

# Legislative Journal

MONDAY, MARCH 22, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 113

## HOUSE OF REPRESENTATIVES

The House convened at 1 p.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:

O God, our Father, we invoke Thy blessing upon the members of this House of Representatives as they meet in session this day. We recognize the enormity of the problems which confront them and the complexity of the situations they face, and we are confident that they need the assurance of Thy power and presence within their lives. We are aware of the enormous pressures placed upon them and the mounting tensions they undergo in attempting to pass needful and worthwhile legislation, and we know that they need the release from these trials which Thou hast to give. O God, we gratefully pray that Thou wilt be very near and dear to each one: through whom we pray. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, March 15, 1976, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. LAUGHLIN, ECKENSBERGER, MILANOVICH, PRATT, FEE, ZWIKL, ZELLER, BRADLEY, GOODMAN, BELLOMINI, KOLTER, MISCEVICH, PETRARCA, DOMBROWSKI, COLE, GARZIA, McLANE, WANSACZ, GEORGE, A. K. HUTCHINSON, MILLIRON, STAPLETON, LINCOLN, YAHNER and DeMEDIO

#### HOUSE BILL No. 2212

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), providing for agreements for the payment of delinquent taxes on an installment basis under certain conditions.

Referred to Committee on Business and Commerce.

By Messrs. WHELAN, BONETTO, BEREN, GLEASON and GREEN **HOUSE BILL No. 2213**

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (1st Sp. Sess., P. L. 7, No. 1), further providing for penalties.

Referred to Committee on Transportation.

By Mr. CESSAR

#### HOUSE BILL No. 2214

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further regulating the sale of malt and brewed beverages by certain manufacturers, distributors and importing distributors, and making it unlawful to fail to establish and provide minimum selling price schedules and to sell below such prices.

Referred to Committee on Liquor Control.

By Messrs. RICHARDSON, BARBER, GIAMMARCO, WALSH, SCHWEDER, RAPPAPORT, REED, CAPUTO, GEISLER, TRELLO, OLIVER, McINTYRE, GILLESPIE, O'KEEFE, LEDERER, JOHNSON, ROSS, HAMMOCK, Mrs. TOLL, Messrs. SHELTON, BONETTO, ZEARFOSS, WORRILOW, GLEASON, WHELAN, M. E. MILLER, JR., M. E. MILLER, CESSAR, PARKER, HILL, BRANDT and L. E. SMITH

#### HOUSE BILL No. 2215

An Act amending the act of January 10, 1968 (1967 P. L. 925, No. 417), referred to as the Legislative Officers and Employes Law, further providing for the number of employes of the Legislature and their compensation.

Referred to Committee on State Government.

By Messrs. BELLOMINI, DOMBROWSKI, GEISLER and TRELLO **HOUSE BILL No. 2216**

An Act amending the "Lethal Weapons Training Act," approved October 10, 1974 (P. L. 705, No. 235), excluding certain agents from the act.

Referred to Committee on Law and Justice.

By Messrs. BELLOMINI, DOMBROWSKI, LETTERMAN, GEISLER and TRELLO **HOUSE BILL No. 2217**

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for uniform medical reports for purposes of the State and its political subdivisions.

Referred to Committee on State Government.

By Mrs. CRAWFORD, Messrs. BUTERA, PARKER, ZELLER, THOMAS, CESSAR, Mrs. FAWCETT, Messrs. McGINNIS, POLITE, PITTS, VROON and DeVERTER **HOUSE BILL No. 2218**

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for certain employment standards in the Department of Transportation.

Referred to Committee on Labor Relations.

By Messrs. DAVIES, M. E. MILLER, JR., MILLIRON, ZELLER, HASAY, WHELAN, WAGNER, WEIDNER, PYLES, McCLATCHY, VROON,

Mrs. FAWCETT, Messrs. POLITE, E. H. SMITH,  
W. W. FOSTER, SCHEAFFER, TURNER, LEVI,  
D. S. HAYES and STAPLETON

**HOUSE BILL No. 2219**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes further providing for probation and further limiting the availability of parole for certain offenses.

Referred to Committee on Judiciary.

**HOUSE RESOLUTION INTRODUCED  
AND REFERRED**

By Mrs. CRAWFORD, Messrs. DiCARLO, LINCOLN,  
ZELLER, PARKER, ZWIKL, CESSAR,  
Mrs. FAWCETT, Messrs. McGINNIS, POLITE,  
PITTS, VROON, DeVERTER and THOMAS

**RESOLUTION No. 228**

The House of Representatives directs the Joint State Government Commission to appoint a task force to conduct a comprehensive review of the structure, procedures, rules and regulations of the State Civil Service Commission and all provisions of the act of August 5, 1941 (P. L. 752, No. 286), known as the "Civil Service Act," for the purpose of developing recommendations for improvements in the current policies or law.

Referred to Committee on Rules.

**CALENDAR**

The SPEAKER. Without objection, the Chair turns to page 6 of today's calendar.

**BILLS ON SECOND CONSIDERATION**

Agreeable to order,

The House proceeded to second consideration of **House bill No. 729, printer's No. 826**, entitled:

An Act amending the act of September 9, 1965 (P. L. 498, No. 252), entitled, as amended, "An act exempting certain firemen, policemen, volunteer ambulance and rescue squad \*\*," further regulating liability of persons attempting to rescue or render aid at the scene of an accident or medical emergency.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1196, printer's No. 1379**, entitled:

An Act amending the act of June 3, 1919 (P. L. 366, No. 179), entitled "An Act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals; \*\*," providing an additional preference as to Pennsylvania State Police examinations.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1310, printer's No. 2649**, entitled:

An Act providing for the approval or disapproval of applications for a permit relating to the construction or maintenance of improvements to real estate.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1570, printer's No. 2651**, entitled:

An Act restricting the rights of a landlord to evict in retaliation for actions by a tenant; providing for certain civil actions and injunctive relief and establishing certain burdens to be met by the landlord.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1658, printer's No. 2069**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), prohibiting drilling for oil and gas in Lake Erie.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1691, printer's No. 2127**, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965, P. L. 1656, No. 581), providing for the signing of certain written contracts and agreements by the president of the borough council.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1770, printer's No. 2270**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1784, printer's No. 2287**, entitled:

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), regulating contract procedures and advertising for bids.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1789, printer's No. 2292**, entitled:

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458, No. 208), increasing the minimum amount for which an Authority may contract or purchase without bids.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1939, printer's No. 2489**, entitled:

An Act providing for the observance of June 28 of each year as Pennsylvania Dutch Day.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2093, printer's No. 2700**, entitled:

An Act amending the act of June 25, 1919 (P. L. 581, No. 274), entitled "An act for the better government of cities of the first class of this Commonwealth," further providing for the borrowing of money for capital purposes and for the planning, promotion and conduct of the celebration of the bicentennial anniversary of the founding of the United States.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2097, printer's No. 2721**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further providing for the issuance of antlerless deer licenses to the spouses of resident Armed Forces personnel.

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

Ordered, to be transcribed for third consideration.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I request leaves of absence for Messrs. ARTHURS and DOMBROWSKI for today's session, and for Mr. BARBER for the week.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leaves of absence for Messrs. D. S. HAYES, VROON, KNEPPER, and THOMAS for today's session, and for Messrs. GLEASON and ZORD for the week.

The SPEAKER. Without objection, leaves are granted.

### BILLS REPORTED FROM COMMITTEES

**HOUSE BILL No. 894** By Mr. MUSTO

An Act relating to the safety of workmen in the construction and maintenance of electric service, ensuring that consumers will receive more adequate and reliable electric service and conferring powers and imposing duties on the Department of Labor and Industry and courts of common pleas.

Reported from Committee on Labor Relations.

**HOUSE BILL No. 1778** By Mr. CAPUTO

An Act amending "The Third Class City Code," ap-

proved June 23, 1931 (P. L. 932, No. 317), further regulating contracts as to advertising requirements.

Reported from Committee on Urban Affairs.

**HOUSE BILL No. 1779** By Mr. CAPUTO

An Act amending the act of March 7, 1901 (P. L. 20, No. 14), entitled "An act for the government of cities of the second class," further regulating contract procedures and advertising for bids.

Reported from Committee on Urban Affairs.

**HOUSE BILL No. 1781** By Mr. CAPUTO

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further regulating contracts as to advertising requirements.

Reported from Committee on Urban Affairs.

**HOUSE BILL No. 1782** By Mr. CAPUTO

An Act amending the "Second Class County Code," approved July 18, 1953 (P. L. 723, No. 230), further regulating contracts and purchases.

Reported from Committee on Urban Affairs.

**HOUSE BILL No. 1785** By Mr. CAPUTO

An Act amending the act of April 29, 1937 (P. L. 526, No. 118), entitled, as amended, "An act providing for and regulating joint purchases by counties (other than counties of the first class), cities of the second and third class, boroughs, towns, townships, school districts, institution districts and poor districts," increasing the amount of expenditures without bids.

Reported from Committee on Urban Affairs.

**HOUSE BILL No. 1845** By Mr. RENWICK

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458, No. 208), authorizing the purchasing of errors and missions insurance.

Reported from Committee on State Government.

**HOUSE BILL No. 2003** By Mr. PETRARCA

An Act amending the act of May 18, 1945 (P. L. 809, No. 323), entitled "An act removing certain roads or sections of road from the State highway system; and providing for their future maintenance and construction," removing part of a parallel highway subject to certain conditions.

Reported from Committee on Transportation.

**HOUSE BILL No. 2114** By Mr. BRUNNER

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), authorizing political subdivisions lying in more than one county to adjust the rate of taxation.

Reported from Committee on Finance.

**HOUSE BILL No. 2115** By Mr. BRUNNER

An Act amending the act of June 17, 1913 (P. L. 507, No. 335), referred to as the Intangible Personal Property Tax Law, providing that the tax shall not apply to property held by members of the immediate family.

Reported from Committee on Finance.

**HOUSE BILL No. 2143** By Mr. SHELHAMER

An Act amending "The Pennsylvania Seed Act of 1965," approved August 17, 1965 (P. L. 354, No. 187), defining "certifying agency" and prohibiting certain sales of uncertified seeds.

Reported from Committee on Agriculture.

**HOUSE BILL No. 2147** By Mr. PETRARCA

An Act amending the "Motor Vehicle Physical Damage Appraisers' Act," approved December 29, 1972 (P. L. 1713, No. 367), further providing for the licensing of motor vehicle physical damage appraisers; providing for civil penalties; providing for insurer and employer appraiser responsibility and providing for maintenance of records.

Reported from Committee on Transportation.

**HOUSE BILL No. 2172** By Mr. RITTER

An Act creating and establishing the Legislative Office for Research Liaison; providing for its functions and duties; and creating the Legislative Committee for Research Liaison and the University Committee for Research Liaison; providing for the membership of each such committee, prescribing the powers, functions and duties of each such committee, and making an appropriation.

Reported from Committee on Federal-State Relations.

**HOUSE BILL No. 2184** By Mr. PETRARCA

An Act amending the act of September 18, 1961 (P. L. 1389, No. 615), referred to as the County and Municipal State Highway Law, deleting and adding routes in Allegheny County.

Reported from Committee on Transportation.

**HOUSE BILL No. 2202** By Mr. RENWICK

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.

Reported from Committee on State Government.

**HOUSE BILL No. 9 (Amended)** By Mrs. KELLY

An Act to promote the health and welfare of the people of the Commonwealth by controlling and regulating lead paint poisoning; prescribing the powers and duties of the Department of Health and the Department of Environmental Resources; authorizing lead analyses at State laboratories; creating the Interagency Coordinating Committee and the Advisory Committee; imposing restrictions; providing penalties and making an appropriation.

Reported from Committee on Health and Welfare.

**HOUSE BILL No. 473 (Amended)** By Mrs. KELLY

An Act requiring the compilation of a list of interchangeable drugs; imposing duties on pharmacists; authorizing consumers to make substitutions in certain cases.

Reported from Committee on Health and Welfare.

**HOUSE BILL No. 1142 (Amended)**  
By Mr. GALLAGHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), requiring a school nurse to be on the premises in schools for the handicapped in first class school districts.

Reported from Committee on Education.

**HOUSE BILL No. 1262 (Amended)** By Mr. ZELLER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, changing provisions on additional sentencing for crimes of violence committed with firearms, providing for judicial review, expanding the definition of crime of violence and correcting the violation penalty for firearms violations.

Reported from Committee on Law and Justice.

**HOUSE BILL No. 1556 (Amended)**  
By Mr. GALLAGHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), making certain changes in regard to safety patrols.

Reported from Committee on Education.

**HOUSE BILL No. 1738 (Amended)**  
By Mr. RENWICK

An Act Authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to Bensalem Township lands situate in Bensalem Township, Bucks County.

Reported from Committee on State Government.

**HOUSE BILL No. 2139 (Amended)** By Mr. SCHMITT

An Act Regulating the business of repairing electric appliances; providing for the registration of persons engaged therein; prescribing powers and duties of the Attorney General; prescribing penalties and making an appropriation.

Reported from Committee on Consumer Protection.

**HOUSE BILL No. 2140 (Amended)** By Mrs. TOLL

An Act Regulating the business of repairing motor vehicles; providing for the registration of persons engaged therein; providing for certification of competency of certain mechanics; prescribing powers and duties of the Attorney General; prescribing penalties and making an appropriation.

Reported from Committee on Consumer Protection.

**HOUSE BILL No. 2141 (Amended)**  
By Mr. BRUNNER

An Act Amending the "Senior Citizens Property Tax or Rent Rebate Act," approved March 11, 1971 (P. L. 104, No. 3), further providing for a temporary method of payment of administrative expenses and claims.

Reported from Committee on Finance.

**HOUSE BILL No. 2187 (Amended)**  
By Mr. BRUNNER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for tax liens and enforcement thereof.

Reported from Committee on Finance.

**SENATE BILL No. 493 (Amended)**  
By Mr. BRUNNER

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.

Reported from Committee on Finance.

**SENATE BILL No. 1276 (Amended)**  
By Mr. PETRARCA

An Act authorizing the supervisors of Franklin Township, Westmoreland County, to transfer certain Project 70 lands in Westmoreland County to the Department of Transportation for a highway project under certain conditions.

Reported from Committee on Transportation.

**BILLS REREPORTED****HOUSE BILL No. 219** By Mr. PETRARCA

An Act prohibiting the right to condemn prime agricultural lands for certain purposes.

Rereported from Committee on Transportation.

**HOUSE BILL No. 1571 (Amended)**  
By Mr. BENNETT

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69, No. 20), providing for a warranty of habitability to be deemed a part of every written or parol license, lease or rental agreement, and establishing standards for minimum living conditions to be provided by licensors and landlords.

Rereported from Committee on Business and Commerce.

**HOUSE BILL No. 1643 (Amended)** By Mr. TAYLOR

An Act providing for emergency medical personnel; employment of emergency medical personnel and emergency communications in coal mines.

Rereported from Committee on Mines and Energy Management.

**HOUSE BILL No. 1976 (Amended)**  
By Mr. GALLAGHER

An Act amending the "Medical Practice Act of 1974," approved July 20, 1974 (P. L. 551, No. 190), providing for licensure of graduates of foreign medical schools upon completion of certain requirements and providing for the establishment of programs of clinical training in hospitals and making an appropriation.

Rereported from Committee on Education.

**BILL TAKEN FROM TABLE AND RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that House bill No. 2055, printer's No. 2637, be taken from the table and re-committed to the Committee on Appropriations for a fiscal note.

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

**COMMITTEE MEETING REPORTS**

The SPEAKER. Will all committee chairmen please send forward to the desk reports of the activities of their committees for the prior week?

Mr. SHELHAMER, chairman of the Agriculture Committee, presented the following report:

March 22, 1976

To: The Honorable Herbert Fineman  
Speaker

From: Kent D. Shelhamer, Chairman  
Agriculture

Please be advised that the House Agriculture Committee held a meeting on March 16 and 17, 1976.

On the 16th, House Bill 2143 was voted out of committee as committed. The meeting attendance sheets and the roll call vote on House Bill 2143 are attached.

**Attendance Report**

The Agriculture Committee met on March 16, 1976. The meeting started at 11:30 a.m. and adjourned at 12:15 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Kent D. Shelhamer	X	
Paul Yahner	X	
Samuel Morris	X	
William Shuman	X	
Frank Gleason		X
Joseph Bradley	X	
Galen Dreibelbis		X
Donald Davis	X	
Ralph Pratt		
Lester Fryer	X	
Kenneth Cole	X	
Joseph Zeller	X	
Marvin D. Weidner	X	
Reno Thomas	X	
Roy Wilt		
William Foster	X	
Kenneth Brandt	X	
Walter DeVerter	X	
A. Carville Foster, Jr.	X	
Joseph Grieco	X	
William Klingaman	X	

Mr. Pratt was excused because of another meeting.

Signed  
KENT D. SHELHAMER  
Chairman

**ROLL CALL**

The Agriculture Committee met on March 16, 1976 to vote to report out of committee House Bill No. 2143, sponsored by Mr. Zeller, seconded by Mr. Klingaman.

The yeas and nays were taken and were as follows:

Member	Vote
Kent Shelhamer	yea
Paul Yahner	yea
Samuel Morris	yea
William Shuman	yea
Frank Gleeson	not voting
Joseph Bradley	yea
Galen Dreibelbis	not voting
Ralph Pratt	not voting
Lester Fryer	yea
Kenneth Cole	yea
Joseph Zeller	yea
Marvin D. Weidner	yea
Reno Thomas	yea
Roy Wilt	not voting
William Foster	yea
Kenneth Brandt	yea
Walter DeVerter	yea
A. Carville Foster, Jr.	yea
Joseph Grieco	yea
William Klingaman	yea

YEAS—16

NAYS—0

NOT VOTING—5

The motion passed.

Signed  
KENT D. SHELHAMER  
Chairman

Attendance Report

The Agriculture Committee met on March 17, 1976. The meeting started at 1:30 p.m. and adjourned at 2:35 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Kent D. Shelhamer	X	
Paul Yahner	X	
Samuel Morris		
William Shuman	X	
Frank Gleeson		
Joseph Bradley	X	
Galen Dreibelbis		
Donald Davis		
Ralph Pratt	X	
Lester Fryer	X	
Kenneth Cole	X	
Joseph Zeller		
Marvin D. Weidner	X	
Reno Thomas	X	
Roy Wilt		
William Foster	X	
Kenneth Brandt	X	
Walter DeVerter	X	
A. Carville Foster, Jr.	X	
Joseph Grieco	X	
William Klingaman	X	

Mr. Zeller was excused because of a prior commitment.

Signed  
KENT D. SHELHAMER  
Chairman

Mr. WOJDAK, chairman of the Appropriations Committee, presented the following report:

Attendance Report

The Appropriations Committee met on March 8, 1976 in Room 246, Main Capitol. The meeting started at 12:20 p.m. and adjourned at 1:10 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Stephen Wojdak	X	
Max Pievsky	X	
Robert Bellomini	X	
Andrew McGraw		X
Roland Greenfield	X	
John Brunner		X
Thomas Fee	X	
James Gallagher	X	
Robert Geisler	X	
James Goodman	X	
Amos Hutchinson	X	
Ivan Itkin	X	
Joel Johnson	X	
Joseph Kolter	X	
Russell Kowalyszyn	X	
Martin Mullen	X	
Bernard O'Brien	X	

William Shane	X	
Fred Shupnik		X
H. Jack Seltzer	X	
John Hope Anderson	X	
Rudolph Dininni	X	
James Gallen	X	
John H. Hamilton	X	
Sherman Hill	X	
Guy Kistler	X	
Charles Mebus	X	
L. Eugene Smith		X
James Wright	*X	

\*Technically present because Rep. Wright was attending another House Committee meeting at the time of the Appropriations meeting.

Mr. McGraw was excused because of constituent business in home district.

Mr. Brunner was excused as his plane was late.

Mr. Shupnik was excused because of car trouble.

Mr. L. E. Smith was excused because of constituent business in home district.

Signed  
STEPHEN R. WOJDAK  
Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to amend and report out as amended House Bill No. 333, sponsored by Mr. O'Brien, seconded by Mr. Hutchinson.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyszyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	yea
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	yea
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—24  
NAYS—0  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

AMENDMENT TO HOUSE BILL No. 333

Printer's No. 2641

Amend Sec. 2, page 3, line 5, by inserting after "immediately": and shall apply to any taxes imposed for years beginning on or after January 1, 1976.

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as committed House Bill No. 567, sponsored by Mr. Hutchinson, seconded by Mr. Kolter.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	nay
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	nay
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	nay
Rudolph Dininni	yea
James Gallen	nay
John H. Hamilton	not voting
Sherman Hill	nay
Guy Kistler	not voting
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—16  
NAYS—6  
NOT VOTING—7

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 and voted unanimously to table House Bill No. 993. (A

unanimous decision was made to research the effects of this bill on local municipalities.

