazardous driving conditions.

We tell a man he can go to school. If he passes the school, he is going to have two points reduced from his record, but he has to pay \$10 before he can have that done. We tell him that he has the right to departmental hearings, and if he is given a verdict and he is allowed to reduce his points by two, he again must pay \$10. He has originally paid a fine which by this bill has been made very excessive and very high for the purposes

enumerated previously and which I think is exorbitant in many cases, and I think it is a matter of overkill. However, we grant the man some rights; we charge him a fine; then we tell him he has to pay \$10 again to have his record cleared up. At the present time there are no such fees.

Mr. Speaker, I think it is an injustice. I think it is hitting the man twice. I do not think it does any good in accomplishing the things that we want to accomplish and I ask for its removal by this amendment.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, I rise to oppose the amendment, but, first, before I go into the idea of why I oppose it, I would like to inform Mr. Greenfield that his amendment amends the wrong section of the bill. It should have been section 1959. I think that can be straightened out though. I am not too concerned about that.

My concern is that the \$10 fee has been imposed upon those who are required to go to school or to take an examination. In order to keep this type of school going and the cost of the school, this is the reason for the imposition of the \$10. For that reason I think it is a safety factor. I think it is a penalty; there is no question about it. But because of the fact that we have modernized the point system, we should continue this penalty as part of the overall penalty for violators on the highways of the Commonwealth. For that reason I oppose this amendment and ask for a negative vote.

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

Mr. GREENFIELD. Mr. Speaker, in brief rebuttal to Mr. Bonetto: As I said, we passed a fee bill here which was supposed to supply PennDOT with adequate funds to run their establishment. I do not think that this type of situation causes them to incur expenses which would be prohibitive and which they could not absorb in their budget.

But beyond that, we have got to start thinking of the public, Mr. Speaker. And I say to you, to again tax the individual after he has paid a fine and to say he has certain rights under this bill but before he is granted those rights he has to pay another \$10, it is double jeopardy, Mr. Speaker. As I said, this bill has a great deal of large fines, heavy fines, which also can go to pay these costs, and I ask that this minimum fee of \$10, in the interest of the public whom we are trying to help, be omitted.

Thank you, Mr. Speaker.

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

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

YEAS—93

Abraham	Gring	McIntyre	Salvatore
Barber	Halverson	McLane	Scheaffer
Brunner	Hamilton, J. H.	Miller, M. E.	Schmitt
Butera	Hasay	Miller, M. E., Jr.	Shelton
Cimrini	Hayes, D. S.	Moehlmann	Shuman
Cohen	Hayes, S.E.	Mrkonjc	Shupnik
DeMedio	Hopkins	Musto	Sirianni
Deverter	Hutchinson, A.	Myers	Smith, E.
Dicarlo	Itkin	Novak	Smith, L.

DiDonato	Katz	Noye	Spencer
Dietz	Kelly, A. P.	O'Brien	Stahl
Dininni	Kelly, J. B.	O'Donnell	Stout
Dreibelbis	Klingaman	Oliver	Taddonio
Englehart	Knepper	Perri	Taylor
Fawcett	Laudadio	Petrarca	Turner
Fischer	Levi	Pitts	Ustynoski
Foster, W.	Lincoln	Polite	Vroon
Gallen	Lynch	Pyles	Wansacz
George	Manmiller	Renwick	Wargo
Gillette	McCall	Richardson	Weidner
Gleason	McClatchy	Rieger	Wilt, R. W.
Goodman	McCue	Ross	Yahner
Greenfield	McGinnis	Saloom	Zeller
Grieco			

NAYS—88

Anderson, J. H.	Flaherty	Manderino	Seltzer
Arthurs	Foster, A.	Mebus	Shane
Bellomini	Fryer	Menhorn	Shelhamer
Bennett	Gallagher	Millanovich	Stapleton
Berlin	Garzia	Milliron	Thomas
Berson	Geesey	Morris	Toll
Bittle	Geisler	Mullen, M. P.	Trello
Bonetto	Gillespie	Mullen	Wagner
Bradley	Gleeson	O'Keefe	Walsh, T. P.
Brandt	Green	Pancoast	Westerberg
Burns	Haskell	Parker, H. S.	Whelan
Caputo	Hepford	Plevsky	Wilson
Cessar	Hutchinson, W.	Pratt	Wilt, W. W.
Cole	Irvis	Prendergast	Wojdak
Cowell	Johnson, J.	Rappaport	Worrlow
Cumberland	Kernick	Ravenstahl	Wright
Davies	Kistler	Reed	Yohn
Dombrowski	Kolter	Renninger	Zearfoss
Dorr	Kowalshyn	Ritter	Zwiki
Doyle	Kusse	Ruggiero	
Eckensberger	Laughlin	Ryan	Fineman, Speaker
Fee	Lehr	Schweder	
Fisher	Letterman		

NOT VOTING—15

Beren	Hill	Miscevich	Scirica
Crawford	LaMarca	O'Connell	Valicenti
Giammarco	Lederer	Perry	Zord
Hammock	McGraw	Rhodes	

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

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

Mr. BONETTO. As I mentioned to Mr. Greenfield previously, the amendment was drawn to the wrong section. I think what we ought to do is have him correct the section so that the amendment is drawn correctly. Okay?

Come down here, and they will correct it.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1901), page 146, by inserting between lines 14 and 15:

(8) Veterans who lost a limb or eye or who became partially paralyzed while serving in the armed forces of the United States during any period of war or armed conflict. Only one vehicle, weighing not more than 9,000 pounds, shall be registered for any veteran.