Signed  
STEPHEN R. WOJDAK  
Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to amend House Bill No. 1020, sponsored by Mr. Bellomini, seconded by Mr. Pievsky.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	yea
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	nay
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—23  
NAYS—1  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

AMENDMENTS TO HOUSE BILL No. 1020

Printer's No. 1171

Amend Sec. 4, page 4, lines 13 through 29 by striking out all of lines 13 through 28 and "(9)" in line 29 and inserting: (7)

Amend Sec. 4, page 5, line 15, by striking out "(10)" and inserting: (8)

Amend Sec. 5, page 5, lines 17 through 25 by striking out all of said lines

Amend Sec. 6, page 5, line 26 by striking out "6" and inserting: 5

Amend Sec. 7, page 6, line 2 by striking out "7" and inserting: 6

Amend Sec. 7, page 6, lines 3 and 4 by striking out both of said lines and inserting: July 1, 1976.

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as amended House Bill No. 1020, sponsored by Mr. Pievsky, seconded by Mr. O'Brien.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	yea
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	nay
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	nay
L. Eugene Smith	not voting
James Wright	not voting

YEAS—22  
NAYS—2  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to amend House Bill No. 1817, sponsored by Mr. Seltzer, seconded by Mr. Gallen.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	nay
Robert Bellomini	nay
Andrew McGraw	not voting
Roland Greenfield	nay
John Brunner	not voting
Thomas Fee	nay
James Gallagher	nay

Robert Geisler	nay
James Goodman	nay
Amos Hutchinson	nay
Ivan Itkin	nay
Joel Johnson	nay
Joseph Kolter	nay
Russell Kowalyshyn	nay
Martin Mullen	nay
Bernard O'Brien	yea
William Shane	nay
Fred Shupnik	not voting
Stephen Wojdak	nay
H. Jack Seltzer	yea
John Hope Anderson	yea
Rudolph Dininni	nay
James Gallen	yea
John H. Hamilton	nay
Sherman Hill	nay
Guy Kistler	nay
Charles Mebus	nay
L. Eugene Smith	not voting
James Wright	not voting

YEAS—4  
NAYS—20  
NOT VOTING—5

The motion failed.

The majority of the Committee members voted against amending House Bill No. 1817 because of the printing costs.

Signed  
STEPHEN R. WOJDAK  
Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as committed House Bill No. 1817, sponsored by Mr. Pievsky, seconded by Mr. Bellomini.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	yea
Rudolph Dininni	yea



James Gallen	nay
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—22  
 NAYS—2  
 NOT VOTING—5

The motion passed.

Signed  
 STEPHEN R. WOJDAK  
 Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as committed House Bill No. 1880, sponsored by Mr. Pievsky, seconded by Mr. O'Brien.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyszyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	nay
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—22  
 NAYS—2  
 NOT VOTING—5

The motion passed.

Signed  
 STEPHEN R. WOJDAK  
 Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976

to vote to report out as committed House Bills Nos. 1956 and 1957, sponsored by Mr. Gallagher, seconded by Mr. Bellomini.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyszyn	yea
Martin Mullen	nay
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	nay
Rudolph Dininni	nay
James Gallen	nay
John H. Hamilton	nay
Sherman Hill	nay
Guy Kistler	yea
Charles Mebus	nay
L. Eugene Smith	not voting
James Wright	not voting

YEAS—16  
 NAYS—8  
 NOT VOTING—5

The motion passed.

Signed  
 STEPHEN R. WOJDAK  
 Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to amend House Bill No. 2050, sponsored by Mr. Pievsky, seconded by Mr. Bellomini.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea

Joseph Kolter	nay
Russell Kowalyshyn	yea
Martin Mullen	nay
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	nay
Rudolph Dininni	yea
James Gallen	nay
John H. Hamilton	nay
Sherman Hill	nay
Guy Kistler	yea
Charles Mebus	nay
L. Eugene Smith	not voting
James Wright	not voting

YEAS—16  
NAYS—8  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

#### AMENDMENTS TO HOUSE BILL No. 2050

Printer's No. 2775

Amend Title, page 1, lines 11 and 12, by striking out "PROJECTS IN ARMSTRONG AND Luzerne COUNTIES." and inserting: a project in Luzerne County.

Amend Sec. 1, page 1, line 18, by striking out "PROJECTS" and inserting: a project

Amend Sec. 1 (Sec. 2), page 2, lines 10 through 22, by striking out all of said lines

#### ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as amended House Bill No. 2050, sponsored by Mr. Bellomini, seconded by Mr. Pievsky.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	nay
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	nay

Rudolph Dininni	yea
James Gallen	nay
John H. Hamilton	nay
Sherman Hill	nay
Guy Kistler	nay
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—17  
NAYS—7  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

#### ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to amend Senate Bill No. 153, sponsored by Mr. O'Brien, seconded by Mr. Pievsky.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	yea
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	yea
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—24  
NAYS—0  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

AMENDMENTS TO SENATE BILL No. 153

Printer's No. 1524

Amend Title, page 1, line 24 by removing the comma after "appeals" and inserting a period

Amend Title, page 1, lines 24 and 25 by striking out "and making an appropriation."

Amend Bill, page 17, lines 7 through 9 by striking out all of said lines

Amend Sec. 5, page 17, line 10 by striking out "5" and inserting: 4

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as amended Senate Bill No. 153, sponsored by Mr. Pievsky, seconded by Mr. Bellomini.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	nay
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	yea
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	yea
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—23  
NAYS—1  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to amend Senate Bill No. 1153, sponsored by Mr. Pievsky, seconded by Mr. O'Brien.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea

Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	yea
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—23  
NAYS—1  
NOT VOTING—5

The motion passed.

Signed  
STEPHEN R. WOJDAK  
Chairman

AMENDMENTS TO SENATE BILL No. 1153

Printer's No. 1379

Amend Title, page 1, line 11, by removing the period after "center" and inserting: and adding a project.

Amend Sec. 1, page 2, line 2, by inserting after "amended": and Subdivision II (Department of Environmental Resources) is amended by adding a project

Amend Sec. 1 (Sec. 1), page 2, by inserting between lines 19 and 20:

II. Department of Environmental Resources 1,323,000

\* \* \*

(3) Flood Control Project:  
Little Pine Creek in the area of Saxonburg Boulevard, Shaler Township, Allegheny County.

(Base Construction Authorization \$500,000 and Base Land Acquisition \$500,000).

This project further defines the scope of the Little Pine Creek Flood Control Project approved in the act of December 30, 1974 (P. L. 1088, No. 351), by reallocation of the \$1,000,000 Base Construction Authorization to \$500,000 for Construction and \$500,000 for Acquisition. The project authorizations, debt authorizations and appropriations contained in the act of December 30, 1974 (P. L. 1088, No. 351), or in this act are not changed by this amendment.

\* \* \*

ROLL CALL

The Appropriations Committee met on March 8, 1976 to vote to report out as amended Senate Bill No. 1153, sponsored by Mr. Hutchinson, seconded by Mr. O'Brien.

The yeas and nays were taken and were as follows:

Member	Vote
Max Pievsky	yea
Robert Bellomini	yea
Andrew McGraw	not voting
Roland Greenfield	yea
John Brunner	not voting
Thomas Fee	yea
James Gallagher	yea
Robert Geisler	yea
James Goodman	yea
Amos Hutchinson	yea
Ivan Itkin	yea
Joel Johnson	yea
Joseph Kolter	yea
Russell Kowalyshyn	yea
Martin Mullen	yea
Bernard O'Brien	yea
William Shane	yea
Fred Shupnik	not voting
Stephen Wojdak	yea
H. Jack Seltzer	nay
John Hope Anderson	yea
Rudolph Dininni	yea
James Gallen	yea
John H. Hamilton	yea
Sherman Hill	yea
Guy Kistler	yea
Charles Mebus	yea
L. Eugene Smith	not voting
James Wright	not voting

YEAS—23  
 NAYS—1  
 NOT VOTING—5

The motion passed.

Signed  
 STEPHEN R. WOJDAK  
 Chairman

Mr. BENNETT, chairman of the Business and Commerce Committee, presented the following report:

March 15, 1976

Subject: Business & Commerce Committee Meetings  
 To: Honorable Herbert Fineman, Speaker  
 From: Honorable Reid L. Bennett, Chairman  
 Business & Commerce Committee

The Business and Commerce Committee did not hold any Committee meetings during the week of March 8, 1976.

March 15, 1976

Subject: Minutes of Business & Commerce Committee Meeting—March 15, 1976  
 To: Honorable Herbert Fineman, Speaker  
 From: Honorable Reid L. Bennett, Chairman  
 Business & Commerce Committee

The Business and Commerce Committee held a meeting on Monday, March 15, 1976, starting at 1:30 p.m. in Room 401, Main Capitol Building. The attendance was taken as follows:

PRESENT  
 Bennett  
 Cole  
 Dombrowski  
 Gillespie  
 Kowalyshyn  
 Laughlin  
 Letterman  
 O'Donnell  
 Rappaport  
 Ravenstahl  
 Saloom  
 Wansacz  
 DeVerter  
 Dorr  
 Grieco  
 Halverson  
 Smith, L. E.

ABSENT  
 Hammock  
 Stout  
 Zwinkl  
 McGinnis  
 Scheaffer  
 Spencer

Rep. Knepper was excused due to conflicting legislative duties in his district.

DISCUSSION OF BILLS:

**House Bill 1571—Printer's No. 2652—**Representative Dorr made a motion to accept the agreed to amendments to House Bill 1571 and Representative Gillespie seconded the motion.

Representative Dorr then moved to amend the agreed to amendment. The Dorr amendment was deemed divisible by the Chairman and debate started on the first section of the Dorr amendment. Representative Smith seconded Representative Dorr's amendment. A roll call vote was taken on the first part of the amendment and it was defeated 7 yeas—8 nays.

A roll call vote was then taken on the second Dorr amendment and it was also defeated by a vote of 3 yeas—12 nays.

The third Dorr amendment was then called up for a roll call vote, and it passed by a vote of 10 yeas—5 nays.

Representative Letterman then offered an amendment to the third Dorr amendment requiring a written notice be given by the tenant to the landlord by certified mail. A roll call vote was taken on this amendment and it passed 8 yeas—7 nays.

The fourth Dorr amendment was discussed and a roll call vote was taken on it. The amendment was defeated by a vote of 3 yeas—11 nays.

RECESS OF COMMITTEE MEETING:

The Chairman recessed the committee meeting at 3:30 p.m. until the afternoon of Tuesday, March 16, 1976, at 3:30 p.m.

Attendance Report

The Business and Commerce Committee met on March 15, 1976 in Room 401. The meeting started at 1:30 p.m. and adjourned at 3:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Reid L. Bennett	X	
Kenneth Cole	X	
Bernard Dombrowski	X	
Patrick Gillespie	X	
Charles Hammock		X
Russell Kowalyshyn	X	
Charles Laughlin	X	
Russell Letterman	X	
Robert W. O'Donnell	X	
Samuel Rappaport	X	
Robert P. Ravenstahl	X	
Eugene Saloom	X	
J. Barry Stout		X
John Wansacz	X	
Kurt Zwinkl		X
Walter DeVerter	X	
Donald W. Dorr	X	
Joseph V. Grieco	X	
Kenneth S. Halverson	X	
James W. Knepper		
Patrick J. McGinnis		X
John E. Scheaffer		X
L. Eugene Smith	X	
Warren Spencer		X

Mr. Knepper was excused because of legislative duties in district.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

OFFICIAL LEAVE REQUEST

I James W. Knepper, Jr. ask for official leave of absence from attending the meeting of the Business & Commerce Committee on March 15 & 16, 1976 for the following reason:

Conflicting legislative duties (in my district).

Signed: JAMES W. KNEPPER, Jr.

AMENDMENTS TO AMENDMENTS OF MR. IRVIS TO HOUSE BILL No. 1571

Amend Amendments, page 1, Fourth Amendment, which reads "Amend Sec. 2 (Sec. 205), page 1, line 22; page 2, lines 1 through 30; page 3, lines 1 through 18, by striking out all of said lines and inserting", by inserting in line 15 of the amended Section 205 after "any"

ROLL CALL

The Business and Commerce Committee met on March 15, 1976 to vote on amendment to agreed-to amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dorr, seconded by Mr. Smith.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	nay

Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	nay
Russell Kowalyshyn	yea
Charles Laughlin	nay
Russell Letterman	nay
Robert O'Donnell	nay
Robert P. Ravenstahl	yea
John Wansacz	nay
Walter DeVerter	yea
Donald W. Dorr	yea
Joseph V. Grieco	yea
Kenneth S. Halverson	yea
L. Eugene Smith	yea

YEAS—7

NAYS—8

The motion failed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

AMENDMENTS TO AMENDMENTS OF MR. IRVIS TO HOUSE BILL No. 1571

Amend Amendments, page 1, Fourth Amendment, which reads "Amend Sec. 2 (Sec. 205), page 1, line 22; page 2, lines 1 through 30; page 3, lines 1 through 18, by striking out all of said lines and inserting", by striking out in lines 15 and 16 of the amended Section 205 "this section by the landlord or licensor." and inserting immediately thereafter: subsection (a)(2) by the landlord or licensor:

ROLL CALL

The Business and Commerce Committee met on March 15, 1976 to vote on 2nd Amendment to agreed-to amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dorr, seconded by Mr. Smith.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	nay
Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	nay
Russell Kowalyshyn	nay
Charles Laughlin	nay
Russell Letterman	nay
Robert O'Donnell	nay
Robert P. Ravenstahl	nay
John Wansacz	nay
Walter DeVerter	nay
Donald W. Dorr	yea
Joseph V. Grieco	yea
Kenneth S. Halverson	nay
L. Eugene Smith	yea

YEAS—3

NAYS—12

The motion failed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

AMENDMENTS TO AMENDMENTS OF MR. IRVIS  
TO HOUSE BILL No. 1571

(1) In order to obtain such damages or relief, the tenant or licensee must show that he has given written notice to the landlord or licensor of the noncompliance at least thirty days prior to the filing of this action.

ROLL CALL

The Business and Commerce Committee met on March 15, 1976 to vote on 3rd amendment to agreed-to amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dorr, seconded by Mr. Smith.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	nay
Kenneth Cole	yea
Bernard Dombrowski	nay
Patrick Gillespie	nay
Russell Kowalyshyn	yea
Charles Laughlin	nay
Russell Letterman	nay
Robert O'Donnell	yea
Robert P. Ravenstahl	yea
John Wansacz	yea
Walter DeVerter	yea
Donald W. Dorr	yea
Joseph V. Grieco	yea
Kenneth S. Halverson	yea
L. Eugene Smith	yea

YEAS—10  
NAYS—5

The motion passed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

AMENDMENT TO THE AMENDMENTS OF  
REP. DORR TO THE AMENDMENTS OF  
REP. IRVIS TO HOUSE BILL No. 1571,

Printer's No. 2652

Amendment to the third Rep. Dorr amendment requiring a written notice be given by the tenant to the landlord by certified mail.

ROLL CALL

The Business and Commerce Committee met on March 15, 1976 to vote on Amendment to the 3rd Rep. Dorr amendment to agreed amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Letterman, seconded by Mr. Bennett.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	yea
Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	yea
Russell Kowalyshyn	nay
Charles Laughlin	yea
Russell Letterman	yea
Robert O'Donnell	nay
Robert P. Ravenstahl	nay

John Wansacz	nay
Walter DeVerter	yea
Donald W. Dorr	yea
Joseph V. Grieco	yea
Kenneth S. Halverson	nay
L. Eugene Smith	yea

YEAS—8  
NAYS—7

The motion passed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

AMENDMENTS TO AMENDMENTS OF MR. IRVIS  
TO HOUSE BILL No. 1571,

Printer's No. 2652

(2) In any Order awarding damages or injunctive relief, a court shall establish a percentage figure which may be charged as additional rent by the landlord or licensor based on the cost of any required expenditures notwithstanding the rent figure established in the lease. Such percentage shall be between six percent per annum and twelve percent per annum of such required expenditures.

ROLL CALL

The Business and Commerce Committee met on March 15, 1976 to vote on 4th amendment to agreed-to amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dorr, seconded by Mr. Smith.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	nay
Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	nay
Russell Kowalyshyn	nay
Charles Laughlin	nay
Robert O'Donnell	nay
Robert P. Ravenstahl	nay
John Wansacz	nay
Walter DeVerter	nay
Donald W. Dorr	yea
Joseph V. Grieco	nay
Kenneth S. Halverson	yea
L. Eugene Smith	yea

YEAS—3  
NAYS—11

The motion failed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

March 16, 1976

Subject: Minutes of Business & Commerce Committee Meeting—March 16, 1976

To: Honorable Herbert Fineman, Speaker

From: Honorable Reid L. Bennett, Chairman  
Business & Commerce Committee

The Business and Commerce Committee held a meeting

on Tuesday, March 16, 1976, starting at 3:30 p.m. in Room 401. This meeting was a continuation of the recessed meeting of Monday, March 15. The attendance was taken as follows:

**PRESENT**

Bennett  
Cole  
Dombrowski  
Gillespie  
Hammock  
Laughlin  
Letterman  
Rappaport  
Ravenstahl  
Saloom  
Stout  
Wansacz  
DeVerter  
Dorr  
Grieco  
Halverson  
Scheaffer  
Smith, L. E.

**ABSENT**

Kowalyshyn  
Zwikl  
McGinnis  
Spencer

Rep. Knepper was excused because of conflicting legislative duties in his district.

**House Bill 1571—Printer's No. 2652**—Representative Rappaport made the motion that the third Dorr amendment be reconsidered. Representative Gillespie seconded this motion and the motion was agreed to by the Committee. Following debate of the third Dorr amendment, the vote was reconsidered and the amendment was defeated 8 yeas—9 nays.

Following the reconsideration vote, the fifth and final Dorr amendment was considered by the Committee. A roll call vote was taken and the amendment was defeated by a vote of 7 yeas—10 nays.

Having no other amendments offered to the original amendment, a vote was taken and the amendment passed unanimously 17 yeas—0 nays.

Representative Bennett then offered a further amendment to House Bill 1571, which would change the word "Place" on page 1, line 19, to the word "unit." Representative Dombrowski seconded the motion. The motion was accepted by a vote of 15 yeas—2 nays.

Representative Bennett offered a further amendment to House Bill 1571 and Representative Saloom seconded it. The amendment was defeated by a vote of 3 yeas—14 nays.

The final motion was made by Representative Dombrowski and seconded by Representative Rappaport to release House Bill 1571 from Committee as amended. A roll call vote was taken and the motion was passed by a vote of 15 yeas—3 nays.

**ADJOURNMENT:**

Having no further business before the Committee, Representative Cole made the motion to adjourn the meet-

ing and Representative Grieco seconded the motion. The meeting was adjourned at 5:00 p.m.

**Attendance Report**

The Business and Commerce Committee met on March 16, 1976 in Room 401. The meeting started at 3:30 p.m. and adjourned at 5:00 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Reid L. Bennett	X	
Kenneth Cole	X	
Bernard Dombrowski	X	
Patrick Gillespie	X	
Charles Hammock	X	
Russell Kowalyshyn		X
Charles Laughlin	X	
Russell Letterman	X	
Robert W. O'Donnell		X
Samuel Rappaport	X	
Robert P. Ravenstahl	X	
Eugene Saloom	X	
J. Barry Stout	X	
John Wansacz	X	
Kurt Zwikl		X
Walter DeVerter	X	
Donald W. Dorr	X	
Joseph V. Grieco	X	
Kenneth S. Halverson	X	
James W. Knepper		
Patrick J. McGinnis		X
John E. Scheaffer	X	
L. Eugene Smith	X	
Warren Spencer		X

Mr. Knepper was excused because of legislative duties in district.

Signed

CHARLES PAUL HAMMOCK  
Secretary

**OFFICIAL LEAVE REQUEST**

I James W. Knepper, Jr. ask for official leave of absence from attending the meeting of the Business & Commerce Committee on March 15 and 16, 1976 for the following reason:

Conflicting legislative duties (in my district).

Signed: JAMES W. KNEPPER, Jr.

AMENDMENTS TO AMENDMENTS OF MR. IRVIS  
TO HOUSE BILL No. 1571,

Printer's No. 2652

(1) In order to obtain such damages or relief, the tenant or licensee must show that he has given written notice to the landlord or licensor of the noncompliance at least thirty days prior to the filing of this action.