Amend Sec. 1 (Sec. 1901), page 147, lines 7 through 13, by striking out all of lines 7 through 12, and "(17)" in line 13, and inserting: (16)

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. DeMedio.

Mr. DeMEDIO. Mr. Speaker, this amendment adds another category under the section granting free registration



fees. It would be subsection (8) which would grant this registration fee exemption to "Veterans who lost a limb or eye or who became partially paralyzed while serving in the Armed Forces of the United States during any period of war or armed conflict. Only one vehicle, weighing not more than 9,000 pounds, shall be registered for any veteran." This merely restores the registration fee exemption which our disabled veterans have enjoyed since 1955 under the Leader administration.

This amendment is supported by all of the veterans groups—the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans. It is estimated that there are only 3,000 individuals who qualify for the fee registration exemption, and the estimated loss of revenue to the Commonwealth is approximately \$30,000.

I do not think that we should allow the recodification to take away a privilege and exemption which our disabled veterans have enjoyed for over 20 years. I ask the members on both sides to vote in favor of this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. Mr. Speaker, I have to rise to oppose this amendment for several reasons. Number one, the concept of giving out free licenses in the code has been removed for everyone. We have to consider senior citizens; we have to consider those on pensions; we have to consider widows who have fixed incomes and are on pensions. I do not think it is fair to say that charging \$10 for processing a license plate is a taxable thing to anyone. All I am saying is that many of these veterans—although I am quite sympathetic to their cause—probably have incomes far greater than the people with a fixed income. For that reason I oppose this amendment and I ask for a negative vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. DeMedio.

Mr. DeMEDIO. Mr. Speaker, I would like to clarify one misstatement that was made by my colleague, Mr. Bonetto, and that is that we have removed all free registration fees from the new code. There are still free tags, for example, under this same section to which this amendment is being attached, being given for Federal vehicles and vehicles of political subdivisions, for officials at the vice-consul level, volunteer fire, rescue, and ambulance groups, and buses of mass transportation system. Most certainly, without waving the flag, our disabled veterans should take priority over, or at least equal status with, vice-consul level personnel.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. Mr. Speaker, I do not want to wave a flag, but I am saying to you, and I will rephrase my statement: No individual under the new code gets a free plate unless they pay a \$10-processing fee in that particular category. What you are talking about are governmental agencies. That is a hell of a comparison.

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

Mr. L. E. SMITH. Mr. Speaker, I rise in support of this amendment. I had a similar amendment prepared with-

out knowing that Representative DeMedio was going to offer this amendment.

Furthermore, I would like to remind the members that these people we are considering in this amendment are dwindling in number. In a few years the figure estimated at 3,000 will be reduced by a considerable number, so I would urge your support.

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

The yeas and nays were required by Messrs. DeMEDIO and BONETTO and were as follows:

YEAS—175

Abraham	Gleason	McIntyre	Scheaffer
Anderson, J. H.	Gleeson	McLane	Schmitt
Arthurs	Goodman	Mebus	Schweder
Barber	Green	Menhorn	Seitra
Bellommi	Grieco	Milanovich	Seltzer
Bennett	Gring	Miller, M. E.	Shane
Berlin	Halverson	Miller, M. E., Jr.	Shelhamer
Bittle	Hamilton, J. H.	Milliron	Shelton
Bradley	Hasay	Miscevich	Shuman
Brunner	Haskell	Moehmann	Shupnik
Burns	Hayes, D. S.	Morris	Sirtanni
Butera	Hayes, S. E.	Mrkonic	Smith, E.
Caputo	Hepford	Mullen, M. P.	Smith, L.
Cassar	Hopkins	Mullen	Spencer
Cimint	Hutchinson, A.	Musto	Stahl
Cohen	Hutchinson, W.	Myers	Stapleton
Cole	Irvis	Novak	Stout
Cowell	Itkin	Noye	Taddonio
Cumberland	Johnson, J.	O'Brien	Taylor
Davies	Katz	O'Keefe	Thomas
DeMedio	Kelly, A. P.	Oliver	Toll
Deverter	Kelly, J. B.	Pancoast	Trello
DiCarlo	Kernick	Parker, H. S.	Turner
DiDonato	Kistler	Perri	Ustynoski
Dietz	Klingaman	Petrarca	Valicenti
Dininni	Knepper	Pievsky	Varent
Dombrowski	Kolter	Pitts	Wagner
Dorr	Kowalyszyn	Polite	Walsh, T. P.
Doyle	Kusse	Pratt	Wansacz
Eckensberger	LaMarca	Prendergast	Weidner
Englehart	Laudadio	Dyles	Whelan
Fee	Laughlin	Rappaport	Wilson
Fischer	Lederer	Ravenstahl	Wilt, R. W.
Fisher	Lehr	Reed	Wilt, W. W.
Flaherty	Letterman	Renninger	Worrlow
Foster, A.	Levi	Renwick	Wright
Foster, W.	Lincoln	Rhodes	Yahner
Fryer	Lynch	Richardson	Yahn
Gallagher	Manderino	Rieger	Zearfoss
Garzia	Manmiller	Ritter	Zeller
Geesey	McCall	Ross	Zwickl
Geisler	McClatchy	Ryan	
George	McCue	Saloom	Fineman,
Gillespie	McGinnis	Salvatore	Speaker
Gillette			

NAYS—6

Beren	Bonetto	Westerberg	Wojdak
Berson	Fawcett		

NOT VOTING—15

Brandt	Giammarco	McGraw	Ruggiero
Crawford	Greenfield	O'Connell	Wargo
Dreibelbis	Hammock	O'Donnell	Zord
Gallen	Hill	Perry	

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. GREENFIELD. I would like to be recorded "aye" on the DeMedio amendment, please.

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

### GAVEL RETURNED TO THE SPEAKER

The SPEAKER pro tempore. The Speaker pro tempore would like to thank the members of the House for their cooperation during a very difficult day. Thank you very much.

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

The SPEAKER. I am indebted to the gentleman, Mr. Kelly, for having presided this entire day and having presided in a most competent fashion. It makes me feel unequal to the task after having listened to him on the microphone all day. We appreciate the good job you did, Jim.

On the question recurring,

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

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

Amend Subchapter B, page 76, by inserting between lines 22 and 23: 1344. Special plates for disabled veterans.

Amend Bill, page 86, by inserting between lines 3 and 4: § 1344. Special plates for disabled veterans.

On the application of any disabled veteran, so certified by the United States Veterans' Administration, the department shall issue to him special registration plates designating the vehicle so licensed as belonging to a disabled veteran. The registration plates shall have a white background, shall have blue numbers or letters as the department may determine, and shall have the words, "disabled veteran," in at least ten-point bold type, inscribed in red at the bottom of the plate. The department shall issue registration plates so designated only to persons who are disabled veterans. The department shall not charge any fee, other than the regular fee for annual registration, for the issuance of such registration plates.

Amend Sec. 1 (Sec. 3354), page 193, line 29, by inserting after "persons": or disabled veterans

Amend Sec. 1 (Sec. 3354), page 193, line 30, by inserting after "person": or disabled veteran

On the question,

Will the House agree to the amendments?

The SPEAKER. Again the Chair brings to the attention of the membership that an inadequate number of copies of the amendments are being forwarded to the desk. The rules of the House require that eight copies of an amendment be forwarded to the desk. The sets are coming up far short of the required number.

The Chair recognizes the gentleman, Mr. DeMedio.

Mr. DeMEDIO. As I stated, Mr. Bonetto tells me that this amendment is agreed to.

What it does is merely provide distinctive license plates for our disabled veterans. We passed this amendment practically unanimously sometime ago in the House. It has been lost in the maze of Senate bills, and therefore we are offering it for inclusion in the new code.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

### HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I am sorry to switch signals around so completely with the members and I hope they will be patient, but I am not responsible for snowstorms and amendments.

There are approximately 25 to 27 more amendments on our desks and I have been advised by about seven or eight members that they have amendments in preparation. I have also been advised by the State Police that there is at least a 50-50 chance that we are going to be hit in Harrisburg with another 8 inches of snowfall this evening.

In view of that, Mr. Speaker, and because of the fact that several of the chairmen have come to me and insisted that they must have their meetings, which I had asked them to cancel because next week is the last full committee meeting week before the spring recess, I am going to ask that we go back to our original schedule for the House next week, Mr. Speaker—that the House be not in session as a voting session but that the week be devoted to committee meetings, that there be no roll calls taken next week.

I repeat that. Next week we will go back to the original agreement that no roll calls will be taken and no session; that there will be committee meetings.

I would ask that the members who have—I am going to ask that at 4:30 we cease debate on the amendments or as close thereto as we can—additional amendments to House bill No. 1817, get them prepared to be submitted to us on March 22, which is the next voting day. That is a week from this Monday.

I hope that we will finish the debate on the amendments in an atmosphere where the members will recognize what they are voting on and what they are voting against and that there will be no further amendments accepted after the 22nd. We will devote the day of the 23rd to the reprinting of the bill so that it is in your hands by the end of the day of the 23rd or by early morning of the 24th, and on Wednesday, the 24th, we will call the bill for a final vote.

I would advise the members also, before they rush out of here at 4:30, that there are two resolutions which, if the House agrees to waive the rules, will be called for a vote. Mr. Reno Thomas has one and Mr. Ted Berlin has another. There will be no further voting after those resolutions are passed, and I would ask that no further amendments be taken up past 4:30. Thank you, Mr. Speaker.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1535), page 115, by inserting between lines 21 and 22:

(c) Establishment of point credits.—

(1) The department shall set up a point credit system to reward and promote good driving records. The point credits shall be allocated as follows:

(i) One point credit to each licensed driver who drives violation free per year up to a maximum point credit of five points.

(ii) Three point credits to each licensed driver who attends a driver improvement school as provided for in § 1538 (relating to school, examination or interview on

accumulation of points) and who is not compelled or directed to attend the school by the department.

(2) Any licensed driver convicted of driving under the influence of intoxicating liquor, manslaughter or any felony during which a vehicle was used shall lose all point credits accumulated in addition to the other penalties provided for by law.

(3) The point credits shall be used to cancel out any points which the licensed driver may acquire under this section on a one for one ratio.

On the question,

Will the House agree to the amendment?

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

Mr. REED. Mr. Speaker, the amendment that you have before you would establish what can best be termed "a positive point system." It is very simple. I will explain it and be glad to answer any questions.

It simply would allow drivers in Pennsylvania to accumulate one positive credit, a plus credit, on their driving record in the Bureau of Motor Vehicles for each year during which they drive without any moving violations. The total accumulation allowable under this amendment would be five. Those points become wiped out entirely if a person is convicted of driving under the influence of alcohol, manslaughter, or some felony involving the use of their motor vehicle.

Further, there would be three point credits given to a person who, on their own, attended a driver education school, and I say, "on their own" because it would not apply to anyone who attended the driver improvement school to which they may have been ordered by the Department of Transportation.

The instance of this amendment, which I know a number of members of the House are also interested in, Mr. Speaker, is simply that instead of the point system being a negative or a punitive system, that we also provide a means of positive reinforcement or an incentive or reward, if you would, at the rate of one point per year to those persons who have a decent driving record with a total accumulation not to exceed five at most.