**ROLL CALL**

The Business and Commerce Committee met on March 16, 1976 to vote on reconsideration of the vote of the 3rd Dorr amendment to the amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Rappaport, seconded by Mr. Gillespie.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	nay
Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	nay
Charles Hammock	nay
Charles Laughlin	nay
Russell Letterman	nay
Samuel Rappaport	nay
Robert P. Ravenstahl	yea
Eugene Saloom	nay
John Wansacz	yea
Walter DeVerter	yea
Donald W. Dorr	yea
Joseph V. Grieco	yea
Kenneth S. Halverson	yea
John E. Scheaffer	yea
L. Eugene Smith	yea

YEAS—8  
NAYS—9

The motion failed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

AMENDMENTS TO AMENDMENTS OF MR. IRVIS  
TO HOUSE BILL No. 1571,

Printer's No. 2652

Amend Amendments, page 1, Fourth Amendment, which reads "Amend Sec. 2 (Sec. 205), page 1, line 22; page 2, lines 1 through 30; page 3, lines 1 through 18, by striking out all of said lines and inserting", by inserting after the last line of the amended Section 205:

(e) The landlord or licensor and tenant or licensee of a residential premises may agree in writing that the tenant or licensee perform the duty of the landlord or licensor specified in subsection (a).

ROLL CALL

The Business and Commerce Committee met on March 16, 1976 to vote on 5th amendment to agreed-to amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dorr, seconded by Mr. Smith.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	nay
Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	nay
Charles Hammock	nay
Charles Laughlin	nay
Russell Letterman	nay
Samuel Rappaport	nay
Robert P. Ravenstahl	yea
Eugene Saloom	nay
John Wansacz	nay
Walter DeVerter	yea
Donald W. Dorr	yea
Joseph V. Grieco	yea
Kenneth S. Halverson	yea

John E. Scheaffer	yea
L. Eugene Smith	yea

YEAS—7  
NAYS—10

The motion failed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

AMENDMENTS TO HOUSE BILL No. 1571,

Printer's No. 2652

Amend Title, page 1, line 7, by removing the semicolon after "agreement" and inserting: , and

Amend Title, page 1, line 8, by inserting a period after "landlords"

Amend Title, page 1, lines 9 and 10, by striking out both of said lines

Amend Sec. 2 (Sec. 205), page 1, line 22; page 2, lines 1 through 30; page 3, lines 1 through 18, by striking out all of said lines and inserting:

Section 205. Maintenance Responsibilities.—(a) In every lease or license of residential premises whether in writing or in parol, the landlord or licensor, shall be deemed to covenant as a matter of law:

(1) To maintain the premises in such manner as to comply with all applicable codes, statutes, ordinances and regulations governing their maintenance, operation, use and security.

(2) To make all repairs and do whatever is necessary to deliver and thereafter maintain the premises in a fit and habitable condition.

(3) If the duty imposed by clause (1) is greater than any duty imposed by clause (2), the landlord's duty shall be determined by reference to clause (1).

(b) A tenant or licensee may recover damages and obtain injunctive relief for any material noncompliance with this section by the landlord or licensor.

(c) In no event shall a landlord or licensor be responsible to the tenant or licensee for any condition created or caused by the wilful, negligent or malicious act of the tenant or licensee, a member of his family, or other person on the premises with the consent of the tenant or licensee.

(d) Any attempted waiver by a tenant or licensee of this section or any portion thereof whether by contract or otherwise shall be void and unenforceable.

Amend Bill, page 4, lines 15 through 30; page 5, lines 1 and 2, by striking out all of said lines

ROLL CALL

The Business and Commerce Committee met on March 16, 1976 to vote on original agreed-to amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dorr, seconded by Mr. Gillespie.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	yea
Kenneth Cole	yea
Bernard Dombrowski	yea
Patrick Gillespie	yea
Charles Hammock	yea
Charles Laughlin	yea
Russell Letterman	yea
Samuel Rappaport	yea
Robert P. Ravenstahl	yea
Eugene Saloom	yea
John Wansacz	yea
Walter DeVerter	yea



Donald W. Dorr yea  
 Joseph V. Grieco yea  
 Kenneth S. Halverson yea  
 John E. Scheaffer yea  
 L. Eugene Smith yea

YEAS—17  
 NAYS—0

The motion passed.

Signed  
 CHARLES PAUL HAMMOCK  
 Secretary

AMENDMENTS TO HOUSE BILL No. 1571,  
 Printer's No. 2652

Amend Sec. 1 (Sec. 102), page 1, line 19 by striking out "place" and inserting: unit

ROLL CALL

The Business and Commerce Committee met on March 16, 1976 to vote on amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Bennett, seconded by Mr. Dombrowski.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	yea
Kenneth Cole	yea
Bernard Dombrowski	yea
Patrick Gillespie	yea
Charles Hammock	yea
Charles Laughlin	yea
Russell Letterman	yea
Samuel Rappaport	yea
Robert P. Ravenstahl	yea
Eugene Saloom	yea
John Wansacz	yea
Walter DeVerter	yea
Donald W. Dorr	nay
Joseph V. Grieco	yea
Kenneth S. Halverson	nay
John E. Scheaffer	yea
L. Eugene Smith	yea

YEAS—15  
 NAYS—2

The motion passed.

Signed  
 CHARLES PAUL HAMMOCK  
 Secretary

AMENDMENTS TO HOUSE BILL No. 1571,  
 Printer's No. 2652

Amend Bill, page 3, by inserting between lines 18 and 19:

Section 206. Repair Agreement.—The landlord and tenant of a single family residence may agree in writing that the tenant perform specified repairs, maintenance, tasks, alterations and remodeling only if the agreement is entered into by the parties in good faith, is set forth in a writing separate from the rental agreement and signed by the parties, and is supported by adequate consideration.

Amend Sec. 2 (Sec. 206), page 3, line 19 by striking out "206" and inserting: 207

Amend Sec. 2 (Sec. 207), page 4, line 15 by striking out "207" and inserting: 208  
 Amend Sec. 2 (Sec. 208), page 4, line 24 by striking out "208" and inserting: 209  
 Amend Sec. 2 (Sec. 209), page 4, line 30 by striking out "209" and inserting: 210

ROLL CALL

The Business and Commerce Committee met on March 16, 1976 to vote on amendment to House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Bennett, seconded by Mr. Saloom.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	yea
Kenneth Cole	nay
Bernard Dombrowski	nay
Patrick Gillespie	nay
Charles Hammock	yea
Charles Laughlin	nay
Russell Letterman	nay
Samuel Rappaport	nay
Robert P. Ravenstahl	nay
Eugene Saloom	yea
John Wansacz	nay
Walter DeVerter	nay
Donald W. Dorr	nay
Joseph V. Grieco	nay
Kenneth S. Halverson	nay
John E. Scheaffer	nay
L. Eugene Smith	nay

YEAS—3  
 NAYS—14

The motion failed.

Signed  
 CHARLES PAUL HAMMOCK  
 Secretary

ROLL CALL

The Business and Commerce Committee met on March 16, 1976 to vote to report out as amended House Bill No. 1571, Printer's No. 2652, sponsored by Mr. Dombrowski, seconded by Mr. Rappaport.

The yeas and nays were taken and were as follows:

Member	Vote
Reid L. Bennett	yea
Kenneth Cole	yea
Bernard Dombrowski	yea
Patrick Gillespie	yea
Charles Hammock	yea
Charles Laughlin	yea
Russell Letterman	yea
Samuel Rappaport	yea
Robert P. Ravenstahl	yea
Eugene Saloom	yea
J. Barry Stout	yea
John Wansacz	yea
Walter DeVerter	yea
Donald W. Dorr	nay
Joseph V. Grieco	nay
Kenneth S. Halverson	yea

John E. Scheaffer  
L. Eugene Smith

nay  
yea

YEAS—15  
NAYS—3

The motion passed.

Signed  
CHARLES PAUL HAMMOCK  
Secretary

Mr. LAUDADIO, chairman of the Conservation Committee, presented the following report:

CONSERVATION COMMITTEE

The Conservation Committee held no meetings or other activities during the period March 8 through March 21, 1976.

Mr. SCHMITT, chairman of the Consumer Protection Committee, presented the following report:

No Consumer Protection Committee Meetings were held the week of March 8, 1976.

Signed  
C. L. SCHMITT  
Chairman

Attendance Report

The Consumer Protection Committee met on March 15, 1976 at 12:05 p.m.

The roll was taken and was as follows:

Member	Present	Absent
C. L. Schmitt	X	
Donald Abraham	X	
James Barber		
Mark Cohen	X	
Helen Gillette	X	
Amos Hutchinson	X	
Charles Laughlin	X	
James A. Green	X	
Thomas J. Stapleton, Jr.	X	
Samuel Ross	X	
Michael Schweder	X	
Fred Taylor	X	
Rose Toll	X	
Fred Trello		
John Renninger	X	
Clarence Dietz	X	
Vern Pyles	X	
John Scheaffer	X	
John Stahl		
Lee Taddonio	X	
Peter Vroon	X	
William Yohn, Jr.		
Herbert Zearfoss		

Signed  
C. L. SCHMITT  
Chairman

OFFICIAL LEAVE REQUESTS

I James Barber ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 15, 16, and 17, 1976 for the following reason:

Other reasons (Hospital).

Signed: JAMES BARBER

I Herbert K. Zearfoss ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 15, 1976 for the following reason:

Other reasons (Prior commitment in district).

Signed: HERBERT K. ZEARFOSS

Attendance Report

The Consumer Protection Committee met on March 15, 1976. The meeting started at 3:45 p.m. and adjourned at 4:35 p.m.

The roll was taken and was as follows:

Member	Present	Absent
C. L. Schmitt	X	
Donald Abraham	X	
James Barber		
Mark Cohen	X	
Helen Gillette	X	
Amos Hutchinson	X	
Charles Laughlin	X	
James A. Green		
Thomas J. Stapleton, Jr.	X	
Samuel Ross	X	
Michael Schweder		
Fred Taylor	X	
Rose Toll	X	
Fred Trello	X	
John Renninger	X	
Clarence Dietz	X	
Vern Pyles	X	
John Scheaffer		
John Stahl		
Lee Taddonio		X
Peter Vroon		X
William Yohn, Jr.		
Herbert Zearfoss		

Signed  
C. L. SCHMITT  
Chairman

OFFICIAL LEAVE REQUESTS

I James Barber ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 15, 16, and 17, 1976 for the following reason:

Other reasons (Hospital).

Signed: JAMES BARBER

I James A. Green ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 15, 1976 for the following reason:

Conflicting committee meeting.

Signed: JAMES A. GREEN

I J. Michael Schweder ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 15, 1976 for the following reason: Conflicting committee meeting (Federal-State Relations).

Signed: J. MICHAEL SCHWEDER

ROLL CALL

The Consumer Protection Committee met on March 15, 1976 to vote to report out as amended House Bill No. 2140, Printer's No. 2782, sponsored by Mr. Stapleton, seconded by Mr. Cohen.

The yeas and nays were taken and were as follows:

Member	Vote
C. L. Schmitt	yea
Donald Abraham	yea
James Barber	not voting
Mark Cohen	yea
Hellen Gillette	yea
Amos Hutchinson	yea
Charles Laughlin	yea
James A. Green	yea
Thomas J. Stapleton, Jr.	yea
Samuel Ross	yea
Michael Schweder	yea
Fred Taylor	yea
Rose Toll	yea
Fred Trello	not voting
John Renninger	nay
Clarence Dietz	nay
Vern Pyles	nay
John Scheaffer	nay
John Stahl	not voting
Lee Taddonio	nay
Peter Vroon	nay
William Yohn, Jr.	not voting
Herbert Zearfoss	not voting

YEAS—12  
NAYS—6

The motion passed.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March 15, 1976 to vote to adopt amendments to House Bill No. 2139, Printer's No. 2781, sponsored by Mr. Stapleton, Jr., seconded by Mr. Cohen.

The yeas and nays were taken and were as follows:

Member	Vote
C. L. Schmitt	yea
Donald Abraham	yea
James Barber	not voting
Mark Cohen	yea
Helen Gillette	yea
Amos Hutchinson	yea
Charles Laughlin	nay
James A. Green	yea
Thomas J. Stapleton, Jr.	yea

Samuel Ross	not voting
Micahel Schweder	not voting
Fred Taylor	yea
Rose Toll	yea
Fred Trello	yea
John Renninger	nay
Clarence Dietz	nay
Vern Pyles	yea
John Scheaffer	not voting
John Stahl	not voting
Lee Taddonio	yea
Peter Vroon	nay
William Yohn, Jr.	not voting
Herbert Zearfoss	not voting

YEAS—12  
NAYS—4

The motion passed.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March 15, 1976 to vote to report out as amended House Bill No. 2139, Printer's No. 2781, sponsored by Mr. Stapleton, Jr., seconded by Mr. Cohen.

The yeas and nays were taken and were as follows:

Member	Vote
C. L. Schmitt	yea
Donald Abraham	yea
James Barber	not voting
Mark Cohen	yea
Helen Gillette	yea
Amos Hutchinson	yea
Charles Laughlin	yea
James A. Green	yea
Thomas J. Stapleton, Jr.	yea
Samuel Ross	yea
Michael Schweder	not voting
Fred Taylor	yea
Rose Toll	yea
Fred Trello	yea
John Renninger	nay
Clarence Dietz	nay
Vern Pyles	yea
John Scheaffer	not voting
John Stahl	not voting
Lee Taddonio	yea
Peter Vroon	nay
William Yohn, Jr.	not voting
Herbert Zearfoss	not voting

YEAS—14  
NAYS—3

The motion passed.

Signed  
C. L. SCHMITT  
Chairman

Attendance Report

The Consumer Protection Committee met on March

16, 1976 in Room 140. The meeting started at 1:50 p.m. and adjourned at 3:00 p.m.

The roll was taken and was as follows:

Member	Present	Absent
C. L. Schmitt	X	
Donald Abraham	X	
James Barber		
Mark Cohen	X	
Helen Gillette	X	
Amos Hutchinson		
Charles Laughlin		
James A. Green	X	
Thomas J. Stapleton, Jr.		
Samuel Ross	X	
Michael Schweder	X	
Fred Taylor	X	
Rose Toll	X	
Fred Trello	X	
John Renninger	X	
Clarence Dietz	X	
Vern Pyles	X	
John Scheaffer		
John Stahl		
Lee Taddonio		
Peter Vroon	X	
William Yohn, Jr.		
Herbert Zearfoss	X	

Signed  
C. L. SCHMITT  
Chairman

OFFICIAL LEAVE REQUESTS

I James Barber ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 16, 1976 for the following reason:

Signed: JAMES BARBER

I Amos Hutchinson ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 16, 1976 for the following reason:

Conflicting committee meeting (Appropriations).

Signed: AMOS HUTCHINSON

I Thomas J. Stapleton, Jr. ask for official leave of absence from attending the meeting of the Consumer Protection Committee on March 16, 1976 for the following reason:

Conflicting committee meeting (Joint State Government Committee on Sovereign Immunity).

Signed: THOMAS J. STAPLETON, Jr.

Attendance Report

The Consumer Protection Committee meeting scheduled for March 17, 1976 was cancelled.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March

16, 1976 to vote to adopt Vroon amendment to House Bill No. 2103, Printer's No. 2727, sponsored by Mr. Taylor, seconded by Mr. Pyles.

A voice vote was taken and the motion passed unanimously.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March 16, 1976 to vote to report out as amended House Bill No. 2103, Printer's No. 2727, sponsored by Mr. Abraham, seconded by Mr. Cohen.

A voice vote was taken and the motion passed unanimously.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March 16, 1976 to vote to adopt amendment to House Bill No. 2170, Printer's No. 2834, sponsored by Mr. Cohen, seconded by Mr. Abraham.

A voice vote was taken and the motion passed unanimously.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March 16, 1976 to vote to report out as amended House Bill No. 2170, Printer's No. 2834, sponsored by Mr. Taylor, seconded by Mr. Cohen.

A voice vote was taken and the motion passed unanimously.

Signed  
C. L. SCHMITT  
Chairman

ROLL CALL

The Consumer Protection Committee met on March 16, 1976 to vote to report out House Bill No. 1696, Printer's No. 2138, sponsored by Mr. Taylor, seconded by Mr. Trello.

A voice vote was taken and the motion passed unanimously.

Signed  
C. L. SCHMITT  
Chairman

Mr. GALLAGHER, chairman of the Education Committee, presented the following report:

Subject: Education Committee Meetings  
 To: The Honorable Herbert Fineman, Speaker  
 From: James J. A. Gallagher, Chairman

There was a meeting of the Full Education Committee held on March 16, 1976 in Room 328 at 9:45 a.m. Attached is the minutes and attendance sheet.

MINUTES OF THE EDUCATION COMMITTEE  
 MEETING

Tuesday, March 16, 1976

Room 328

The meeting was called to order in Room 328 at 9:45 a.m. by Chairman James J. A. Gallagher. A copy of the attendance sheet is attached.

Mr. Gallagher informed the Committee that Speaker Fineman had named J. William Lincoln as Chairman of the Basic Education Subcommittee and Fred R. Milanovich as Secretary of the Education Committee.

On the agenda were proposed amendments to the following bills:

H. B. 1142—Requiring a school nurse to be on duty at all times during school hours in a designated school for the handicapped.

H. B. 1556—Eliminating the requirement that student safety patrol members wear retro-reflective apparel.

H. B. 1976—The Fifth Pathway program for students who have met the degree requirements at a foreign medical school.

On the agenda for further consideration:

H. B. 2151—Setting the rate of membership dues in PSBA and requiring an audit of the association's financial affairs.

On the agenda for initial consideration:

H. B. 849—Permitting principals and certain supervisory personnel to form bargaining units.

Chairman Gallagher read the language of an agreed upon amendment to H. B. 1142 which had previously been reported out of the Committee.

On the motion of Mr. Shupnik, seconded by Mr. Shane, the Committee adopted an amendment to H. B. 1556 which would require safety patrol members to wear fluorescent garb while on duty directing pedestrian traffic. There were three dissenting votes—Messrs. Lincoln, Burns and Davies.

On the motion of Mr. Shupnik, seconded by Mr. Shane, the bill was reported to the Floor as amended with the same three dissents.

Mr. Cohen moved the acceptance of an amendment to H. B. 1976 which had been prepared by a special subcommittee chaired by Mr. Cohen and including Mr. Cowell and Mr. Gleeson, the prime sponsor of H. B. 1976. Mr. Shane seconded the motion and it was adopted by unanimous voice vote as was the motion to report the bill to the Floor, as amended.

H. B. 849—Following a lengthy discussion of the bill, Chairman Gallagher directed Subcommittee Chairman Lincoln to arrange for further discussions with the various parties who have expressed an interest in the bill in order to try and arrive at a suitable accommodation pertaining to the legislation and to report back at a subsequent meeting.

Dr. Anton Hess, Executive Secretary of the elementary

and secondary school principals organization, contended that the measure is designed to overcome the present situation in which the so-called middle management level is the only segment not covered—in one form or another—by provisions allowing for bargaining rights on wages and conditions of employment.

It was pointed out that the bill presently contains no language to resolve an impasse. It is also silent on the methods and requirements for forming a bargaining unit.

Dr. Glenn Hess, Executive Secretary of PASA—which includes predominantly the school superintendents—opposed the measure on the grounds that it represents a philosophical departure from long standing practice that management level personnel are not covered by bargaining arrangements.

Also speaking in opposition to the bill in its present form were Albert Unger, Pennsylvania School Boards Association; Mrs. Patty Halpin, Philadelphia Federation of Teachers; and George Demshock, Pennsylvania State Education Association.

H. B. 2151—The Committee resumed consideration of this bill which had been interrupted at a previous meeting because of the time element.

In response to questioning by Chairman Gallagher, Mr. Unger said 50% of the PSBA budget derives from membership dues of the school districts; another 50% comes from operations of the association—such as seminars, publications, training programs, etc.

He said PSBA would welcome outside audit of its financial records, but does not feel the organization should be subject to special treatment.

Daniel R. Clemson, Director of the School Audits Bureau in the Auditor General's Office, attended the meeting. He said the school auditors normally could determine the amount of school district dues in PSBA if it were listed as such in the budgets. He added that such is not always the case.

In further response to questions, Mr. Unger said that members of the PSBA staff have been covered under the School Teachers' Retirement System since 1927. He said there are 21 people on the staff presently covered.

He said the practice was initiated by an Attorney General's opinion in 1927. The arrangement for payments is similar to other teacher units in that the employer pays the prescribed percentage; the employee pays the regular percentage and the Commonwealth pays the third share.

Further consideration of the bill was ended as the Labor Relations Committee moved in for an 11:30 a.m. meeting. The Education Committee adjourned at 11:34 a.m.

Respectfully submitted,

FRED R. MILANOVICH,  
 Secretary

PHILIP M. MURPHY,  
 For Dr. Pancoast

EDUCATION COMMITTEE MEETING

Tuesday, March 16, 1976

Room 328

9:30 a.m.

Member	District	Per Diem	Mileage
Fred Milanovich	15	44	—
J. Michael Schweder	135	35	—

F. J. Shupnik	119	44	140
H. Sheldon Parker, Jr.	42	44	—
Ronald Cowell	34	44	—
William Shane	62	44	348
J. William Lincoln	52	44	—
E. J. Burns	18	44	240
Mark B. Cohen	202	44	220
Sieber Pancoast	147	44	178
James Gallagher	141	44	220
Samuel E. Hayes, Jr.	81	44	226
Roger Raymond Fischer	47	44	440
John S. Davies	129	—	120
Joseph Rhodes, Jr.	24	44	440
Marvin E. Miller	96	44	80
William D. Hutchinson	125	44	116
David P. Richardson	201	44	220
Robert Bellomini	—	44	680

Attendance Report

The Education Committee met on March 16, 1976 in Room 328. The meeting started at 9:45 a.m. and adjourned at 11:35 a.m.

The roll was taken and was as follows:

Member	Present	Absent
Gallagher	X	
Pancoast	X	
Greenfield	X	
Shane	X	
Bellomini		X
Burns	X	
Cohen	X	
Cowell	X	
Davies	X	
DiCarlo		X
Fischer	X	
Hayes	X	
Kelly		X
Lincoln	X	
Milanovich	X	
Miller	X	
O'Donnell	X	
Parker	X	
Rhodes	X	
Richardson	X	
Schweder	X	
Shupnik	X	
Hutchinson	X	

ROLL CALL

The Education Committee met on March 16, 1976 to vote on approval of amendment language pertaining to House Bill No. 1142.

A voice vote was taken and the motion passed unanimously.

ROLL CALL

The Education Committee met on March 16, 1976 to vote to approve amendment to retain fluorescent garb for patrols pertaining to House Bill No. 1556.

The yeas and nays were taken and were as follows:

Member	Vote
Gallagher	yea

Pancoast	yea
Greenfield	not voting
Shane	yea
Bellomini	not voting
Burns	nay
Cohen	yea
Cowell	yea
Davies	nay
DiCarlo	not voting
Fischer	yea
Hayes	yea
Kelly	not voting
Lincoln	nay
Milanovich	yea
Miller	yea
O'Donnell	not voting
Parker	yea
Rhodes	not voting
Richardson	not voting
Schweder	not voting
Shupnik	yea
Hutchinson	not voting

YEAS—11  
NAYS—3  
NOT VOTING—9

The motion passed.

ROLL CALL

The Education Committee met on March 16, 1976 to vote to report out as amended House Bill No. 1556.

The yeas and nays were taken and were as follows:

Member	Vote
Gallagher	yea
Pancoast	yea
Greenfield	not voting
Shane	yea
Bellomini	not voting
Burns	nay
Cohen	yea
Cowell	yea
Davies	nay
DiCarlo	not voting
Fischer	yea
Hayes	yea
Kelly	not voting
Lincoln	nay
Milanovich	yea
Miller	yea
O'Donnell	not voting
Parker	yea
Rhodes	not voting
Richardson	not voting
Schweder	not voting
Shupnik	yea
Hutchinson	not voting

YEAS—11  
NAYS—3  
NOT VOTING—9

The motion passed.

ROLL CALL

The Education Committee met on March 16, 1976

to vote to approve amendment prepared by special sub-committee pertaining to House Bill No. 1976.

A voice vote was taken and the motion passed unanimously.

ROLL CALL

The Education Committee met on March 16, 1976 to vote to report out as amended House Bill No. 1976.

A voice vote was taken and the motion passed unanimously.

Mr. RITTER, chairman of the Federal-State Relations Committee, presented the following report:

March 22, 1976

Dear Mr. Speaker:

The Federal-State Relations Committee met on Monday, March 15, 1976 at 3:30 p.m. in Room 140. A quorum was present and the Committee considered and reported to the floor by a unanimous vote, House Bill No. 2172 as committed.

The following members were present: Ritter, Toll, Musto, Flaherty, Kernick, McLane, Menhorn, Milanovich, Schweder, Wansacz, Zwinkl, Parker, Crawford, Dorr, Hepford and Wright.

The following members were excused: Saloom—for legislative business and Gleason—for personal illness.

The meeting scheduled for March 17th was cancelled.

Sincerely,  
JAMES P. RITTER  
Chairman

Mr. BRUNNER, chairman of the Finance Committee, presented the following report:

Attendance Report

The Finance Committee met on March 15, 1976 at 1:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
John L. Brunner	X	
Joseph Rhodes	X	
Galen Dreibelbis		X
John Hope Anderson	X	
Joseph Bonetto		X
Anthony DiDonato		X
Harry Englehart		X
Ralph Garzia	X	
James Green		X
Harry Menhorn	X	
John Milliron	X	
George Misceovich	X	
Michael Mullen		X
Peter O'Keefe	X	
Joseph Wargo	X	
Harry Gring	X	
Forest Hopkins	X	

James Kelly		X
Robert Kusse	X	
Nicholas Moehlmann	X	
G. Sieber Pancoast	X	
John E. Scheaffer		X
Herbert Zearfoss		X

ROLL CALL

The Finance Committee met on March 15, 1976 to vote to report out as amended House Bill No. 2141, Printer's No. 2783.

The yeas and nays were taken and were as follows:

Member	Vote
Brunner	yea
Rhodes	nay
Dreibelbis	not voting
Bonetto	not voting
DiDonato	not voting
Englehart	not voting
Garzia	yea
Green	not voting
Menhorn	yea
Milliron	yea
Miscevich	yea
Mullen	not voting
O'Keefe	yea
Wargo	yea
Anderson	nay
Gring	yea
Hopkins	yea
Kelly	not voting
Kusse	nay
Moehlmann	yea
Pancoast	nay
Scheaffer	not voting
Zearfoss	not voting

YEAS—10

NAYS—4

NOT VOTING—9

The motion passed.

ROLL CALL

The Finance Committee met on March 15, 1976 to vote to report out as amended House Bill No. 2187, Printer's No. 2866.

The yeas and nays were taken and were as follows:

Member	Vote
Brunner	yea
Rhodes	not voting
Dreibelbis	not voting
Bonetto	not voting
DiDonato	not voting
Englehart	not voting
Garzia	yea
Green	not voting
Menhorn	yea
Milliron	yea
Miscevich	yea
Mullen	not voting
O'Keefe	yea

Wargo	yea
Anderson	yea
Gring	yea
Hopkins	yea
Kelly	not voting
Kusse	yea
Moehlmann	yea
Pancoast	yea
Scheaffer	not voting
Zearfoss	not voting

YEAS—13  
 NAYS—0  
 NOT VOTING—10

The motion passed.

ROLL CALL

The Finance Committee met on March 15, 1976 to vote to report out as amended Senate Bill No. 493, Printer's No. 1698.

The yeas and nays were taken and were as follows:

Member	Vote
Brunner	yea
Rhodes	not voting
Dreibelbis	not voting
Bonetto	not voting
DiDonato	not voting
Englehart	not voting
Garzia	yea
Green	not voting
Menhorn	nay
Milliron	yea
Miscevich	yea
Mullen	not voting
O'Keefe	yea
Wargo	yea
Anderson	yea
Gring	yea
Hopkins	yea
Kelly	not voting
Kusse	yea
Moehlmann	yea
Pancoast	yea
Scheaffer	not voting
Zearfoss	not voting

YEAS—12  
 NAYS—1  
 NOT VOTING—10

The motion passed.

Attendance Report

The Finance Committee met on March 16, 1976 at 3:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
John L. Brunner	X	
Joseph Rhodes	X	
Galen Dreibelbis		X
John Hope Anderson	X	
Joseph Bonetto		X

Anthony DiDonato		X
Harry Englehart		X
Ralph Garzia	X	
James Green		X
Harry Menhorn	X	
John Milliron	X	
George Miscevich		X
Michael Mullen	X	
Peter O'Keefe	X	
Joseph Wargo	X	
Harry Gring		X
Forest Hopkins	X	
James Kelly		X
Robert Kusse	X	
Nicholas Moehlmann	X	
G. Sieber Pancoast	X	
John E. Scheaffer		X
Herbert Zearfoss	X	

ROLL CALL

The Finance Committee met on March 16, 1976 to vote to report out House Bill No. 2114.

The yeas and nays were taken and were as follows:

Member	Vote
Brunner	yea
Rhodes	yea
Dreibelbis	not voting
Bonetto	not voting
DiDonato	not voting
Englehart	not voting
Garzia	yea
Green	not voting
Menhorn	yea
Milliron	yea
Miscevich	not voting
Mullen	yea
O'Keefe	yea
Wargo	yea
Anderson	yea
Gring	not voting
Hopkins	yea
Kelly	not voting
Kusse	yea
Moehlmann	yea
Pancoast	yea
Scheaffer	not voting
Zearfoss	yea

YEAS—14  
 NAYS—0  
 NOT VOTING—9

The motion passed.

ROLL CALL

The Finance Committee met on March 16, 1976 to vote to report out House Bill No. 2115.

The yeas and nays were taken and were as follows:

Member	Vote
Brunner	yea
Rhodes	yea
Dreibelbis	not voting



Bonetto	not voting
DiDonato	not voting
Englehart	not voting
Garzia	yea
Green	not voting
Menhorn	yea
Milliron	yea
Miscevich	not voting
Mullen	yea
O'Keefe	yea
Wargo	yea
Anderson	yea
Gring	not voting
Hopkins	yea
Kelly	not voting
Kusse	yea
Moehlmann	yea
Pancoast	yea
Scheaffer	not voting
Zearfoss	yea

YEAS—14  
 NAYS—0  
 NOT VOTING—9

The motion passed.

Mr. RENWICK, chairman of the Game and Fisheries Committee, presented the following report:

Subject: Committee Meetings  
 To: Honorable Herbert Fineman  
 Speaker  
 From: William F. Renwick, Chairman  
 Committee on Game and Fisheries

The Committee on Game and Fisheries did not hold any meetings the week of March 8, 1976.

Subject: Committee Meetings  
 To: Honorable Herbert Fineman  
 Speaker  
 From: William F. Renwick, Chairman  
 Committee on Game and Fisheries

The Committee on Game and Fisheries did not hold any meetings the week of March 15, 1976.

Mrs. KELLY, chairman of the Health and Welfare Committee, presented the following report:

March 15, 1976

Subject: WEEKLY COMMITTEE MEETING REPORT  
 To: The Speaker of the House of Representatives  
 From: Anita P. Kelly, Chairman of the Committee on Health and Welfare

During the week of March 8, 1976, which was a Floor Session Week, there were no meetings of the Committee on Health and Welfare.

Attendance Report

The Health and Welfare Committee met on March 16, 1976 in Room 246. The meeting started at 11:50 a.m. and adjourned at 12:50 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Anita P. Kelly	X	
James D. Barber		
Theodore Berlin	X	
David C. DiCarlo	X	
Thomas J. Fee	X	
Charles P. Hammock	X	
J. William Lincoln	X	
William J. McLane	X	
George Miscevich	X	
Frank L. Oliver	X	
Stephen R. Reed	X	
Samuel A. Ross	X	
Rose Toll	X	
Fred A. Trello	X	
Sherman L. Hill	X	
Patricia A. Crawford	X	
Clarence E. Dietz	X	
Charlotte D. Fawcett	X	
Richard A. McClatchy, Jr.	X	
Harold J. Stahl, Jr.	X	
James J. Ustynoski		X
George O. Wagner		
Benjamin H. Wilson	X	

Mr. Barber was excused as he was hospitalized.  
 Mr. Wagner was excused because of another meeting.

Signed  
 FRANK OLIVER  
 Secretary

OFFICIAL LEAVE REQUESTS

I James D. Barber ask for official leave of absence from attending the meeting of the Health and Welfare Committee on March 16, 1976 for the following reason:

Other reasons (Hospitalized).

Signed: JAMES D. BARBER

I George O. Wagner ask for official leave of absence from attending the meeting of the Health and Welfare Committee on March 16, 1976 for the following reason:  
 Conflicting committee meeting (Judiciary).

Signed: GEORGE O. WAGNER

AMENDMENTS TO HOUSE BILL No. 9,

Printer's No. 9

Amend Title, page 1, lines 1 to 23, by striking out all of said lines and inserting:

To promote the health and welfare of the people of the Commonwealth by controlling and regulating lead paint poisoning; prescribing the powers and duties of the Department of Health and the Department of Environmental Resources; authorizing lead analyses at State laboratories; creating the Interagency Coordinating Committee and the Advisory Committee; imposing restrictions; providing penalties and making an appropriation.

Amend Bill, page 1, lines 26 to 28; pages 2 to 11, lines 1 to 30 and page 12, lines 1 to 4, by striking out all of said lines on said pages and inserting:

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Section 1.	Short Title.
Section 2.	Declaration of Policy.
Section 3.	Department of Health; Powers and Duties.
Section 4.	Department of Environmental Resources; Powers and Duties.
Section 5.	Laboratories.
Section 6.	Interagency Coordinating Committee.
Section 7.	Advisory Committee on Lead Paint Poisoning Prevention.
Section 8.	Restrictions.
Section 9.	Penalties.
Section 10.	Appropriation.
Section 11.	Severability.
Section 12.	Repeals.
Section 13.	Effective Date.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.—This act shall be known and may be cited as the "Lead Paint Poisoning Prevention Act."

Section 2. Legislative Findings and Declaration of Policy.—(a) The Legislature finds and declares that a serious public emergency exists with respect to the health and well-being of a substantial number of citizens of the Commonwealth, which emergency has caused by the exposure to various causes of lead paint poisoning present in their immediate environments, and particularly the presence of hazardous paints in the dwellings in which they reside; that as a result of such exposure, significant numbers of citizens have contracted lead paint poisoning, resulting in some cases in permanent and irreversible mental and physical damage; that lead paint poisoning is a chronic, cumulative disease causing serious mental and physical disability and sometimes death; that the causes of and cures of lead paint poisoning are well-established and well-known, such that the serious public emergency created by numerous cases of lead paint poisoning may readily be remedied with proper and timely programs of prevention, diagnosis and treatment; that unless such programs are instituted forthwith, the continued occurrence of lead paint poisoning will produce serious threats to the public health and safety and the general welfare of the citizens of the Commonwealth, and that such emergency should be met by the Commonwealth immediately.

(b) It is hereby declared to be the policy of the Commonwealth of Pennsylvania through this act:

(1) To protect the public health, safety and welfare of its citizens through the development and implementation of programs for the prevention and treatment of lead paint poisoning.

(2) To provide coordinated and comprehensive direction for such programs to avoid duplication of services.

(3) To insure the most effective use of available funding resources.

Section 3. Department of Health; Powers and Duties.—

(a) The Secretary of Health shall have the power, and his duty shall be to establish a Statewide program for the screening, diagnosis, and treatment of lead paint poisoning in accordance with money appropriated annually for said purposes. Wherever and whenever possible, the Secretary of Health shall delegate responsibility for the provisions of this section to a county or joint county department of health, or local health units qualifying for State per capita health subsidy.

(b) Lead paint poisoning or possible lead paint poisoning shall be a reportable noncommunicable disease and as such must be reported in accordance with the rules and regulations of the Department of Health. Such reports shall be made on forms prescribed by the Secretary of Health, and shall be submitted within a reasonable time as prescribed by the Secretary of Health, after said person or agency first diagnoses a case or possible case of lead paint poisoning or is informed of such a case.

(c) When a case of lead paint poisoning or possible lead

paint poisoning is reported to the Secretary of Health, he shall inform such local boards of health, public health agencies, and other persons and organizations as he deems necessary: Provided, however, That the identity of any individual contracting lead paint poisoning shall not be included unless the Secretary of Health determines that such inclusion is necessary to serve the purposes of this act or the health and well-being of the affected individual. In no event shall the identity of the individual be disclosed to the public.

(d) The Secretary of Health shall develop and maintain, as necessary to carry out the intent of this act and with the advice of the coordinating committee, a program for the detection of lead paint poisoning or possible lead paint poisoning in accordance with established procedures.

(1) Such screening and diagnosis shall be made by such means and at such intervals as the Secretary of Health shall, by regulation, determine to be necessary, giving priority to areas showing a high incidence of lead paint poisoning or possible lead paint poisoning.

(2) All cases or possible cases of lead paint poisoning, as defined by regulation by the Secretary of Health, found in the course of screening and diagnosis conducted pursuant to this section, shall be reported immediately to the Secretary of Health, and to the victim or to the victim's parent or legal guardian if the victim is a minor.

(3) The Secretary of Health shall inform the Secretary of Environmental Resources of the existence of such cases or possible cases.

(4) When the Secretary of Health is informed of a confirmed case of lead paint poisoning pursuant to this section, or otherwise, he shall cause to have examined all such confirmed cases of lead paint poisoning and to test all other persons as he may find advisable to test, residing or recently residing in the household of the victim. The results of such testing shall be reported in accordance with the provisions of subsection (b).

(5) The Secretary of Health shall develop programs for follow-up and treatment of individuals affected, as may be necessary, in accordance with accepted medical practice.

(e) The Secretary of Health shall maintain comprehensive records of all reports submitted pursuant to this section. Such records shall be geographically indexed in order to determine the location of areas of relatively high incidence of lead paint poisoning or possible lead paint poisoning. Such records shall be made available to the coordinating committee and the advisory committee, upon request. In addition, a summary report will be submitted by the Secretary of Health to the coordinating committee and advisory committee semi-annually. Such records shall be public records, except that at no time shall the identity of individuals reporting or contracting lead paint poisoning be disclosed to the public.

Section 4. Department of Environmental Resources; Powers and Duties.—(a) The Secretary of Environmental Resources shall have the power, and his duty shall be to establish a comprehensive Statewide program for the prevention of lead paint poisoning in accordance with money appropriated annually for said purposes. Wherever and whenever possible, the Secretary of Environmental Resources shall delegate responsibility for the provisions of this section to a county or joint county department of health, or local health units qualifying for State per capita health subsidy.

(1) Such a program shall attempt to locate all premises in which the paint contains dangerous levels of lead or other toxic heavy metals. The means of detection shall be determined by rules and regulations promulgated by the Secretary of Environmental Resources, giving priority in inspections to those premises located in areas containing significant numbers of older residential premises, where significant numbers of lead paint poisoning cases or possible cases of lead paint poisoning, have recently been reported.

(2) Upon the request of any occupant, the Secretary of Environmental Resources shall cause to have the occupant's premises inspected within a reasonable time.

(3) When the Secretary of Environmental Resources is informed of a case of lead paint poisoning or possible lead paint poisoning, he shall cause to have inspected the prem-

ises in which the victim resides, or has recently resided. The findings of such inspections shall be reported to the Secretary of Health and to the appropriate enforcement authorities set out in this act.

(4) A dangerous level of lead found in premises inspected pursuant to this section, or otherwise, shall be reported immediately in writing to the owner or agent of the premises and all affected tenants, and the Secretary of Environmental Resources shall cause to have prominently posted on all entrances to said dwelling a notice that the premises contains hazardous paint which should not be eaten or chewed. Such notices may not be removed until the premises have been found to comply with this act.

(5) Authorized agents of the Department of Environmental Resources assigned to perform inspections pursuant to this section may enter all premises at reasonable hours and with reasonable notice to the occupants thereof.

(b) When a dangerous level of lead or other toxic heavy metals is found in premises inspected pursuant to subsection (a), or otherwise, the Secretary of Environmental Resources shall notify the Secretary of Health for screening, diagnosis, treatment, and follow-up activities provided in this act.

(c) The Secretary of Environmental Resources shall maintain comprehensive records of all reports submitted pursuant to this section. Such records shall be geographically indexed in order to determine the location of areas of relatively high incidence of dangerous lead or other toxic heavy metal levels. Such records shall be available to the coordinating committee and advisory committee, upon request. Such records shall be public records. In addition, a summary report will be submitted by the Secretary of Environmental Resources to the coordinating committee and advisory committee semi-annually.

Section 5. Laboratories.—Laboratories of the Department of Health and the Department of Environmental Resources shall be maintained for the analysis of biological and nonbiological specimens, to carry out the purposes of this act. The Department of Health shall certify laboratories conducting tests on biological specimens under the Clinical Laboratory Act Pub. L. 1539. The Department of Environmental Resources shall have the power to certify laboratories conducting tests on nonbiological specimens. The State laboratories may charge a fee for such services not greater than the cost of providing such services.