Unless there are any questions, Mr. Speaker, I do not want to belabor the point.

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

Mr. BONETTO. Mr. Speaker, I rise to oppose the amendment. Good drivers do not need points; violators need points.

What this would eventually do is this: When a person reaches five points, he could very well say, well, I have got five points now and I can go out tonight and violate the law. It just does not make sense to give a good driver points, but it does make sense to penalize a driver with points when he has violated the law.

I strongly urge the members of this House to vote in the negative on this amendment.

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

Mr. REED. Mr. Speaker, I have to argue against that dissertation by the Transportation Committee chairman.

It takes a total of 5 years minimum to accumulate five points. A person, I think, who drives without any violations for a period of at least 5 years and therefore has accumulated up to five positive points on their driving record, is a person who is a good driver and a person

who I do not think would be very careless in the fifth year or the sixth year or the seventh year to suddenly decide, well, I have got five points; now I am going to become reckless.

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

Mr. WESTERBERG. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Reed, please?

The SPEAKER. Does the gentleman, Mr. Reed, consent to interrogation?

Mr. REED. Certainly. I would be glad to answer any questions.

The SPEAKER. The gentleman may proceed.

Mr. WESTERBERG. Mr. Speaker, I would like to know how many points you could accumulate under (1)(ii), on the three point credits to each licensed driver. How many could you accumulate under that paragraph?

Mr. REED. A total of five. And that would include, if he went to the driver improvement school on his own and not compelled by the Department of Transportation to go, a total accumulation of five.

Mr. WESTERBERG. Where does it say that?

Mr. REED. It says:

(i) One point credit to each licensed driver who drives violation free per year up to a maximum point credit of five points.

(ii) Three point credits to each licensed driver who attends a driver improvement school . . . and who is not compelled or directed to attend the school by the department.

In order words, if it would not cover, Mr. Speaker, any person who was ordered to go to driver improvement school because of a violation.

Mr. WESTERBERG. Yes, but I am still asking, how many points can be accumulated under those three points by going to a driver improvement school?

Mr. REED. How many points can he accumulate?

Mr. WESTERBERG. How many could he accumulate?

Mr. REED. He could accumulate, under that section, not more than a total of five points, of which the maximum of three could be applied for attending a driver improvement school. If he went to a driver improvement school and, in addition to that, drove 2 years violation free, he could accumulate up to but not more than five positive points under any circumstances.

Mr. WESTERBERG. Mr. Speaker, it does not say that here. It says, under the first paragraph, that he could accumulate five points by the one point credit each year. But it does not say how many points he can accumulate by going to the driver improvement school. It does not say that.

Mr. REED. Perhaps, Mr. Speaker, you may be reading something into it and carrying the point a little bit further than is necessary. Under paragraph (1), section (i), one point credit per year is given up to a maximum accumulation of five; section (ii), gives three point credits for attending the driver improvement school.

Mr. WESTERBERG. According to this, I could go to the driver improvement school three times in 1 year and accumulate nine Brownie points.

Mr. REED. No, Mr. Speaker, I respectfully disagree. Part (i) of the entire paragraph with regard to positive points and how you get them says that you cannot accumulate more than a maximum of five.

Mr. WESTERBERG. That is under (i), one a year, but

it does not say how many maximum points you could accumulate by going to the driver improvement school.

Mr. REED. Well, Mr. Speaker, when I went to Legislative Reference Bureau and asked them to draft this amendment, it was very clear to them, to me, and it is still clear to me, at least, that the maximum accumulation of positive points would be five of which a maximum of three could be for having attended the driver improvement school. That is exactly the intent of this amendment, and five is the maximum accumulation.

Mr. WESTERBERG. It does not say so, Mr. Speaker; it absolutely does not. And this being wrong, I am still opposed to Brownie points, because it is not how you have driven the last five years; it is how you are driving at that moment. I think that this would give you a chance to accumulate any number of points by going to this school often enough, and, besides, the whole idea, I think, is wrong, and I do ask that you vote against this amendment.

The SPEAKER. It is not the way you drive; it is the way you arrive, the golfers say.

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

Mr. GLEASON. Mr. Speaker, I urge the House to vote "no" on this amendment.

One of the very great Governors, one of the great Democrats in Pennsylvania history—and here I hope nobody thinks the devil is quoting Scripture—was Dave Lawrence of Pittsburgh. One of the greatest legacies that he left to the Commonwealth of Pennsylvania was his insistence that we have one of the toughest motor vehicle codes with respect to safety in the United States.

Down through the years, admittedly, there have been abuses of the system; the system needs reformation. What we are doing here, I think, is to modify it to some extent.

But I would hasten to add, that should we adopt Mr. Reed's amendment, we would, in fact, be throwing the baby out with the bath water. I think that it is entirely too strong a step to take. I think the modification which is presently in the draft before us is sufficient. Certainly Dave Lawrence and the people who believed as strongly as he did in highway safety could never have tolerated an amendment like this. I would ask all Republicans and Democrats to vote "no."

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

Mr. COHEN. Mr. Speaker, under the laws of statutory construction, laws cannot be construed to do something unreasonable or absurd. I do not think Mr. Westerberg's interpretation that somebody could go to driver education school three times a year and accumulate nine points a year would be upheld by any court in this state because of the total absurdity of it.

I think Mr. Reed's amendment is a very, very good one. Psychologists say that positive reenforcement is far stronger in producing desired results than negative reenforcement. If anything, Mr. Reed's amendment might well strengthen traffic safety in Pennsylvania.