Section 6. Interagency Coordinating Committee.—(a) The Governor shall appoint an Interagency Coordinating Committee on Lead Paint Poisoning Prevention which shall be composed of representatives of the following State agencies:

- (1) Department of Environmental Resources (2).
- (2) Department of Health (2).
- (3) Department of Public Welfare (2).
- (4) Department of Community Affairs (1).
- (5) Department of Education (1).
- (6) Commonwealth Child Development Committee (1).
- (7) Citizens' Advisory Council to the Department of Environmental Resources (1).
- (8) Chairman of the Advisory Committee (1).
- (9) Senate, to be appointed by the President pro tempore (1).
- (10) House of Representatives, to be appointed by the Speaker (1).

The committee, with the approval of the Governor, may also include in its membership representatives of Federal and local governmental agencies and private agencies when such memberships would further the purposes of the committee. The committee coordinator shall be selected by the membership of the committee. As used in this act, "coordinating committee" shall refer to the Interagency Coordinating Committee.

(b) The coordinating committee shall be responsible for coordinating all Commonwealth programs on lead paint poisoning.

(c) The coordinating committee shall meet at least quarterly.

(d) The coordinating committee shall advise the Department of Health and Environmental Resources, the Governor's Office and the Legislature on the direction,

scope, content, and effectiveness of programs and policies to prevent, abate and treat lead paint poisoning.

(e) The coordinating committee, with the advice of the advisory committee, shall develop, and the Department of Health shall institute, an educational and publicity program in order to inform the general public, and particularly parents of children residing in areas of significant exposure to sources of lead paint poisoning; teachers, social workers, and other human service personnel; owners of residential property; and health services personnel, particularly interns, residents, and other intake personnel at major hospitals, of the dangers, frequency, sources, and methods of preventing lead paint poisoning.

(f) The interagency coordinating committee shall cease to exist five years from the effective date of this act.

Section 7. Advisory Committee on Lead Paint Poisoning Prevention.—(a) The Governor shall appoint an Advisory Committee on Lead Paint Poisoning Prevention which shall consist of 16 members. As used in this act, "advisory committee" shall refer to the Advisory Committee on Lead Paint Poisoning Prevention. At least two-thirds of the advisory committee must live in neighborhoods affected by lead paint poisoning or possible lead paint poisoning, and a majority of the advisory committee members shall have one child under age six at the time of their appointment. In addition, the advisory committee shall have competency in the fields of medicine, law, public health, social services, housing, construction, paint industry and environmental health.

(b) The advisory committee shall be directly responsible to the coordinating committee.

(c) The advisory committee shall have advisory responsibilities in planning, implementing, and evaluating program activities; in stimulating public education and public action; and in seeking funding for project activities.

(d) The members of the advisory committee shall not be paid for their services, but they shall be reimbursed by the Department of Environmental Resources for travel and other expenses necessary for the performance of their duties.

(e) Members shall be appointed initially serving only one year. After the first year, eight members of the advisory committee will be appointed for a two-year term and seven members for a one-year term.

(f) The advisory committee shall cease to exist five years from the effective date of this act.

Section 8. Restrictions.—(a) No person shall manufacture, store, sell, or transfer for retail household or residential purposes hazardous paint.

(b) Effective July 1, 1976, no person shall apply or cause to be applied any hazardous paint to any toy, furniture, cooking, drinking, or eating utensil, interior surface or fixture of any premises intended for residential habitation, or to any exterior surface or fixture of any premises intended for residential inhabitation; no person shall sell, expose for sale, deliver, give away, or possess with intent to sell any toy, furniture, cooking, drinking, or eating utensil to which any hazardous paint has been applied. For the purposes of this section any paint shall be deemed to be hazardous when it contains lead or any other toxic heavy metal in excess of limits established in applicable Federal laws, rules or regulations.

Section 9. Penalties.—(a) Any person who violates any provision of this act or any rule or regulation or order of the Department of Health or the Department of Environmental Resources promulgated or issued pursuant to this act shall be guilty of a summary offense, and, upon conviction, shall pay a fine of not less than \$100 nor more than \$300 for each separate offense, and, in default of the payment of such fine, the person, or if such person be a partnership, then the offending members thereof, or if such person be a corporation or association, then the offending officers, members, agents, servants, or employees thereof, shall be imprisoned in the county jail for a period of 60 days.

(b) Any person who within two years after a summary conviction provided in subsection (a) violates any provision of this act or any rule or regulation or order of the Department of Health or the Department of Environmental Resources promulgated or issued pursuant to this act

is guilty of a misdemeanor of the third degree and, upon conviction, shall be subject to a fine of not less than \$500 nor more than \$2,500 for each separate offense or to imprisonment in the county jail for a period of not more than one year, or both. In the case of a partnership, the offending members thereof, and in the case of a corporation, or an association the offending officers, members, agents, servants, or employees, may be subject to any such sentence of imprisonment.

(c) Each day of continued violation of any provision of this act or any rule or regulation or order of the Department of Health or the Department of Environmental Resources promulgated or issued pursuant to this act shall constitute a separate offense under subsections (a) and (b).

(d) In addition to proceeding under any other remedy available at law or in equity for a violation of the provisions of this act or a rule or order of the Department of Environmental Resources promulgated or issued pursuant to this act, the Environmental Hearing Board, after hearing, may assess a civil penalty upon a person for such violation. Such a penalty may be assessed whether or not the violation was wilful. The civil penalty so assessed shall not exceed \$5,000 plus \$500 for each day of continued violation. In determining the amount of the civil penalty the Environmental Hearing Board shall consider the wilfulness of the violation, damage or injury to property or persons, cost of restoration or treatment, and other relevant factors. It shall be payable to the Commonwealth of Pennsylvania and shall be collectible in any manner provided by law for the collection of debts. If any person liable to pay any such penalty, neglects or refuses to pay the same after demand, the amount, together with interest and any costs that may accrue, shall be a lien in favor of the Commonwealth upon the property, both real and personal, of such person, but only after same has been entered and docketed of record by the prothonotary of the county where such is situated. The Environmental Hearing Board may, at any time, transmit to the prothonotaries of the respective counties certified copies of all such liens, and it shall be the duty of each prothonotary to enter and docket the same of record in his office, and to index the same as judgments are indexed, without requiring the payment of costs as a condition precedent to the entry thereof. All fines and civil penalties collected under this act shall be paid into the Treasury of the Commonwealth in a special fund known as "The Lead Paint Poisoning Prevention Fund," which shall be administered by the Department of Environmental Resources for use in the prevention of lead paint poisoning.

(e) All summary proceedings under the provisions of this act may be brought before any district justice, justice of the peace, alderman or magistrate in the county where the offense was committed, and to that end jurisdiction is hereby conferred upon said district justices, justices of the peace, aldermen, or magistrates, subject to appeal by either party in the manner provided by law.

(f) The owner of any premises in which there is any paint which contain dangerous levels of lead, or other toxic heavy metal, as defined in this act, shall cause said materials to be removed or covered according to the Philadelphia Department of Public Health Specifications For the Removal of Lead Paint and Safety Standards For Removal of Lead Paint. The presence in premises of any paint which contain dangerous levels of lead or any other toxic heavy metal accessible to children under six years of age is hereby declared to be a nuisance.

(f.1) In cases where the owner of any premises is required to remove or cover materials in accordance with this act, and the cost of removal or covering such material according to the specifications referred to in this act would cause a financial hardship on the owner, the local taxing authority shall cause to be issued a real estate tax credit in the amount of the actual expenditures made by the owner, however, such credit shall not exceed the actual amount of the tax.

(g) No owner shall raise the rent for any residential premises, evict the tenant or terminate a lease with a tenant or make, alter, amend or modify any term or condition of any existing lease or arrangement of tenancy of the tenant as a consequence of any violation having been

found against the premises, the filing of a complaint alleging the violation, a tenant seeking a lead paint inspection of the premises or of performing repairs mandated by this section. In any civil proceeding in which notice of termination of the lease or arrangement of tenancy or alteration of a term or condition of the lease was within one year after a lead paint violation was found, it shall be the burden of the owner, landlord, agent or other persons operating or managing such premises to prove that the notice or alteration was not given as a consequence of the exercise or enjoyment of the tenant of his legal rights under this section. The terms and conditions of repair or removal pursuant to this section shall be the Philadelphia Department of Public Health Specifications For The Removal of Lead Paint and Safety Standards For Removal of Lead Paint. This section shall be strictly construed and enforced so as to best protect the safety of residents of such dwellings.

(h) The Department of Environmental Resources may issue such orders as are necessary to aid in the enforcement of the provisions of this act. Failure to comply with any such order is hereby declared to be a nuisance.

(i) Any activity or condition declared by this act as being a nuisance shall be abateable in the manner provided by law or equity for the abatement of public nuisances. The Secretary of the Department of Environmental Resources shall maintain a special State lead paint poisoning abatement order to remove lead paint in cases where owners of premises fail to perform their duties under this act by refusing or delaying the removal of lead paint. The costs of such State abatement work will be assessed against the owner of the premises by establishing a lien on the property. Such program of abatement by the State shall employ to the maximum extent possible community residents of the areas in which abatement takes place. In addition, suits to abate such nuisances or suits to restrain or prevent any violation of this act may be instituted in equity or at law in the name of the Commonwealth upon relation of the Attorney General, or upon relation of any district attorney of any county, or upon relation of the solicitor of any municipality affected, after notice has first been served upon the Attorney General of the intention of the district attorney or solicitor to so proceed. Such proceedings may be prosecuted in the Commonwealth Court, or in the court of common pleas of the county in which the activity has taken place, the condition exists, or the public affected, and to that end jurisdiction is hereby conferred in law and equity upon such courts: Provided, however, That except in case of emergency where, in the opinion of the court, the exigencies of the cases require immediate abatement of said nuisances, the court may, in its decree fix a reasonable time during which the person responsible for the nuisances may make provision for the abatement of the same. In cases where the circumstances require it or the public health is endangered, a mandatory preliminary injunction or special injunction may be issued upon the terms prescribed by the court, notice of the application having been given to the defendant in accordance with the rules of equity practice. In any case brought under this subsection the Attorney General, the district attorney, or the solicitor of any municipality shall not be required to give bond.

(j) Any aggrieved party may bring a bill in equity in the Commonwealth Court against any person having duties of enforcement under this act for failure to adequately perform such duties. If the court finds that such duties have not been adequately performed, it shall order them so performed, either by the named defendant or any other person having a legal duty to enforce this act.

(k) The collection of any penalties under the provisions of this act shall not be construed as estopping the Commonwealth or any district attorney or solicitor of a municipality, from proceeding in courts of law to abate nuisances forbidden under this act or abate nuisances under existing law. It is hereby declared to be the purpose of this act to provide additional and cumulative remedies to abate public health hazards endangering the lives of citizens of this Commonwealth, and nothing in this act contained shall in any way abridge or alter rights of action or remedies now or hereafter existing in equity, or under the common law or statutory law, civil or criminal, nor

shall any provision in this act, or any act done by virtue of this act, be construed as estopping the Commonwealth, persons or municipalities, in the exercise of their rights under the common law or decisional law or in equity, from proceeding in courts of law or equity to suppress nuisances, or to abate any pollution now or hereafter existing, or enforce common law or statutory rights.

Section 10. Appropriation.—The sums of \$250,000 and \$175,000 are hereby appropriated to the Department of Environmental Resources and the Department of Health, respectively, for the fiscal year 1975-1976 to carry out the purposes of this act.

Section 11. Severability.—The provisions of this act shall be severable. If any provision of this act is found by a court of record to be unconstitutional and void, the remaining provisions of the act shall, nevertheless, remain valid unless the court finds the valid provisions of the act are so essentially and inseparably connected with, and so depend upon, the void provision, that it cannot be presumed the General Assembly would have enacted the remaining valid provisions without the void ones; or unless the court finds the remaining valid provisions standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 12. Repeals.—All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 13. Effective Date.—This act shall take effect immediately.

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote to report out as amended House Bill No. 9, sponsored by Mr. Wilson, seconded by Mr. Lincoln.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	yea
Theodore Berlin	yea
David C. DiCarlo	yea
Thomas J. Fee	yea
Charles P. Hammock	yea
J. William Lincoln	yea
William J. McLane	yea
George Misceovich	yea
Frank L. Oliver	yea
Stephen R. Reed	yea
Samuel A. Ross	yea
Rose Toll	yea
Fred A. Trello	yea
Sherman L. Hill	nay
Patricia A. Crawford	nay
Clarence E. Dietz	yea
Charlotte D. Fawcett	yea
Richard A. McClatchy, Jr.	nay
Harold J. Stahl, Jr.	nay
Benjamin H. Wilson	yea

YEAS—16  
NAYS—4  
NOT VOTING—0

The motion passed.

Signed  
FRANK OLIVER  
Secretary

AMENDMENT TO HOUSE BILL No. 9

Amend Section 11, Page 9 of the proposed amendments, by using the word "non-severable" instead of severable.

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote on amendment to House Bill No. 9, sponsored by Mr. McClatchy, seconded by Mr. Wilson.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	nay
Theodore Berlin	nay
David C. DiCarlo	nay
Thomas J. Fee	nay
Charles P. Hammock	nay
J. William Lincoln	nay
William J. McLane	nay
George Misceovich	yea
Frank L. Oliver	nay
Stephen R. Reed	nay
Samuel A. Ross	nay
Rose Toll	nay
Fred A. Trello	nay
Sherman L. Hill	yea
Patricia A. Crawford	yea
Clarence E. Dietz	yea
Charlotte D. Fawcett	yea
Richard A. McClatchy, Jr.	yea
Harold J. Stahl, Jr.	yea
Benjamin H. Wilson	yea

YEAS—8  
NAYS—12  
NOT VOTING—0

The motion failed.

Signed  
FRANK OLIVER  
Secretary

AMENDMENT TO HOUSE BILL No. 9

Amend Section 9, subsection (f.1.) on Page 8 of the proposed amendment, by adding the words ", however, such credit shall not exceed the actual amount of the tax."

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote on amendment to House Bill No. 9, sponsored by Mrs. Fawcett, seconded by Mr. DiCarlo.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	yea
Theodore Berlin	yea
David C. DiCarlo	yea
Thomas J. Fee	yea
Charles P. Hammock	yea
J. William Lincoln	yea
William J. McLane	yea
George Misceovich	yea
Frank L. Oliver	yea
Stephen R. Reed	yea
Samuel A. Ross	yea
Rose Toll	yea
Fred A. Trello	yea
Sherman L. Hill	yea

Patricia A. Crawford            yea  
 Clarence E. Dietz                yea  
 Charlotte D. Fawcett            yea  
 Richard A. McClatchy, Jr.        yea  
 Harold J. Stahl, Jr.              yea  
 Benjamin H. Wilson               yea

YEAS—20  
 NAYS—0  
 NOT VOTING—0

The motion passed.

Signed  
 FRANK OLIVER  
 Secretary

AMENDMENT TO HOUSE BILL No. 9

Remove reference to "children" and the phrase "children under the age of six" throughout the bill

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote on amendment to House Bill No. 9, sponsored by Mr. Oliver, seconded by Mr. Lincoln.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	yea
Theodore Berlin	nay
David C. DiCarlo	yea
Thomas J. Fee	yea
Charles P. Hammock	yea
J. William Lincoln	yea
William J. McLane	yea
George Misceovich	yea
Frank L. Oliver	yea
Stephen R. Reed	yea
Samuel A. Ross	yea
Rose Toll	yea
Fred A. Trello	yea
Sherman L. Hill	yea
Patricia A. Crawford	nay
Clarence E. Dietz	nay
Charlotte D. Fawcett	nay
Richard A. McClatchy, Jr.	yea
Harold J. Stahl, Jr.	yea
Benjamin H. Wilson	yea

YEAS—16  
 NAYS—4  
 NOT VOTING—0

The motion passed.

Signed  
 FRANK OLIVER  
 Secretary

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote to table for further hearings House Bill No. 9, sponsored by Mr. McClatchy, seconded by Mr. Stahl.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	nay

Theodore Berlin	nay
David C. DiCarlo	nay
Thomas J. Fee	nay
Charles P. Hammock	nay
J. William Lincoln	nay
William J. McLane	nay
Frank L. Oliver	nay
Stephen R. Reed	nay
Samuel A. Ross	nay
Rose Toll	nay
Fred A. Trello	nay
Sherman L. Hill	yea
Clarence E. Dietz	yea
Charlotte D. Fawcett	yea
Richard A. McClatchy, Jr.	yea
Harold J. Stahl, Jr.	yea
Benjamin H. Wilson	yea

YEAS—6  
 NAYS—12  
 NOT VOTING—2

The motion failed.

Signed  
 FRANK OLIVER  
 Secretary

AMENDMENTS TO HOUSE BILL No. 473

Printer's No. 522

Amend Title, page 1, lines 1 and 2, by striking out all of line 1, and "of Health; requiring" in line 2, and inserting: Requiring

Amend Title, page 1, line 4, by striking out "physicians" and inserting: consumers

Amend Title, page 1, line 4, by striking out "permit" and inserting: make

Amend Title, page 1, lines 4 and 5, by striking out "and imposing penalties." and inserting: in certain cases.

Amend Bill, page 1, lines 8 through 19; all of lines on pages 2 through 8, by striking out all of said lines and inserting:

Section 1. It is the purpose of this act to permit consumers to secure necessary drugs at the lowest practical and safe cost consistent with the professional discretion of the consumer's physician.

Section 2. As used in this act:

"Drug" shall have the same meaning as drug in the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

"Equivalent drug" shall refer to a drug listed by the Federal Food and Drug Administration or successor organization as biologically equivalent and equally biologically available to other listed drugs.

"Pharmacist" shall have the same meaning as pharmacist in the act of September 27, 1961 (P. L. 1700, No. 699), known as the "Pharmacy Act."

"Physician" shall mean any duly licensed physician, dentist, veterinarian or other practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals.

Section 3. Every pharmacy shall post a sign in a conspicuous place, informing consumers to inquire about the list of equivalent drugs.

Section 4. Whenever a consumer provides a pharmacist with a prescription for a drug which is on the list of equivalent drugs, the consumer shall be entitled to direct the pharmacist to fill the prescription with the brand name selected by the consumer so long as the pharmacy has that brand in stock and so long as the physician has not indicated to the contrary as provided in section 5. Unless the physician directs otherwise, the label on all drugs dispensed by a pharmacist shall indicate the generic name of the drug using abbreviations if necessary and

the name of the manufacturer. The same notation shall be made on the original prescription retained by the pharmacist.

Section 5. Contents of Prescription Blanks.—Every prescription blank shall be imprinted with the words "substitution permissible" and "do not substitute" and shall contain space for the physician's or other authorized prescriber's initials next to the chosen option. Notwithstanding any other law, unless the physician or other authorized prescriber explicitly states that there shall be no substitution when transmitting an oral prescription or, in the case of a written prescription, indicates that there shall be no substitution by initialing the prescription blank next to "do not substitute," a different brand name or nonbrand name drug product of the same established name shall be dispensed by a pharmacist if such different brand name or nonbrand name drug product shall reflect a lower cost to the consumer and is contained in the latest list of equivalent drugs, provided, however, that no drug interchange shall be made unless a savings to the consumer results, and that savings is passed on to the consumer.

Section 6. The State Board of Pharmacy shall have the power and its duty shall be to:

(1) Administer and enforce the provisions of this act.  
 (2) Adopt necessary regulations consistent with this act.

(3) Publicize the provisions of this act so that consumers will be able to know that they are entitled to brand name selection of equivalent drugs.

(4) Distribute periodically an updated list of equivalent drugs to all pharmacies in the Commonwealth.

Section 7. (a) No pharmacist complying with the provisions of this act shall be liable in any way for the dispensing of an equivalent drug at the consumer's direction.

(b) Nothing in this act shall be construed to permit any government entity to set prices for drugs.

(c) Nothing in this act shall affect hospitals or other health care facilities licensed or approved by the Department of Health with the development and/or maintenance of a hospital formulary system in accordance with that institution's policies and procedures that pertain to its drug distribution system developed by the medical staff in cooperation with the hospital's pharmacist and administration.

Section 8. This act shall take effect in 90 days.

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote to report out as amended House Bill No. 473, sponsored by Mr. DiCarlo, seconded by Mr. Fee.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	yea
Theodore Berlin	yea
David C. DiCarlo	yea
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Frank L. Oliver	yea
Stephen R. Reed	yea
Samuel A. Ross	yea
Rose Toll	yea
Fred A. Trello	yea
Sherman L. Hill	nay
Patricia A. Crawford	nay
Clarence E. Dietz	nay
Charlotte D. Fawcett	nay
Richard A. McClatchy, Jr.	nay
Harold J. Stahl, Jr.	nay

YEAS—11

NAYS—6  
 NOT VOTING—3

The motion passed.

Signed  
 FRANK OLIVER  
 Secretary

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote to table for hearings House Bill No. 473, sponsored by Mr. McClatchy, seconded by Mr. Hill.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	nay
Theodore Berlin	nay
David C. DiCarlo	nay
Thomas J. Fee	nay
Charles P. Hammock	nay
J. William Lincoln	nay
William J. McLane	nay
Frank L. Oliver	nay
Stephen R. Reed	nay
Samuel A. Ross	nay
Rose Toll	nay
Fred A. Trello	nay
Sherman L. Hill	yea
Patricia A. Crawford	yea
Clarence E. Dietz	yea
Charlotte D. Fawcett	yea
Richard A. McClatchy, Jr.	yea
Harold J. Stahl, Jr.	yea
Benjamin H. Wilson	yea

YEAS—7  
 NAYS—12  
 NOT VOTING—1

The motion failed.

Signed  
 FRANK OLIVER  
 Secretary

AMENDMENTS TO HOUSE BILL No. 473,

Printer's No. 522

Amend Title, page 1, lines 1 and 2, by striking out all of line 1, and "of Health; requiring" in line 2, and inserting: Requiring

Amend Title, page 1, line 4, by striking out "physicians" and inserting: consumers

Amend Title, page 1, line 4, by striking out "permit" and inserting: make

Amend Title, page 1, lines 4 and 5, by striking out "and imposing penalties." and inserting: in certain cases.

Amend Bill, page 1, lines 8 through 19; all of lines on pages 2 through 8, by striking out all of said lines and inserting:

Section 1. It is the purpose of this act to permit consumers to secure necessary drugs at the lowest practical and safe cost consistent with the professional discretion of the consumer's physician.

Section 2. As used in this act:

"Drug" shall have the same meaning as drug in the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

"Equivalent drug" shall refer to a drug listed by the Federal Food and Drug Administration or successor or-

ganization as biologically equivalent and equally biologically available to other listed drugs.

"Pharmacist" shall have the same meaning as pharmacist in the act of September 27, 1961 (P. L. 1700, No. 699), known as the "Pharmacy Act."

"Physician" shall mean any duly licensed physician, dentist, veterinarian or other practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals.

Section 3. Every pharmacy shall post a sign in a conspicuous place, informing consumers to inquire about the list of equivalent drugs.

Section 4. Whenever a consumer provides a pharmacist with a prescription for a drug which is on the list of equivalent drugs, the consumer shall be entitled to direct the pharmacist to fill the prescription with the brand name selected by the consumer so long as the pharmacy has that brand in stock and so long as the physician has not indicated to the contrary as provided in section 5. Unless the physician directs otherwise, the label on all drugs dispensed by a pharmacist shall indicate the generic name of the drug using abbreviations if necessary and the name of the manufacturer. The same notation shall be made on the original prescription retained by the pharmacist.

Section 5. Contents of Prescription Blanks.—Every prescription blank shall be imprinted with the words "substitution permissible" and "do not substitute" and shall contain space for the physician's or other authorized prescriber's initials next to the chosen option. Notwithstanding any other law, unless the physician or other authorized prescriber explicitly states that there shall be no substitution when transmitting an oral prescription or, in the case of a written prescription, indicates that there shall be no substitution by initialing the prescription blank next to "do not substitute," a different brand name or nonbrand name drug product of the same established name shall be dispensed by a pharmacist if such different brand name or nonbrand name drug product shall reflect a lower cost to the consumer and is contained in the latest list of equivalent drugs, provided, however, that no drug interchange shall be made unless a savings to the consumer results, and that savings is passed on to the consumer.

Section 6. The State Board of Pharmacy shall have the power and its duty shall be to:

(1) Administer and enforce the provisions of this act.

(2) Adopt necessary regulations consistent with this act.

(3) Publicize the provisions of this act so that consumers will be able to know that they are entitled to brand name selection of equivalent drugs.

(4) Distribute periodically an updated list of equivalent drugs to all pharmacies in the Commonwealth.

Section 7. (a) No pharmacist complying with the provisions of this act shall be liable in any way for the dispensing of an equivalent drug at the consumer's direction.

(b) Nothing in this act shall be construed to permit any government entity to set prices for drugs.

(c) Nothing in this act shall affect hospitals or other health care facilities licensed or approved by the Department of Health with the development and/or maintenance of a hospital formulary system in accordance with that institution's policies and procedures that pertain to its drug distribution system developed by the medical staff in cooperation with the hospital's pharmacist and administration.

Section 8. This act shall take effect in 90 days.

ROLL CALL

The Health and Welfare Committee met on March 16, 1976 to vote to adopt amendments offered by Mrs. Toll pertaining to House Bill No. 473, sponsored by Mr. DiCarlo, seconded by Mr. Berlin.

The yeas and nays were taken and were as follows:

Member	Vote
Anita P. Kelly	yea

Theodore Berlin	yea
David C. DiCarlo	yea
Thomas J. Fee	yea
Charles P. Hammock	yea
J. William Lincoln	yea
William J. McLane	yea
Frank L. Oliver	yea
Stephen R. Reed	yea
Samuel A. Ross	yea
Rose Toll	yea
Fred A. Trello	yea
Sherman L. Hill	nay
Patricia A. Crawford	nay
Clarence E. Dietz	yea
Charlotte D. Fawcett	nay
Richard A. McClatchy, Jr.	nay
Harold J. Stahl, Jr.	yea
Benjamin H. Wilson	yea

YEAS—15

NAYS—4

NOT VOTING—1

The motion passed.

Signed  
FRANK OLIVER  
Secretary

Attendance Report

The Sub-Committee on Youth and Aging met on March 15, 1976 in Room 248. The meeting started at 1:30 p.m. and adjourned at 2:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Thomas J. Fee	X	
J. William Lincoln	X	
William J. McLane	X	
Samuel A. Ross	X	
Rose Toll	X	
Anita P. Kelly (Ex-Officio)	X	
Charlotte D. Fawcett	X	
Harold J. Stahl, Jr.		X

Signed  
FRANK OLIVER  
Secretary

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. McLane, seconded by Mrs. Kelly.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea
Anita P. Kelly (Ex-Officio)	yea
Charlotte D. Fawcett	yea



YEAS—7  
NAYS—0  
NOT VOTING—0

The motion passed.

Signed  
FRANK OLIVER  
Secretary

AMENDMENTS ACCEPTED BY SUB-COMMITTEE  
ON YOUTH AND AGING ON MARCH 15, 1976

AMENDMENT TO HOUSE BILL No. 1088,  
Printer's No. 1249

Amend Section 602, page 2, by inserting between lines 23 and 24: "Consumer" means an individual who participates or is eligible to participate in aging programs provided pursuant to the Older Americans Act and other aging programs."

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. McLane, seconded by Mr. Lincoln.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea
Anita P. Kelly (Ex-Officio)	yea
Charlotte D. Fawcett	yea

YEAS—7  
NAYS—0  
NOT VOTING—0

The motion passed.

Signed  
FRANK OLIVER  
Secretary

AMENDMENT TO HOUSE BILL No. 1088,  
Printer's No. 1249

Amend Section 603, by deleting "Commissioner" in lines 5, 6, 7, 12, 15, 19 and 21 on Page 3 and elsewhere in the bill and inserting "Deputy Secretary," thereafter referred to as "deputy secretary."

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. McLane, seconded by Mrs. Kelly.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea

Anita P. Kelly (Ex-Officio) yea  
Charlotte D. Fawcett yea

YEAS—7  
NAYS—0  
NOT VOTING—0

The motion passed.

Signed  
FRANK OLIVER  
Secretary

AMENDMENT TO HOUSE BILL No. 1088,  
Printer's No. 1249

Amend Section 603, Page 3, by inserting between lines 23 and 24 "(1) Direct, supervise and evaluate the activities of the regional aging commissioners and area agencies on aging."

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. McLane, seconded by Mrs. Toll.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea
Anita P. Kelly (Ex-Officio)	yea
Charlotte D. Fawcett	yea

YEAS—7  
NAYS—0  
NOT VOTING—0

The motion passed.

Signed  
FRANK OLIVER  
Secretary

AMENDMENT TO HOUSE BILL No. 1088,  
Printer's No. 1249

Amend Section 609, Page 9, by deleting lines 11 through 13 and inserting "(d) In carrying out this section the area agency shall establish a merit personnel system in accordance with regulations promulgated by the department which shall include all area agency personnel and the employment generated through area agency subcontracts. Such regulations shall stipulate that any merit system adopted by area agencies and all agreements with subcontractors shall provide for preferential employment for persons aged 60 or over, including provision for the substitution of experience and skills for educational and professional qualifications."

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. McLane, seconded by Mr. Lincoln.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea
Anita P. Kelly (Ex-Officio)	yea
Charlotte D. Fawcett	yea

YEAS—7  
 NAYS—0  
 NOT VOTING—0

The motion passed.

Signed  
 FRANK OLIVER  
 Secretary

AMENDMENT TO HOUSE BILL No. 1088,  
 Printer's No. 1249

Amend Section 612, Page 11, lines 10, 13, 15, 17, 20 and 23, by inserting after the word "department" the words "through the Office for the Aging."

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. McLane, seconded by Mrs. Toll.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea
J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea
Anita P. Kelly (Ex-Officio)	yea
Charlotte D. Fawcett	yea

YEAS—7  
 NAYS—0  
 NOT VOTING—0

The motion passed.

Signed  
 FRANK OLIVER  
 Secretary

AMENDMENT TO HOUSE BILL No. 1088,  
 Printer's No. 1249

Amend Section 613, Page 11, line 27, by deleting the words "resources consisting of" and inserting after the words "allocation of" the word "available."

ROLL CALL

The Sub-Committee on Youth and Aging met on March 15, 1976 to vote to recommend to Full Committee Adoption of attached amendment to House Bill No. 1088, sponsored by Mr. Lincoln, seconded by Mrs. Kelly.

The yeas and nays were taken and were as follows:

Member	Vote
Thomas J. Fee	yea

J. William Lincoln	yea
William J. McLane	yea
Samuel A. Ross	yea
Rose Toll	yea
Anita P. Kelly (Ex-Officio)	yea
Charlotte D. Fawcett	yea

YEAS—7  
 NAYS—0  
 NOT VOTING—0

The motion passed.

Signed  
 FRANK OLIVER  
 Secretary

AMENDMENT TO HOUSE BILL No. 1088,  
 Printer's No. 1249

Amend Section 613, Page 12, by deleting lines 17 through 21.

March 22, 1976

Subject: WEEKLY COMMITTEE MEETING REPORT

To: The Speaker of the House of Representatives  
 From: Anita P. Kelly, Chairman of the Committee on Health and Welfare

The meeting of the Committee on Health and Welfare scheduled for Wednesday, March 17, 1976, at 1:30 p.m., was cancelled.

Mr. BERSON, chairman of the Judiciary Committee, presented the following report:

Attendance Report

The Judiciary Committee met on March 16, 1976 in Room 401.

The roll was taken and was as follows:

Member	Present	Absent
Berson	X	
Hammock		
O'Donnell	X	
Rhodes	X	
Doyle	X	
Stapleton	X	
Richardson	X	
Mullen	X	
Pratt	X	
Sweeney		
LaMarca		
Prendergast	X	
Englehart		
Manderino		
Spencer		
Renninger	X	
Lynch	X	
Yohn		
McCue	X	
Scirica	X	
Hutchinson	X	

Wagner X  
Fisher X

Signed  
ROBERT W. O'DONNELL  
Secretary

ROLL CALL

The Judiciary Committee met on March 16, 1976 to vote to report out as amended House Bill No. 1382, sponsored by Mr. Mullen, seconded by Mr. Richardson.

The yeas and nays were taken and were as follows:

Member	Vote
Berson	yea
Hammock	not voting
O'Donnell	yea
Rhodes	yea
Doyle	yea
Stapleton	not voting
Richardson	yea
Mullen	yea
Pratt	yea
Sweeney	not voting
LaMarca	not voting
Prendergast	yea
Englehart	not voting
Manderino	not voting
Spencer	not voting
Renninger	yea
Lynch	yea
Yohn	not voting
McCue	not voting
Scirica	yea
Hutchinson	not voting
Wagner	yea
Fisher	yea

YEAS—13  
NAYS—0  
NOT VOTING—10

The motion passed.

Signed  
ROBERT W. O'DONNELL  
Secretary

ROLL CALL

The Judiciary Committee met on March 16, 1976 to vote to report out House Bill No. 400, sponsored by Mr. Scirica, seconded by Mr. Renninger.

The yeas and nays were taken and were as follows:

Member	Vote
Berson	yea
Hammock	not voting
O'Donnell	yea
Rhodes	nay
Doyle	yea
Stapleton	yea
Richardson	nay
Mullen	nay
Pratt	yea
Sweeney	not voting

LaMarca not voting  
Prendergast nay  
Englehart not voting  
Manderino not voting  
Spencer not voting  
Renninger yea  
Lynch yea  
Yohn not voting  
McCue nay  
Scirica yea  
Hutchinson nay  
Wagner yea  
Fisher yea

YEAS—10  
NAYS—6  
NOT VOTING—7

The motion passed.

Signed  
ROBERT W. O'DONNELL  
Secretary

ROLL CALL

The Judiciary Committee met on March 16, 1976 to vote to amend House Bill No. 400, sponsored by Mr. Doyle.

The yeas and nays were taken and were as follows:

Member	Vote
Berson	nay
Hammock	not voting
O'Donnell	nay
Rhodes	not voting
Doyle	yea
Stapleton	not voting
Richardson	nay
Mullen	nay
Pratt	nay
Sweeney	not voting
LaMarca	not voting
Prendergast	nay
Englehart	not voting
Manderino	not voting
Spencer	not voting
Renninger	nay
Lynch	yea
Yohn	not voting
McCue	yea
Scirica	nay
Hutchinson	not voting
Wagner	yea
Fisher	nay

YEAS—3  
NAYS—9  
NOT VOTING—10

The motion failed.

Signed  
ROBERT W. O'DONNELL  
Secretary

ROLL CALL

The Judiciary Committee met on March 16, 1976

to vote to table House Bill No. 400, sponsored by Mr. McCue.

The yeas and nays were taken and were as follows:

Member	Vote
Berson	nay
Hammock	not voting
O'Donnell	nay
Rhodes	yea
Doyle	nay
Stapleton	not voting
Richardson	yea
Mullen	yea
Pratt	nay
Sweeney	not voting
LaMarca	not voting
Prendergast	nay
Englehart	not voting
Manderino	not voting
Spencer	not voting
Renninger	yea
Lynch	yea
Yohn	not voting
McCue	yea
Scirica	nay
Hutchinson	not voting
Wagner	nay
Fisher	nay

YEAS—6  
NAYS—8  
NOT VOTING—9

The motion failed.

Signed  
ROBERT W. O'DONNELL  
Secretary

Mr. VALICENTI, chairman of the Labor Relations Committee, presented the following report:

March 17, 1976

Subject: Minutes—Labor Relations Committee  
Meeting—Tuesday, March 16, 1976

To: Honorable Herbert Fineman  
Speaker

From: A. Joseph Valicenti, Chairman  
Labor Relations Committee

A meeting of the House Labor Relations Committee was held on Tuesday, March 16, 1976, at 11:30 a.m. in Room 328, Minority Caucus Room. A roll-call was taken and it was established that a quorum was present and the committee was authorized to conduct business.

Representative Musto, who chaired the meeting, asked that the reading of the minutes be waived since each member had received a copy prior to the meeting. Motion was so made by Representative Perry and seconded by Representative Giammarco. Passed unanimously.

The first order of business was House Bill No. 894. Mr. Julius Uehlein, representing the USWA, was present and

presented Mr. Tom Roto who spoke to the members of the committee. Mr. Roto is an electrical worker from Brackenridge and stated that he had been working with electricity for the past twenty years, and during that time had never been sent on a job alone but lately the company has been asking the men to go on jobs alone. He stated that he, himself, had been burned twice and that electricians have to work beside motors which carry 440 volts AC, 110 control. Mr. Roto stated that two men are needed to handle this kind of a job safely.

Representative Vroon, by motion, offered an amendment to Section 3, Line 6, to read: "Qualified workmen means any person who possesses the skill or experience to perform the duties of a top journeyman or first class lineman in the electrical utility industry, however, such qualified workman with regard to Section 3 hereof does not mean that such qualified workmen must be a journeyman or first-class lineman." The motion to amend was seconded by Representative Whelan. A roll-call vote was taken on the amendment. The vote was 12 no's and 7 yeas. The motion failed.

Representative Myers made a motion to report the bill from committee, as committed, which was seconded by Representative Lederer. On the question, Representative Polite requested that he be given any information that the committee had on House Bill No. 893, which was a companion bill to No. 894 and which was reported out of committee prior to this meeting. The chairman advised Representative Polite that such information would be made available to him. A roll-call vote was taken at this time on Rep. Myers motion, which was seconded by Rep. Lederer, to report the bill out of committee, as committed. The vote was 14 yeas and 5 no's. The motion to report the bill out of committee, as committed, passed. Representative Whelan stated that he voted "yes" to report the bill out, with the notation that he felt the bill needed more attention and that testimony should be given on House Bill No. 894 before the Rules Committee. Representative Davies stated that he had the same thoughts on this matter.

Mr. Julius Uehlein was recognized and stated that the USWA had no objection to the changing of the wording of the bill in regard to "someone other than a top electrician." He stated that they would not object if the legislators felt that they needed further explanation of "qualified worker."

Upon motion made by Representative Lederer, seconded by Representative Ravenstahl, and by unanimous vote of the committee, the chairman adjourned the meeting at 12:10 p.m. Representative Musto announced that the meeting scheduled for Wednesday, March 17, 1976, had been cancelled.

Respectfully submitted,  
CHARLES N. CAPUTO  
Secretary

#### ROLL CALL

The Labor Relations Committee met on March 16, 1976 to vote to report out as committed House Bill No. 894, Printer's No. 1017, sponsored by Mr. Myers, seconded by Mr. Lederer.

The yeas and nays were taken and were as follows:

Member	Vote
A. J. Valicenti	not voting
Raphael Musto	yea
Charles Caputo	not voting
Raymond Lederer	yea
Henry Giammarco	yea
Thomas Flaherty	yea
Bernard Novak	yea
Peter Perry	yea
Ralph Garzia	yea
Michael Myers	yea
Patrick Gillespie	yea
Eugene Saloom	yea
Andrew McGraw	not voting
Robert Ravenstahl	yea
John Hamilton	nay
Marvin Miller	not voting
Peter Vroon	nay
James Whelan	yea
John Davies	nay
Richard McClatchy	nay
Joseph Manmiller	yea
Roosevelt Polite	nay
Marvin Miller, Jr.	yea

YEAS—14  
 NAYS—5  
 NOT VOTING—4

The motion passed.

Signed  
 CHARLES N. CAPUTO  
 Secretary

ROLL CALL

The Labor Relations Committee met on March 16, 1976 to vote on amendment to House Bill No. 894, Printer's No. 1017, sponsored by Mr. Vroon, seconded by Mr. Whelan.

The yeas and nays were taken and were as follows:

Member	Vote
A. J. Valicenti	not voting
Raphael Musto	nay
Charles Caputo	not voting
Raymond Lederer	nay
Henry Giammarco	nay
Thomas Flaherty	nay
Bernard Novak	nay
Peter Perry	nay
Ralph Garzia	nay
Michael Myers	nay
Patrick Gillespie	nay
Eugene Saloom	nay
Andrew McGraw	not voting
Robert Ravenstahl	nay
John Hamilton	yea
Marvin Miller	not voting
Peter Vroon	yea
James Whelan	yea
John Davies	yea
Richard McClatchy	yea
Joseph Manmiller	yea

Roosevelt Polite	yea
Marvin Miller, Jr.	nay

YEAS—7  
 NAYS—12  
 NOT VOTING—4

The motion failed.

Signed  
 CHARLES N. CAPUTO  
 Secretary

Attendance Report

The Labor Relations Committee met on March 16, 1976 in Room 328. The meeting started at 11:30 a.m. and adjourned at 12:10 p.m.

The roll was taken and was as follows:

Member	Present	Absent
A. J. Valicenti		X
Raphael Musto	X	
Charles Caputo		X
Raymond Lederer	X	
Henry Giammarco	X	
Thomas Flaherty	X	
Bernard Novak	X	
Peter Perry	X	
Ralph Garzia	X	
Michael Myers	X	
Patrick Gillespie	X	
Eugene Saloom	X	
Andrew McGraw		X
Robert Ravenstahl	X	
John Hamilton	X	
Marvin Miller		X
Peter Vroon	X	
James Whelan	X	
John Davies	X	
Richard McClatchy	X	
Joseph Manmiller	X	
Roosevelt Polite	X	
Marvin Miller, Jr.	X	

Signed  
 CHARLES N. CAPUTO  
 Secretary

Mr. ECKENBERGER, chairman of the Law and Justice Committee, presented the following report:

March 15, 1976

Subject: Minutes—Law and Justice Committee Meeting

To: Committee Members

From: William H. Eckensberger, Jr.