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

Mr. ZELLER. It seems as though we are overlooking something—I am not saying every member of the House is, but there are quite a few—and that is, as soon as a constituent has a problem in regard to a motor vehicle viola-

tion, there are a couple of people over there at the Department of Transportation, Motor Vehicle Bureau, whom they call on the phone or they go over and they try to twist their arm to try to help them. This goes on all the time. As a matter of fact, we could even mention some names, but I do not think that would be right.

Now what I am getting at is this: They want to use this. This is a good political weapon; this is a chance to help your friends. Now evidently we do not want that. Maybe we do not want Mr. Reed's amendment because it is too simple; it is too good. It is going to take away a lot of political arms. It is going to give us a chance to do some good for those who are good drivers on the road. We are going to reward them; we are going to give them a reward for doing a good job. But, no, we want to take that away from them. We want them, just one time, to get caught out there in that little radar deal we were talking about earlier; one time to get nailed and that guy is out of a job or what have you because he cannot even go to work.

Now we are going to take that away from him, but as for rewarding him, no way can we do that. We cannot take care of that good driver because we want that little political weapon, the chance to call over there and say, help my buddy out, you know.

So I think it is about time we knock off the foolishness. Let us start rewarding the good drivers. Let us start taking care of these people. Five points over 5 years is not going to hurt anybody. As a matter of fact, we need it, and it is going to be an incentive for people to try to do right on the road. You are rewarding them instead of hurting them. Let us vote for the amendment.

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

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

YEAS—65

Berltn	Hopkins	Miller, M. E., Jr.	Seltzer
Bradley	Hutchinson, W.	Milliron	Shelton
Brandt	Kelly, A. P.	Mrkonic	Sirianni
Butera	Kelly, J. B.	Myers	Smith, L.
Cohen	Klingaman	Noye	Spencer
Cole	Kowalyshyn	Plevsky	Taddonio
DiDonato	Laughlin	Pratt	Vroon
Dietz	Lederer	Reed	Walsh, T. P.
Eckensberger	Manmiller	Rhodes	Wansacz
Englehart	McCall	Richardson	Whelan
Fischer	McClatchy	Rieger	Wilt, R. W.
Garzia	McCue	Ritter	Zeller
Gleason	McIntyre	Ross	Zwickl
Green	McLane	Ruggiero	
Halverson	Menhorn	Saloom	Fineman,
Haskell	Milanovich	Schmitt	Speaker
Hill	Miller, M. E.	Schweder	

NAYS—118

Abraham	Fryer	Levi	Scheaffer
Anderson, J. H.	Gallagher	Lincoln	Scrica
Arthurs	Gallen	Lynch	Shane
Barber	Geesev	Manderino	Shelhamer
Bellomini	Geisler	McGinnis	Shuman
Bennett	George	Mebus	Shupnik
Beren	Gillespie	Miscevich	Smith, E.
Berson	Gillette	Moehlmann	Stahl
Bittle	Gleason	Morris	Stapleton
Bonetto	Goodman	Mullen, M. P.	Stout
Brunner	Grieco	Mullen	Taylor
Burns	Gring	Musto	Thomas
Caputo	Hamilton, J. H.	Novak	Toll
Cassar	Hasay	O'Brien	Trello
Cimini	Hayes, D. S.	O'Keefe	Turner
Cowell	Hayes, S. E.	Oliver	Ustynski
Cumberland	Hepford	Pancoast	Valicenti
Davies	Hutchinson, A.	Parker, H. S.	Wagner

DeMedio	Irvis	Perrri	Wargo
Deverter	Itkin	Petrarca	Weidner
Dicarlo	Johnson, J.	Pitts	Westerberg
Dombrowski	Katz	Polite	Wilson
Dorr	Kornick	Prendergast	Wilt, W. W.
Doyle	Kistler	Pyles	Wojdak
Fawcett	Knepper	Ravenstahl	Worrlow
Fee	Kolter	Renninger	Wright
Fisher	Kusse	Renwick	Yahner
Flaherty	LaMarca	Ryan	Yohn
Foster, A.	Laudadio	Salvatore	Zearfoss
Foster, W.	Lehr		

NOT VOTING—13

Crawford	Greenfield	McGraw	Perry
Dininni	Hammock	O'Connell	Rappaport
Dreibelbis	Letterman	O'Donnell	Zord
Giammarco			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The SPEAKER. We will not be taking any further amendments today. The bill will be prepared for final passage, which means we are going to reprint this bill at this point. This is being done at the suggestion—in spite of the expense that is involved—of the Legislative Reference Bureau, which has strongly recommended to the Chair that this bill be reprinted because of conflicting provisions in certain amendments that have been offered in order to bring clarity to the bill and have a measure in front of the members that will be totally understandable.

They strongly recommended that the bill be reprinted, and we are going to go ahead and do that. That is why the bill is going to be prepared for final passage.

PARLIAMENTARY INQUIRY

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

Mr. McCUE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCUE. I, as one Representative, have had amendments prepared—and I guess there are other members who have amendments—will it then be necessary for me to reprint my amendments to the new number and have them redistributed? My amendments have been distributed. They are on the desk right now, but they are typed to this printer's number.

The SPEAKER. The Chair is advised at the moment—and I am trying to resolve the problem—that it will be necessary to have the amendments reprinted to the new printer's number.

The bill will be reprinted. The bill will be available for distribution as reprinted next week. You will have an opportunity to get the bill and have your amendments prepared to the new bill by next week.