The Chairman called a meeting of the Law and Justice Committee to order on Monday, March 15, 1976 at 1:30 p.m. in Room 246. The Chairman noted the absence of a quorum (attendance attached).

The Chairman announced that hearings will be held on House Bill 1699 on Wednesday, April 14, 1976 at Rose-

mont College, Montgomery County; Wednesday, April 21, 1976 at the State Office Building in Pittsburgh; and Thursday, April 29, 1976 in the Majority Caucus Room of the Capitol Building, Harrisburg.

Jonathan Vipond and William Zeiter were present to discuss House Bill 2056 and the operation of the Pennsylvania Supreme Courts Advisory Committee on Appellate Court Rules.

A tape recording of the remarks by Mr. Zeiter and following discussion is available in the office of the Chairman.

The meeting was attended by Bill Kane, student television commentator from Williamsport; Barbara Dolson from the Governor's Council on Drug and Alcohol Abuse; Marcia Coyle from the Allentown Morning Call Newspaper; and Jane Laffey.

Adjourned: 3:30 p.m.

#### Attendance Report

The Law and Justice Committee met on Monday, March 15, 1976 in Room 246. The meeting started at 1:30 p.m. and adjourned at 3:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
W. H. Eckensberger, Jr.	X	
Joseph T. Doyle	X	
Donald M. Davis		X
James D. Barber		X
David C. DiCarlo		X
Henry Giammarco		X
Helen D. Gillette	X	
Russell J. LaMarca		X
Ralph Pratt		X
Stephen Reed	X	
Emil Mrkonic	X	
Fred Taylor		X
Joseph R. Zeller		X
Joseph V. Zord, Jr.		X
Kenneth E. Brandt		X
Anthony J. Cimini	X	
James L. Cumberland	X	
Stanford Lehr		X
Marvin E. Miller, Jr.		X
Joseph R. Pitts		X
Roosevelt I. Polite	X	
Anthony J. Scirica		X

Mr. Davis resigned from the Committee.

Signed

W. H. ECKENSBERGER, JR.  
Chairman

#### OFFICIAL LEAVE REQUESTS

I Kenneth E. Brandt ask for official leave of absence from attending the meeting of the Law and Justice Committee on March 15, 1976 for the following reason:

Conflicting legislative duties (Meeting in District).

Signed: KENNETH E. BRANDT

I Fred Taylor ask for official leave of absence from attending the meeting of the Law and Justice Committee on March 15, 1976 for the following reason:

Conflicting committee meeting (Subcommittee).

Signed: FRED TAYLOR

Mr. James D. Barber requested a leave of absence.  
Mr. Joseph V. Zord, Jr. requested a leave of absence.  
Mr. Stanford Lehr requested a leave of absence.

March 16, 1976

Subject: Minutes—Law and Justice Committee Meeting

To: Committee Members

From: William H. Eckensberger, Jr.

The Vice Chairman, Mr. Doyle, called Meeting Number 36 to order on Tuesday, March 16, 1976 at 3:30 p.m. in Room 246. The Secretary called the roll, the result of which is recorded on the attached Attendance Sheet. The Minutes of the prior meeting were approved.

The Vice Chairman then proceeded to the agenda. The first order of business was the calling of House Bills 587, 1262 and 1677. After discussion of these bills, Mr. Polite, seconded by Mr. Zeller, moved to strike the entire contents of House Bill 1262 and insert in its place the contents of House Bill 1806, Printer's No. 2309. (Vote No. 1 attached) Passes 12-1.

Mr. Pratt, seconded by Mr. Giammarco, moved to report House Bill 1262 as amended. (Vote No. 2 attached) Passes 12-1.

The second order of business was the calling of House Bill 2198, Printer's No. 2880. Sam McClea of the Majority Leaders Office and Fred Jacobs, Acting Executive Director of the Probation and Parole Board were present to discuss the bill. After discussion, Mr. Reed, seconded by Mr. Lehr, moved to strike the contents of the bill and insert an amendment to Act 525 of 1961. Act 525 sets the salaries of Probation and Parole Board members. The amendment would raise the Chairman's salary to \$30,000 annually and the other four members' salaries to \$27,500 each. Verbal amendment. Passes 12-1. Voting no—Mrkonic.

Mr. Reed, seconded by Mr. Lehr, moved to table the bill until the above amendment can be put before the Committee in writing. Passes Unanimously.

The meeting was attended by Jane Laffey.

Adjourned: 5:15 p.m.

#### Attendance Report

The Law and Justice Committee met on Tuesday, March 16, 1976 in Room 246. The meeting started at 3:30 p.m. and adjourned at 5:15 p.m.

The roll was taken and was as follows:

Member	Present	Absent
W. H. Eckensberger, Jr.		X
Joseph T. Doyle	X	
Donald M. Davis		
James D. Barber		X
David C. DiCarlo	X	
Henry Giammarco	X	
Helen D. Gillette	X	
Russell J. LaMarca		X
Ralph Pratt	X	
Stephen Reed	X	
Emil Mrkonic	X	

Fred Taylor	X	
Joseph R. Zeller	X	
Joseph V. Zord, Jr.		X
Kenneth E. Brandt	X	
Anthony J. Cimini		X
James L. Cumberland		X
Stanford Lehr	X	
Marvin E. Miller, Jr.	X	
Joseph R. Pitts	X	
Roosevelt I. Polite	X	
Anthony J. Scirica	X	

Mr. Davis resigned from the Committee.

Signed  
W. H. ECKENSBERGER, JR.  
Chairman

OFFICIAL LEAVE REQUESTS

I William H. Eckensberger, Jr. ask for official leave of absence from attending the meeting of the Law and Justice Committee on March 16, 1976 for the following reason:

Other reasons (Illness).

Signed: WILLIAM H. ECKENSBERGER, JR.

I Anthony J. Cimini ask for official leave of absence from attending the meeting of the Law and Justice Committee on March 16, 1976 for the following reason:

Other reasons (Bad Weather).

Signed: ANTHONY J. CIMINI

I James Barber ask for official leave of absence from attending the meeting of the Law and Justice Committee on March 15 and 16, 1976 for the following reason:

Other reasons (Hospitalized).

Mr. Joseph V. Zord, Jr. requested a leave of absence.

Signed: JAMES D. BARBER

ROLL CALL

Vote No. 1

The Law and Justice Committee met on March 16, 1976 to vote to strike all of House Bill 1262 and amend House Bill 1802, Printer's No. 2308 into, sponsored by Mr. Polite, seconded by Mr. Zeller.

The yeas and nays were taken and were as follows:

Member	Vote
W. H. Eckensberger	not voting
Joseph T. Doyle	yea
Donald M. Davis	not voting
James D. Barber	not voting
David C. DiCarlo	not voting
Henry Giammarco	yea
Helen D. Gillette	yea
Russell J. LaMarca	not voting
Ralph Pratt	yea
Stephen Reed	yea
Emil Mrkonic	yea
Fred Taylor	yea
Joseph R. Zeller	yea

Joseph V. Zord, Jr.	not voting
Kenneth E. Brandt	yea
Anthony J. Cimini	not voting
James L. Cumberland	not voting
Stanford Lehr	yea
Marvin E. Miller, Jr.	not voting
Joseph R. Pitts	yea
Roosevelt I. Polite	yea
Anthony J. Scirica	nay

YEAS—12  
NAYS—1  
NOT VOTING—8

The motion passed.

ROLL CALL

Vote No. 2

The Law and Justice Committee met on March 16, 1976 to vote to report out as amended House Bill 1262, sponsored by Mr. Pratt, seconded by Mr. Giammarco.

The yeas and nays were taken and were as follows:

Member	Vote
W. H. Eckensberger	not voting
Joseph T. Doyle	yea
Donald M. Davis	not voting
James D. Barber	not voting
David C. DiCarlo	not voting
Henry Giammarco	yea
Helen D. Gillette	yea
Russell J. LaMarca	not voting
Ralph Pratt	yea
Stephen Reed	yea
Emil Mrkonic	yea
Fred Taylor	yea
Joseph R. Zeller	yea
Joseph V. Zord, Jr.	not voting
Kenneth E. Brandt	yea
Anthony J. Cimini	not voting
James L. Cumberland	not voting
Stanford Lehr	yea
Marvin E. Miller, Jr.	not voting
Joseph R. Pitts	yea
Roosevelt I. Polite	yea
Anthony J. Scirica	nay

YEAS—12  
NAYS—1  
NOT VOTING—8

The motion passed.

Mr. GREENFIELD, chairman of the Liquor Control Committee, presented the following report:

Attendance Report

The Liquor Control Committee met on March 16, 1976 in Room 140. The meeting started at 11:30 a.m. and adjourned at 11:40 a.m.

The roll was taken and was as follows:

Member	Present	Absent
Roland Greenfield	X	
Joel Johnson		X
William Rieger	X	
Anthony DiDonato	X	
Raymond Lederer	X	
Thomas McCall	X	
Fred Milanovich	X	
Michael Myers	X	
Peter O'Keefe	X	
Joseph Petrarca	X	
Max Pievsky	X	
Ulysses Shelton	X	
John Wansacz	X	
James Gallen	X	
Richard Cessar	X	
James Cumberland	X	
George Hasay	X	
Forest Hopkins		
Alvin Katz	X	
Patrick McGinnis		X
Nicholas Moehlmann	X	
Frank Salvatore	X	

Signed  
WILLIAM W. RIEGER  
Secretary

Mr. FRYER, chairman of the Local Government Committee, presented the following report:

March 22, 1976

Subject: Local Government Committee Meetings  
To: Honorable Herbert Fineman, Speaker  
From: Lester K. Fryer, Chairman  
Room 149 ext. 3-8683

Please be advised that the House Local Government Committee met on the dates of March 15 and March 17, 1976. Attendance reports and roll calls relative to these two meetings are hereto attached.

Attendance Report

The Local Government Committee met on March 15, 1976 in Room 328. The meeting started at 3:30 p.m. and adjourned at 4:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Lester K. Fryer	X	
Donald Abraham	X	
Jack Arthurs	X	
A. J. DeMedio	X	
Ted Doyle	X	
Ralph Garzia	X	
Samuel Morris	X	
Peter O'Keefe	X	
Joseph Petrarca	X	
Philip Ruggiero	X	
William Shuman	X	
Fred Trello		

Thomas Walsh	X
Paul Yahner	X
Charles Mebus	X
Edward Burns	X
A. C. Foster	X
Harry Gring	X
James O. Whelan, Jr.	X
Joseph Levi	X
Fred Noye	X
Carmel Sirianni	
Marvin Weidner	X

Signed  
JACK ARTHURS  
Secretary

ROLL CALL

The Local Government Committee met on March 15, 1976 to vote to report out House Bill No. 2164, sponsored by Mr. DeMedio, seconded by Mr. Morris.

The yeas and nays were taken and were as follows:

Member	Vote
Lester K. Fryer	yea
Donald Abraham	yea
Jack Arthurs	yea
A. J. DeMedio	yea
Ted Doyle	yea
Ralph Garzia	yea
Samuel Morris	yea
Peter O'Keefe	yea
Joseph Petrarca	yea
Philip Ruggiero	yea
William Shuman	yea
Fred Trello	not voting
Thomas Walsh	yea
Paul Yahner	yea
Charles Mebus	yea
Edward Burns	yea
A. C. Foster	yea
Harry Gring	yea
James O. Whelan, Jr.	nay
Joseph Levi	yea
Fred Noye	yea
Carmel Sirianni	not voting
Marvin Weidner	yea

YEAS—20  
NAYS—1  
NOT VOTING—2

The motion passed.

Signed  
JACK ARTHURS  
Secretary

Attendance Report

The Local Government Committee met on March 17, 1976 in Room 328. The meeting started at 9:30 a.m. and adjourned at 12:00 noon.

The roll was taken and was as follows:

Member	Present	Absent
Lester K. Fryer	X	



Donald Abraham	X
Jack Arthurs	X
A. J. DeMedio	X
Ted Doyle	X
Ralph Garzia	X
Samuel Morris	X
Peter O'Keefe	X
Joseph Petrarca	X
Philip Ruggiero	X
William Shuman	X
Fred Trello	X
Thomas Walsh	
Paul Yahner	X
Charles Mebus	X
Edward Burns	X
A. C. Foster	X
Harry Gring	X
James O. Whelan, Jr.	X
Joseph Levi	X
Fred Noye	X
Carmel Sirianni	X
Marvin Weidner	X

Signed  
**JACK ARTHURS**  
 Secretary

Mr. DeMEDIO, chairman of the Military and Veterans Affairs Committee, presented the following report:

Attendance Report

The Military and Veterans Affairs Committee met on Tuesday, March 16, 1976 in Room 246. The meeting started at 9:30 a.m. and adjourned at 10:00 a.m.

The roll was taken and was as follows:

Member	Present	Absent
A. J. DeMedio	X	
Bernard Novak	X	
William Shuman	X	
Michael Mullen	X	
Emil Mrkonic	X	
Kenneth Cole	X	
Joseph Zeller	X	
George Misceovich	X	
James McIntyre		X
James Prendergast	X	
Patrick Gillespie	X	
Russell LaMarca	X	
Joseph Wargo	X	
Frank Lynch	X	
Frank Salvatore	X	
Anthony Cimini	X	
Vern Pyles	X	
Roger Raymond Fischer		X
Forest W. Hopkins	X	
Eugene R. Geesey	X	
Alvin Katz		X
John B. McCue	X	

Discussed employe retirement bills prior to introduction.

Possible breakfast on Tuesday, April 6 with DAV at Holiday Inn Town.  
 Adjourned on a Shuman and Geesey motion.

Signed  
**WILLIAM SHUMAN**  
 Secretary

Mr. O'BRIEN, chairman of the Mines and Energy Management Committee, presented the following report:

March 22, 1976

Subject: Mines and Energy Management Committee Meetings Attendance Report

To: The Honorable Herbert Fineman  
 The Speaker

From: Bernard F. O'Brien, Majority Chairman  
 James Wright, Minority Chairman

Attached is the attendance reports for the Mines and Energy Management Committee meetings held on March 15 and 17, 1976.

Attendance Report

The Mines and Energy Management Committee met on March 17, 1976 in Room 401, Main Capitol Bldg. The meeting started at 9:37 a.m. and adjourned at 10:37 a.m.

The roll was taken and was as follows:

Member	Present	Absent
Bernard F. O'Brien	X	
James Goodman	X	
Barry Stout		
Camille George	X	
Joseph P. Bradley, Jr.	X	
Thomas J. McCall	X	
George Misceovich	X	
Raphael Musto	X	
Donald Abraham	X	
Ivan Itkin	X	
John F. Laudadio, Sr.		
William Lincoln	X	
Fred Taylor	X	
James J. Wright, Jr.	X	
L. Eugene Smith	X	
Joseph V. Zord, Jr.		
William Wilt	X	
Stanford I. Lehr	X	
David M. Turner	X	
James J. Ustynoski		
Edward F. Burns	X	
Richard Cessar	X	

Attendance Report

The Mines and Energy Management Committee met on March 15, 1976 in Room 401, Main Capitol Bldg. The meeting started at 3:38 p.m. and adjourned at 3:55 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Bernard F. O'Brien	X	

James Goodman	X
Barry Stout	X
Camille George	X
Joseph P. Bradley, Jr.	X
Thomas J. McCall	X
George Miscevich	X
Raphael Musto	X
Donald Abraham	X
Ivan Itkin	X
John F. Laudadio, Sr.	X
William Lincoln	
Fred Taylor	X
James J. Wright, Jr.	X
L. Eugene Smith	X
Joseph V. Zord, Jr.	X
William Wilt	X
Stanford I. Lehr	X
David M. Turner	X
James J. Ustynoski	X
Edward F. Burns	X
Richard Cessar	X

Mr. Lincoln was excused because of another meeting.

Mr. SHELTON, chairman of the Professional Licensure Committee, presented the following report:

March 22, 1976

Mr. Speaker:

Please find attached attendance and roll call sheets for the Professional Licensure Committee meeting held during the week of March 15, 1976.

Hon. ULYSSES SHELTON  
Chairman

Attendance Report

The Professional Licensure Committee met on March 17, 1976 in Room 115-A. The meeting started at 11:30 a.m. and adjourned at 11:45 a.m.

The roll was taken and was as follows:

Member	Present	Absent
Ulysses Shelton	X	
William Rieger	X	
Philip Ruggiero	X	
Anita Kelly	X	
Emil Mrkonic	X	
C. L. Schmitt	X	
Frank Oliver	X	
Reid Bennett	X	
Bernard Dombrowski	X	
Samuel Ross	X	
Phyllis Kernick		X
Fred Trello		X
Robert Ravenstahl	X	
H. Joseph Hepford	X	
David S. Hayes		X
William K. Klingaman	X	
Fortunato N. Perri	X	
Lee C. Taddonio	X	

Roosevelt Polite	X
Harry H. Gring	X
Patricia Crawford	X

Signed  
PHILIP RUGGIERO  
Secretary

OFFICIAL LEAVE REQUEST

I Phyllis Kernick ask for official leave of absence from attending the meeting of the Professional Licensure Committee on March 17, 1976 for the following reason:

Other reasons (Illness).

Signed: PHYLLIS KERNICK

ROLL CALL

The Professional Licensure Committee met on March 17, 1976 to vote to table House Bill No. 2148, Printer's No. 2793, sponsored by Mr. Polite, seconded by Mr. Oliver.

The yeas and nays were taken and were as follows:

Member	Vote
Ulysses Shelton	yea
William W. Rieger	yea
Philip Ruggiero	yea
Anita P. Kelly	yea
Emil Mrkonic	yea
C. L. Schmitt	yea
Frank Oliver	yea
Reid Bennett	yea
Bernard Dombrowski	yea
Samuel Ross	yea
Phyllis Kernick	not voting
Robert Ravenstahl	yea
Fred Trello	not voting
H. Joseph Hepford	yea
David S. Hayes	not voting
William K. Klingaman, Sr.	yea
Fortunato N. Perri	yea
Lee C. Taddonio	yea
Roosevelt Polite	yea
Harry H. Gring	yea
Patricia Crawford	yea

YEAS—18  
NAYS—0  
NOT VOTING—3

The motion passed.

Signed  
PHILIP RUGGIERO  
Secretary

March 15, 1976

Mr. Speaker:

The House Professional Licensure Committee did not meet during the week of March 8, 1976.

Hon. ULYSSES SHELTON  
Chairman

Mr. PERRY, chairman of the State Government Committee, presented the following report:

March 15, 1976

Mr. Speaker:

The House State Government Committee did not meet during the week of March 8, 1976.

Hon. PETER E. PERRY  
Chairman

March 22, 1976

Mr. Speaker:

Attached please find attendance and roll call sheets for the State Government Committee Meetings held during the week of March 15, 1976.

Hon. PETER E. PERRY  
Chairman

Attendance Report

The State Government Committee met on March 15, 1976 in Room 115-A. The meeting started at 1:35 p.m. and adjourned at 2:00 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Peter Perry	X	
Robert Geisler	X	
Mark Cohen	X	
Ted Berlin		X
Ronald Cowell	X	
Anthony DiDonato		X
James Green	X	
Phyllis Kernick	X	
James Manderino	X	
James McIntyre	X	
William Renwick	X	
Thomas Stapleton	X	
Benjamin Wilson	X	
Richard Cessar	X	
Charlotte Fawcett		X
Patrick Gleason		X
Samuel Hayes, Jr.	X	
Guy Kistler	X	
Carmel Sirianni		X
Earl Smith	X	
David Turner	X	

Signed  
MARK COHEN  
Secretary

OFFICIAL LEAVE REQUESTS

I Pat Gleason ask for official leave of absence from attending the meeting of the State Government Committee on March 15, 1976 for the following reason:

Other reasons (Illness).

Signed: PAT GLEASON

I Charlotte Fawcett ask for official leave of absence from attending the meeting of the State Government Committee on March 15, 1976 for the following reason:

Conflicting committee meeting.

Signed: CHARLOTTE FAWCETT

ROLL CALL

The State Government Committee met on March 15, 1976 to vote on amendments to House Bill No. 1738, Printer's No. 2208, sponsored by Mr. Geisler, seconded by Mr. Cessar.