Mr. McCUE. A further inquiry, Mr. Speaker. I believe the last time we were in session, 2 weeks ago, the majority leader said that everyone with amendments would give them to the chairman, the minority chairman, the leader, the minority leader, and the caucus chairman of

each party. Do we still have to get these 15 million copies of the amendments to all these people when the substance is the same?

The SPEAKER. Will the gentleman repeat the last thing he said?

Mr. McCUE. Will we still have to distribute copies to all of these persons to whom we have already distributed copies?

The SPEAKER. Just make certain that copies are distributed to Mr. Bittle for the Republicans and to Mr. Englehart for the Democrats, and that will satisfy the situation.

Mr. McCUE. Thank you, Mr. Speaker.

BILLS AND RESOLUTIONS NOT CALLED UP

The SPEAKER. Remaining bills and resolutions on today's calendar are not called up.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I wish the Chair would recognize Mr. Berlin first and then Mr. Reno Thomas.

RESOLUTION PRESENTED

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

Mr. BERLIN. Mr. Speaker, this is a resolution dealing with the problem of fire hazards, fire prevention, and safety here in the Main Capitol Building.

Mr. IRVIS. Mr. Speaker, will the gentleman yield?

We still have to waive the rules or suspend the rules so that we may take up this resolution as I understand it. This resolution did not pass through a committee.

The SPEAKER. And it is not a privileged resolution.

RULES SUSPENDED TO CONSIDER HOUSE RESOLUTIONS Nos. 229 AND 230

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

Mr. BERLIN. Mr. Speaker, I move that the rules of the House be temporarily suspended to consider this resolution and the one to be offered by Mr. Thomas.

On the question,

Will the House agree to the motion?

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

YEAS—177

Abraham	Garzia	McCall	Ryan
Anderson, J. H.	Geesey	McCue	Saloom
Arthurs	Geisler	McGlinnis	Salvatore
Barber	George	McIntyre	Scheaffer
Bellomini	Gillespie	McLane	Schmitt
Bennett	Gillette	Mebus	Schweder
Beren	Gleason	Menhorn	Seltzer
Berlin	Gleason	Milanovich	Shane
Berson	Goodman	Miller, M. E.	Shelhamer
Bittle	Green	Miller, M. E., Jr.	Shuman
Bonetto	Greenfield	Milliron	Shupnik
Bradley	Grieco	Miscevich	Sirianni
Brandt	Gring	Moehlmann	Smith, E.
Brunner	Halverson	Morris	Smith, L.
Burns	Hamilton, J. H.	Mrkoncic	Spencer
Butera	Hasay	Mullen, M. P.	Stahl
Caputo	Haskell	Mullen	Stapleton
Cassar	Hayes, D. S.	Musto	Stout
Cimini	Hayes, S. E.	Myers	Taddonio
Cohen	Hepford	Novak	Taylor
Cole	Hopkins	Noye	Thomas

Cowell	Hutchinson, A.	O'Brien	Trello
Cumberland	Hutchinson, W.	O'Connell	Turner
Davies	Kelly, A. P.	O'Keefe	Ustynoski
DeMedio	Kelly, J. B.	Oliver	Vroon
Deverter	Irvis	Pancoast	Wagner
Dicarlo	Itkin	Parker, H. S.	Walsh, T. P.
DiDonato	Katz	Perrri	Wansacz
Dietz	Kernick	Petrarca	Wargo
Diminni	Kistler	Pievsky	Weidner
Dombrowski	Klingaman	Pitts	Westerberg
Dorr	Knepper	Polite	Whelan
Doyle	Kolter	Pratt	Wilt, R. W.
Eckensberger	Kowalshyn	Prendergast	Wilt, W. W.
Englehart	Kusse	Pyles	Wojdak
Fawcett	LaMarca	Rappaport	Worrilow
Fee	Laudadio	Ravenstahl	Wright
Fischer	Laughlin	Reed	Yahner
Fisher	Lederer	Renninger	Yohn
Flaherty	Lehr	Kenwick	Zeller
Foster, A.	Levi	Rhodes	Zwickl
Foster, W.	Lincoln	Richardson	
Fryer	Lynch	Rieger	<b>Fineman,</b>
Gallagher	Manderino	Ritter	Speaker
Gallen	Manmiller	Ruggiero	

NAYS—2

Wilson                      Zearfoss

NOT VOTING—17

Crawford	Johnson, J.	O'Donnell	Shelton
Dreibelbis	Letterman	Perry	Toll
Giammarco	McClatchy	Ross	Valicenti
Hammock	McGraw	Scirica	Zord
Hill			

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

HOUSE RESOLUTION No. 229

The following resolution was read by the clerk:

In the House of Representatives, February 11, 1975

WHEREAS, Emergency medical services for the members, staff and employees of the Capitol Complex, visitors thereto and general public have not been systematized; and

WHEREAS, There is little, if any, medical data maintained on the members and personnel within these buildings; and

WHEREAS, There is currently insufficient emergency medical equipment available for House use; and

WHEREAS, No emergency medical procedures have been established to respond to emergency situations or to coordinate internal response with outside emergency assistance; [therefore be it] and

WHEREAS, The matter of fire prevention and general safety of our citizens has not received the concern which should have been afforded to them by this Commonwealth; therefore be it

RESOLVED, That the Speaker of the House of Representatives appoint a seven member bipartisan committee, four from the majority and three from the minority, to study and investigate emergency medical treatment services and procedures, [; and] to prepare plans and systems to improve emergency medical care, and the results of said findings shall operate as a model for all State facilities [; and be it further] and to study and investigate fire prevention and the general safety of our citizens; and be it further

RESOLVED, That the committee may hold hearings, take testimony, and make its investigation at such places as it deems necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall

be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

RESOLVED, That within 30 calendar days after the committee has made its report, the chairman of the committee shall cause a record of all expenses incurred by the committee, or the members thereof, which are payable at Commonwealth expense, to be filed with the Speaker of the House and the Speaker shall cause the same to be entered in the journal thereof. No expenses incurred by the committee or any member thereof shall be reimbursable by the Chief Clerk unless such expense shall first have been included as an expense item in the record heretofore required; and be it further

RESOLVED, That the committee make a report of its findings and recommendations to the General Assembly as soon as possible.

THEODORE BERLIN  
K. LEROY IRVIS  
JAMES J. MANDERINO  
ROBERT J. BUTERA  
MATTHEW J. RYAN  
JAMES J. A. GALLAGHER  
WILLIAM SHANE  
JOHN P. MILLIRON

On the question,  
Will the House adopt the resolution?

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

Mr. BERLIN. Mr. Speaker, this is merely an amendment to House resolution No. 39, which created the special House committee to investigate emergency medical problems. This particular amendment merely expands the focus of the committee to include the whole problem of fire prevention in the Capitol as well as other areas of the Commonwealth. I think because of the magnitude of the problem, it is imperative that we move immediately on that problem. That is why I have introduced this resolution.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the same motion to suspend the rules will obtain to this resolution as the past resolution.

The SPEAKER. The motion that was adopted embraced both resolutions.

Mr. IRVIS. Thank you, Mr. Speaker.

HOUSE RESOLUTION No. 230

The following resolution was read by the clerk:

In the House of Representatives

WHEREAS, The Department of Public Welfare has initiated a policy of phasing out the Public Welfare Institutional Farm Program; and

WHEREAS, There exists a serious doubt as to the merits and soundness of any program for the phasing out of either the Public Welfare Institutional Farm Program or the Correctional Industries Farm Program; therefore be it

RESOLVED, That the House of Representatives direct the House Agriculture Committee to study and investigate all matters pertaining to the Public Welfare Institutional Farm Program and the Correctional Industries Farm Program including the following questions: (1) whether or

not the phasing out of said institutional farm programs will increase the cost of State Government; (2) whether or not innovative methods or farm management and the application of new technology have the potential of significantly increasing the productivity of Commonwealth institutional farm programs; (3) whether or not the Department of Agriculture should be vested with any statutory authority with respect to the operation and management of institutional farm programs; and be it further

RESOLVED, That the committee report its findings and recommendations to the House of Representatives as soon as possible.

RENO H. THOMAS  
KENT D. SHELFAMER  
H. JOSEPH HEPFORD  
H. JACK SELTZER  
KENNETH E. BRANDT  
JOHN HOPE ANDERSON  
WALTER DeVERTER  
MARVIN D. WEIDNER  
GEORGE O. WAGNER  
WILLIAM K. KLINGAMAN, SR.  
SHERMAN L. HILL  
KENNETH J. COLE  
WILLIAM O. SHUMAN  
PAUL J. YAHNER  
A. CARVILLE FOSTER, JR.  
LESTER K. FRYER  
ROY W. WILT  
JOSEPH P. BRADLEY, JR.  
WILLIAM W. FOSTER  
JOSEPH V. GRIECO  
AMOS K. HUTCHINSON  
CHARLOTTE D. FAWCETT  
VERN PYLES  
RICHARD A. McCLATCHY, JR.  
JOHN E. SCHEAFFER  
SAMUEL W. MORRIS  
JOSEPH R. ZELLER  
RALPH D. PRATT  
FRANK J. LYNCH  
L. EUGENE SMITH  
KENNETH S. HALVERSON

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Snyder, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I have a few brief remarks before we vote on this resolution. We are all well aware of the fact that the Governor and the Department of Agriculture for the past 3 years have been actively building support for a world food policy.

In September of 1973, the Hershey Food Conference was held, followed by six regional conferences across the state. It culminated in the World Food Conference in Rome in 1974.

Last year the Governor supported the recommendations made by the Pennsylvania delegation to the World Food Conference. Also last year the Department of Agriculture sponsored the first anti-inflation garden program across Pennsylvania. He is calling for a continuation of that program presently.

We are now embarking on a new era of awareness between food producers and consumers. In light of the administration's past policy in regard to the food crisis, I find it hard to understand the rationale behind the administration's position to phase out our state welfare institution farm operations.

It is my understanding that eight of the remaining 18 welfare farm operations are to be phased out by the end of April. One hospital farm at one point produced 65 percent of the food consumed at the institution. Why now

will this and, according to the administration policy, all other welfare institution farms be phased out? There are many more unanswered questions in the minds of many taxpayers across Pennsylvania, as well as with us here in the General Assembly.

I feel that it is imperative to examine the rationale behind the phase out of these operations. And I would like to know as well as many other people in Pennsylvania would like to know the who, the why and the what for's of this action because in the final outcome the taxpayers of this state must pay the bill.

It is my firm conviction and that of many of my colleagues in this House that there is a practical value to these operations, and my resolution calls for a study of possible solutions by the Agriculture Committee of this House to keep these farms in operation on a modernized efficient basis, perhaps outside the leadership of the Department of Welfare.

What the resolution does is simply empower the Agriculture Committee of this House to study the entire farm program of the Commonwealth, not only the welfare farms, but our farms under justice—our Correctional Industries Farms—as well, to determine:

(1) whether or not the phasing out of said institutional farm programs will increase the cost of State Government; (2) whether or not innovative methods or farm management and the application of new technology have the potential of significantly increasing the productivity of Commonwealth institutional farm programs; (3) whether or not the Department of Agriculture should be vested with any statutory authority with respect to the operation and management of institutional farm programs; and be it further

RESOLVED, That the committee report its findings and recommendations to the House of Representatives as soon as possible.

Now the reason I asked for suspension of the rules today is because of the urgency for looking into the matter and getting some answers for the taxpayers back home as to what we are going to do with the farms when we no longer produce food on them, as to how we are going to purchase the food necessary for the patient care at the institutions and the many other questions in the minds of the people across the Commonwealth of Pennsylvania.

It is also my further understanding that all of the welfare institution farms shall be phased out perhaps within one year.

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

#### MR. ENGLEHART REQUESTED TO PRESIDE

The SPEAKER. Will the gentleman from Cambria, Mr. Englehart, come to the desk for the purpose of temporarily presiding?

#### THE SPEAKER PRO TEMPORE (Harry A. Englehart, Jr.) IN THE CHAIR

#### INTERROGATION

Mr. McCUE requested and obtained unanimous consent to interrogate the majority leader.

Mr. McCUE. Mr. Speaker, going back to House bill No.

1817, will the members with amendments who have not yet been recognized be able to offer the amendments to the new printer's number without the proponents of the bill saying that we should not take more amendments because of the cost of reprinting the bill? In other words, will the amendments be considered on their merit on the 22nd as well as today?

Mr. IRVIS. Yes, Mr. Speaker. For the information of the gentleman, it was not my intention to have the bill reprinted this weekend until we were informed by the Legislative Reference Bureau that there were a number of potential conflicts in amendments already adopted by the House, and that if I waited until March 22 to give them the bill, they might not be able to resolve those potential conflicts if indeed they develop into active conflicts.

Therefore, they suggested to me that we have the bill reprinted this time, and when you are ready to offer your amendments to the new printer's number, we will print the bill again before final passage. But you nor anyone else will not be precluded from offering amendments because of the cost of reprinting the bill.

I thank the gentleman.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. ZELLER. Thank you, Mr. Speaker. Mr. Speaker, last week on Friday, March 5, Mr. Stephen Reed and I attended a program out at the State Correctional Institution in Camp Hill at the invitation of Mr. Robinson, the commissioner of the Bureau of Corrections. And I am sure many, many members were invited. We saw a program that touched us very deeply. I can speak for myself and I know Steve can speak for himself. But I know we talked about it.

In this program we saw youngsters that are in a condition where they need special furniture. These are handicapped, crippled children who need special furniture. For a mother or father or parent to buy this furniture it is very, very costly. So therefore out at Camp Hill and up at Rockview at the youth campsite, they cut down the trees, process the wood and they send it down to Camp Hill. In Camp Hill they have a shop where they make this special furniture with special mechanics and carpenters who know the business and they do it at a very nominal fee. People can obtain this furniture there, three or four pieces that might be needed for a special handicapped child.

We think this program is so vital to the knowledge of all the members of this House that we are asking Mr. Robinson to make this available again, possibly here at the Capital sometime—we do not know whether we can have it here in the House or down in one of the caucus rooms—but we would like to hold a seminar to show this furniture and these youngsters. They had youngsters there who actually used the furniture and showed us how they get about with it. But they are youngsters who would normally be bedridden for the rest of their lives. And this way they sit them up, they become individuals, they are able to help themselves, they are able to paint, they are able to eat by themselves, they are able to do things. They become a human being.

Therefore we would like to set this program up. We do not know when it is going to be, but I am just reminding the members that we would like to go ahead and get some-

thing going on this and receive favorable attention by the members being able to come and see it.

I want to let you know that this will be coming about very shortly, we hope. If Mr. Reed wants to add anything to it, he is here. We were very much impressed.

Thank you very much for allowing me to bring this message to you.

#### NO FURTHER BUSINESS

The SPEAKER pro tempore. Does the majority leader have any further business on his desk?

Mr. IRVIS. Mr. Speaker, I am very pleased to announce that I have no further business.

The SPEAKER pro tempore. Thank you, sir.

#### LEGISLATION TO BE INTRODUCED

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

Mr. DAVIES. One item, Mr. Speaker.

Today I am introducing legislation that is a two-pronged effort in the areas of criminal rehabilitation for certain individuals while it increases the penalties for a crime carried out with offensive weapons such as handguns. In addition, second offenders of the serious felonies of rape and certain acts of sexual deviate behavior by physical force will lose their right to parole under this bill.

The bill addresses itself to the issue that the gun does not commit the crime. It is the criminal element in our society. This is not any effort at gun control but the effort to punish the criminal who uses the handgun. The first portion of the bill will provide for the identification and treatment of learning disabilities for the criminal offender.

In a recent study in California institutions, learning disabilities are prevalent in an extremely high percentile of serious felonies tested.

I seek bipartisan support for this piece of legislation.

#### FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is pleased to introduce a former distinguished member of this House, a very pleasant gentleman, a gentleman who was formerly the minority caucus chairman of the Republican Party, Mr. Fox.

#### WELCOME

The SPEAKER pro tempore. The Speaker is pleased to welcome to the hall of the House a group of eighth grade students from the Elizabethtown area High School along with their teacher, Mr. Dale Denlinger. They are currently studying the election process for 1976.

They are the guests of the gentleman from Lancaster County, Mr. Kenneth Brandt, along with the other gentlemen from Lancaster County, Messrs. Hill, Gring, Marvin Miller and Marvin Miller, Jr.

#### ADJOURNMENT

Mr. REED moved that this House do now adjourn until Monday, March 22, 1976, at 1 p.m., e.s.t., unless sooner recalled by the Speaker of the House.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 4:45 p.m., e.s.t.) the House adjourned.