The yeas and nays were taken and were as follows:

Member	Vote
Peter Perry	yea
Robert Geisler	yea
Mark Cohen	yea
Ted Berlin	not voting
Ronald Cowell	yea
Anthony DiDonato	not voting
James Green	yea
Phyllis Kernick	yea
James Manderino	not voting
James McIntyre	yea
William Renwick	yea
Thomas Stapleton	yea
Benjamin Wilson	yea
Richard Cessar	yea
Charlotte Fawcett	not voting
Patrick Gleason	not voting
Samuel Hayes, Jr.	yea
Guy Kistler	yea
Carmel Sirianni	not voting
Earl Smith	yea
David Turner	yea

YEAS—15

NAYS—0

NOT VOTING—6

The motion passed.

Signed  
MARK COHEN  
Secretary

AMENDMENTS TO HOUSE BILL No. 1738,

Printer's No. 2208

Amend Title, page 1, line 2, by removing the comma after "Governor" and inserting: and the Department of Public Welfare,

Amend Sec. 1, page 1, line 7, by removing the comma after "Governor" and inserting: and the Department of Public Welfare,

Amend Sec. 1, page 4, lines 16 through 19, by striking out all of said lines and inserting:

Being part of the lands conveyed to the Commonwealth of Pennsylvania by the Board of Managers of Friends Hospital on July 22, 1949 and recorded in Deed Book 911, page 420 in the County of Bucks, Pennsylvania.

ROLL CALL

The State Government Committee met on March 15, 1976 to vote on House Bill No. 1738, Printer's No. 2208 as amended, sponsored by Mr. Renwick, seconded by Mr. Geisler.

The yeas and nays were taken and were as follows:

Member	Vote
Peter Perry	yea

Robert Geisler	yea
Mark Cohen	yea
Ted Berlin	not voting
Ronald Cowell	yea
Anthony DiDonato	not voting
James Green	yea
Phyllis Kernick	yea
James Manderino	not voting
James McIntyre	yea
William Renwick	yea
Thomas Stapleton	yea
Benjamin Wilson	yea
Richard Cessar	yea
Charlotte Fawcett	not voting
Patrick Gleason	not voting
Samuel Hayes, Jr.	yea
Guy Kistler	yea
Carmel Sirianni	not voting
Earl Smith	yea
David Turner	yea

YEAS—15  
 NAYS—0  
 NOT VOTING—6

The motion passed.

Signed  
 MARK COHEN  
 Secretary

ROLL CALL

The State Government Committee met on March 15, 1976 to vote on House Bill No. 1845, Printer's No. 2369 as committed, sponsored by Mr. Geisler, seconded by Mrs. Kernick.

The yeas and nays were taken and were as follows:

Member	Vote
Peter Perry	yea
Robert Geisler	yea
Mark Cohen	yea
Ted Berlin	not voting
Ronald Cowell	yea
Anthony DiDonato	not voting
James Green	yea
Phyllis Kernick	yea
James Manderino	not voting
James McIntyre	yea
William Renwick	yea
Thomas Stapleton	yea
Benjamin Wilson	yea
Richard Cessar	yea
Charlotte Fawcett	not voting
Patrick Gleason	not voting
Samuel Hayes, Jr.	yea
Guy Kistler	yea
Carmel Sirianni	not voting
Earl Smith	yea
David Turner	yea

YEAS—15  
 NAYS—0  
 NOT VOTING—6

The motion passed.

Signed  
 MARK COHEN  
 Secretary

ROLL CALL

The State Government Committee met on March 15, 1976 to vote to report out as committed House Bill No. 2202, Printer's No. 2884, sponsored by Mr. Geisler, seconded by Mr. Cessar.

The yeas and nays were taken and were as follows:

Member	Vote
Peter Perry	yea
Robert Geisler	yea
Mark Cohen	yea
Ted Berlin	not voting
Ronald Cowell	yea
Anthony DiDonato	not voting
James Green	yea
Phyllis Kernick	yea
James Manderino	not voting
James McIntyre	yea
William Renwick	yea
Thomas Stapleton	nay
Benjamin Wilson	yea
Richard Cessar	yea
Charlotte Fawcett	not voting
Patrick Gleason	not voting
Samuel Hayes, Jr.	yea
Guy Kistler	yea
Carmel Sirianni	not voting
Earl Smith	yea
David Turner	yea

YEAS—14  
 NAYS—1  
 NOT VOTING—6

The motion passed.

Signed  
 MARK COHEN  
 Secretary

Attendance Report

The State Government Committee met on March 16, 1976 in Room 115-A. The meeting started at 3:30 p.m. and adjourned at 4:30 p.m.

The roll was taken and was as follows:

Member	Present	Absent
Peter Perry	X	
Robert Geisler	X	
Mark Cohen	X	
Ted Berlin	X	
Ronald Cowell	X	
Anthony DiDonato		X
James Green	X	
Phyllis Kernick		X
James Manderino	X	
James McIntyre	X	
William Renwick	X	
Thomas Stapleton	X	

Benjamin Wilson	X	
Richard Cessar	X	
Charlotte Fawcett	X	
Patrick Gleason		X
Samuel Hayes, Jr.	X	
Guy Kistler	X	
Carmel Sirianni	X	
Earl Smith	X	
David Turner	X	

Signed  
MARK COHEN  
Secretary

OFFICIAL LEAVE REQUESTS

I Pat Gleason ask for official leave of absence from attending the meeting of the State Government Committee on March 16, 1976 for the following reason:

Other reasons (Illness).

Signed: PATRICK GLEASON

I Phyllis Kernick ask for official leave of absence from attending the meeting of the State Government Committee on March 16, 1976 for the following reason:

Other reasons (Illness).

Signed: PHYLLIS KERNICK

ROLL CALL

The State Government Committee met on March 16, 1976 to vote to pass over House Bill No. 1130, Printer's No. 1298, sponsored by Mr. Berlin, seconded by Mr. Cessar.

The yeas and nays were taken and were as follows:

Member	Vote
Peter Perry	yea
Robert Geisler	yea
Mark Cohen	yea
Ted Berlin	yea
Ronald Cowell	yea
Anthony DiDonato	not voting
James Green	yea
Phyllis Kernick	not voting
James Manderino	yea
James McIntyre	yea
William Renwick	yea
Thomas Stapleton	yea
Benjamin Wilson	yea
Richard Cessar	yea
Charlotte Fawcett	yea
Patrick Gleason	not voting
Samuel Hayes, Jr.	yea
Guy Kistler	yea
Carmel Sirianni	yea
Earl Smith	yea
David Turner	yea

YEAS—18  
NAYS—0  
NOT VOTING—3

The motion passed.

Signed  
MARK COHEN  
Secretary

Mr. BONETTO, chairman of the Transportation Committee, presented the following report:

March 15, 1976

Honorable Herbert Fineman  
Speaker of the House  
Harrisburg, Pennsylvania

Dear Herb:

There were no Transportation Committee meetings held during the week of March 8, 1976.

Respectfully submitted,  
Rep. JOSEPH A. PETRARCA  
Secretary  
Transportation Committee

March 22, 1976

Honorable Herbert Fineman  
Speaker of the House  
Harrisburg, Pennsylvania

Dear Herb:

There was a meeting of the Transportation Committee on Tuesday, March 16, 1976 in the Minority Caucus Room. All the members were present except Representative Zwikl, who was excused and Representatives Berson, Stout and Zord, who were absent.

Senate Bill 1276 was reported out of committee, as amended. House Bills 219, 2003, 2147 and 2184 were reported out of committee, as committed.

Respectfully submitted,  
Rep. JOSEPH A. PETRARCA  
Secretary  
Transportation Committee

Mr. CAPUTO, chairman of the Urban Affairs Committee, presented the following report:

March 22, 1976

Subject: Urban Affairs Committee Meeting—  
March 15, 1976

To: The Honorable Herbert Fineman, Speaker

From: Charles N. Caputo, Chairman

The Urban Affairs Committee met on March 15, 1976 and voted to report the following bills to the floor as committed:

House bill No. 1778, Printer's No. 2281  
House bill No. 1779, Printer's No. 2282  
House bill No. 1781, Printer's No. 2284  
House bill No. 1782, Printer's No. 2285  
House bill No. 1785, Printer's No. 2288

The Attendance Report and Roll Calls for these bills are attached.

Attendance Report

The Urban Affairs Committee met on March 15, 1976 in Room 328 (Minority Caucus Room). The meeting started at 11:35 a.m. and adjourned at 12:00 noon.

The roll was taken and was as follows:

Member	Present	Absent
Charles N. Caputo	X	
Samuel Rappaport	X	
Bernard J. Dombrowski	X	
Theodore Berlin		X
Thomas E. Flaherty	X	
Joel J. Johnson	X	
William J. McLane	X	
John P. Milliron		X
Michael M. Mullen	X	
Frank L. Oliver	X	
Max Pievsky	X	
Stephen R. Reed	X	
David P. Richardson	X	
William W. Rieger	X	
Thomas H. Worrilow	X	
Daniel E. Beren	X	
Alvin Katz	X	
James W. Knepper, Jr.		X
Stanford I. Lehr		
Charles F. Mebus	X	
Fortunato N. Perri		X
Herbert K. Zearfoss		X

Mr. Milliron was excused because of illness.

Mr. Knepper was excused because of conflicting duties in legislative district.

Mr. Zearfoss was excused because of a prior commitment in legislative district.

Signed  
BERNARD J. DOMBROWSKI  
Secretary

ROLL CALL

The Urban Affairs Committee met on March 15, 1976 to vote to report out as committed House Bill No. 1785, Printer's No. 2288, sponsored by Mr. Beren, seconded by Mr. Mebus.

The yeas and nays were taken and were as follows:

Member	Vote
Charles N. Caputo	yea
Samuel Rappaport	yea
Bernard J. Dombrowski	yea
Theodore Berlin	not voting
Thomas E. Flaherty	yea
Joel J. Johnson	yea
William J. McLane	yea
John P. Milliron	not voting
Michael M. Mullen	yea
Frank L. Oliver	yea
Max Pievsky	yea
Stephen R. Reed	nay
David P. Richardson	nay

William W. Rieger	yea
Thomas H. Worrilow	yea
Daniel E. Beren	yea
Alvin Katz	yea
James W. Knepper, Jr.	not voting
Stanford I. Lehr	not voting
Charles F. Mebus	yea
Fortunato N. Perri	not voting
Herbert K. Zearfoss	not voting

YEAS—14  
NAYS—2  
NOT VOTING—0

The motion passed.

Signed  
BERNARD J. DOMBROWSKI  
Secretary

ROLL CALL

The Urban Affairs Committee met on March 15, 1976 to vote to report out as committed House Bill No. 1282, Printer's No. 2285, sponsored by Mr. Beren, seconded by Mr. Mebus.

The yeas and nays were taken and were as follows:

Member	Vote
Charles N. Caputo	yea
Samuel Rappaport	yea
Bernard J. Dombrowski	yea
Theodore Berlin	not voting
Thomas E. Flaherty	yea
Joel J. Johnson	yea
William J. McLane	yea
John P. Milliron	not voting
Michael M. Mullen	yea
Frank L. Oliver	yea
Max Pievsky	yea
Stephen R. Reed	nay
David P. Richardson	nay
William W. Rieger	yea
Thomas H. Worrilow	yea
Daniel E. Beren	yea
Alvin Katz	yea
James W. Knepper, Jr.	not voting
Stanford I. Lehr	not voting
Charles F. Mebus	yea
Fortunato N. Perri	not voting
Herbert K. Zearfoss	not voting

YEAS—14  
NAYS—2  
NOT VOTING—0

The motion passed.

Signed  
BERNARD J. DOMBROWSKI  
Secretary

ROLL CALL

The Urban Affairs Committee met on March 15, 1976 to vote to report out as committed House Bill No. 1781, Printer's No. 2284, sponsored by Mr. Beren, seconded by Mr. Mebus.

The yeas and nays were taken and were as follows:

Member	Vote
Charles N. Caputo	yea
Samuel Rappaport	yea
Bernard J. Dombrowski	yea
Theodore Berlin	not voting
Thomas E. Flaherty	yea
Joel J. Johnson	yea
William J. McLane	yea
John P. Milliron	not voting
Michael M. Mullen	yea
Frank L. Oliver	yea
Max Pievsky	yea
Stephen R. Reed	nay
David P. Richardson	nay
William W. Rieger	yea
Thomas H. Worrilow	yea
Daniel E. Beren	yea
Alvin Katz	yea
James W. Knepper, Jr.	not voting
Stanford I. Lehr	not voting
Charles F. Mebus	yea
Fortunato N. Perri	not voting
Herbert K. Zearfoss	not voting

YEAS--14  
NAYS--2  
NOT VOTING--0

The motion passed.

Signed  
BERNARD J. DOMBROWSKI  
Secretary

ROLL CALL

The Urban Affairs Committee met on March 15, 1976 to vote to report out as committed House Bill No. 1779, Printer's No. 2282, sponsored by Mr. Beren, seconded by Mr. Mebus.

The yeas and nays were taken and were as follows:

Member	Vote
Charles N. Caputo	yea
Samuel Rappaport	yea
Bernard J. Dombrowski	yea
Theodore Berlin	not voting
Thomas E. Flaherty	yea
Joel J. Johnson	yea
William J. McLane	yea
John P. Milliron	not voting
Michael M. Mullen	yea
Frank L. Oliver	yea
Max Pievsky	yea
Stephen R. Reed	nay
David P. Richardson	nay
William W. Rieger	yea
Thomas H. Worrilow	yea
Daniel E. Beren	yea
Alvin Katz	yea
James W. Knepper, Jr.	not voting
Stanford I. Lehr	not voting
Charles F. Mebus	yea
Fortunato N. Perri	not voting

Herbert K. Zearfoss not voting

YEAS--14  
NAYS--2  
NOT VOTING--0

The motion passed.

Signed  
BERNARD J. DOMBROWSKI  
Secretary

ROLL CALL

The Urban Affairs Committee met on March 15, 1976 to vote to report out as committed House Bill No. 1778, Printer's No. 2281, sponsored by Mr. Flaherty, seconded by Mr. Mebus.

The yeas and nays were taken and were as follows:

Member	Vote
Charles N. Caputo	yea
Samuel Rappaport	yea
Bernard J. Dombrowski	yea
Theodore Berlin	not voting
Thomas E. Flaherty	yea
Joel J. Johnson	yea
William J. McLane	yea
John P. Milliron	not voting
Michael M. Mullen	yea
Frank L. Oliver	yea
Max Pievsky	yea
Stephen R. Reed	nay
David P. Richardson	nay
William W. Rieger	yea
Thomas H. Worrilow	yea
Daniel E. Beren	yea
Alvin Katz	yea
James W. Knepper, Jr.	not voting
Stanford I. Lehr	not voting
Charles F. Mebus	yea
Fortunato N. Perri	not voting
Herbert K. Zearfoss	not voting

YEAS--14  
NAYS--2  
NOT VOTING--0

The motion passed.

Signed  
BERNARD J. DOMBROWSKI  
Secretary

March 22, 1976

Mr. Speaker:

The House Committee on Urban Affairs met on March 15, 1976 and voted to report out the following bills as committed:

- House bill No. 1778
- House bill No. 1779
- House bill No. 1781
- House bill No. 1782
- House bill No. 1785

Respectfully submitted,  
CHARLES N. CAPUTO,  
Chairman

**MASTER ROLL CALL**

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

The roll was taken and was as follows:

**YEAS—185**

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

**NOT VOTING—11**

Arthurs	Dombrowski	Knepper	Vroon
Barber	Gleason	McGraw	Zord
DiDonato	Hayes, D. S.	Thomas	

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

**CALENDAR**

**TRANSPORTATION BILL ON FINAL PASSAGE**

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 1817, printer's No. 2873, entitled:

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

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

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

Mr. RITTER. Mr. Speaker, I have not had the amendment circulated as yet. There were some changes from, of course, the previous printer's number, as well as I deleted some of my original amendments. Perhaps you want to pass over them temporarily.

The SPEAKER. The Chair will return to the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Eckensberger. Does the gentleman have amendments that he is prepared to offer at this time?

Mr. ECKENSBERGER. Mr. Speaker, I have the same problem as Mr. Ritter. It has not been distributed yet. It was distributed the last time we considered the Vehicle Code, but it has not been distributed under the new printer's number.

The SPEAKER. Are there any members who have amendments to this bill that have been distributed and to the printer's number that we have before us which is printer's No. 2873? Are there any members who have amendments to this bill which have been distributed?

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 1817**

Mr. BRANDT moved that the vote by which HOUSE BILL No. 1817, printer's No. 2774, as amended was agreed to on third consideration on Wednesday, March 10, 1975, be reconsidered.

Mr. RITTER seconded the motion.

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

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

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

- Amend Sec. 1 (Sec. 102), page 24, line 3, by striking out "ten" and inserting: 25
- Amend Sec. 1 (Sec. 102), page 24, lines 4 and 5, by striking out "because of discontinued production and limited availability,"

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

**AMENDMENTS WITHDRAWN TEMPORARILY**

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. I beg your pardon, Mr. Speaker; these amendments have not been distributed.

The SPEAKER. Does the gentleman, Mr. Pitts, have amendments that have been distributed?

Mr. PITTS. Yes, Mr. Speaker.

The SPEAKER. Thank you, sir.

The gentleman, Mr. Brandt, temporarily withdraws his amendments.

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

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

- Amend Sec. 1 (Sec. 4103), page 231, by inserting between lines 16 and 17:



(e) Extension of standards prohibited.—Vehicle equipment standards promulgated by the department shall not be extended to any vehicle which is not required by Federal standards to have the equipment.

On the question,

Will the House agree to the amendment?

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

Mr. PITTS. Mr. Speaker, this amendment would amend page 231, under section 4103, "Promulgation of vehicle equipment standards."

Mr. Speaker, this would add a new subsection, subsection (e) or paragraph (e), to read as such: "Extension of standards prohibited.—Vehicle equipment standards promulgated by the department shall not be extended to any vehicle which is not required by Federal standards to have the equipment."

This amendment, Mr. Speaker, would prevent or prohibit the department from extending antipollution or safety standards to older automobiles, either antiques or automobiles which are not required by Federal law to have such standards.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if the gentleman would yield the floor to me just for a moment, I would like to speak to Mr. Butera, please.

Mr. Speaker, I am now beginning to get some flak on my side of the aisle—and I am trying to determine whether it is also arising on Mr. Butera's side of the aisle—that in calling this bill up for amendments today without a caucus of either party, we may be running into some difficulties of explanation and understanding.

I had hoped that we could do it this way and save the hour to hour-and-a-half caucus, which almost two-thirds of the members do not attend anyway. But if we are going to continue in the way we are going now, Mr. Speaker, with everyone moving around on the floor, rustling papers, talking to his neighbor and no one being able to understand what the explanations are, then it is absolutely unwise on the part of this House to vote on such amendments without a prior caucus.

If Mr. Butera will advise me as to his thinking on the matter, if he desires a caucus or he thinks it wise, then we will call one also and see if we cannot get the members settled down. If he thinks we can get the members settled down—and I think so—then we will not call a caucus.

But I personally think that in handling amendments as important as these amendments to such an important piece of legislation, if we are going to do it without a caucus, then I ought to be able to hear myself speak, and right now from behind me I cannot hear myself speak. I do not know the conditions of Mr. Butera, but I am having real troubles hearing what I am saying and I am certain that I would have real troubles listening to the explanations of amendments, and I certainly do not want amendments to go into this bill because we do not understand them. So I would ask Mr. Butera's advice as to the way in which he would suggest we proceed.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

I appreciate the gentleman's concern. I want to make

one thing clear to him: I never want to caucus. I only caucus when I have to.

However, I think in this instance my reading of the situation is the same as Mr. Irvis', and I do not think we should ever go backwards where we are so reliant upon caucuses before we can move. But when it comes to a bill of this nature, with the many amendments that are to be offered and probably several amendments which will be redone from 2 weeks ago, I think in the interest of time and also in the interest of good legislation, we ought to—and I thought we were going to—consider them first today and either vote them later this afternoon or tomorrow morning. I think we ought to caucus, but it is not absolutely mandatory.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, again with the permission of the gentleman who yielded the floor to me—and I do apologize for interrupting you, sir, after your explanation—two things appear to me: One, the members are not going to settle down. They are still talking behind my back at the moment. And, number two, there are going to be more amendments offered than we had anticipated, and those amendments are not necessarily ready.

### DEMOCRATIC CAUCUS

Mr. IRVIS. I would, therefore, Mr. Speaker, ask that the procedure of the House be now interrupted, that House bill No. 1817 remain as called up, and that we take our members into caucus until 2:30 and then return to the floor at 2:30. That will give all of those members who have not yet had their amendments printed an opportunity to have them printed, get them to the Republican caucus and to the Democratic caucus so that we may finish this amendment situation today. Mr. Speaker, I ask that the House be declared in recess now for the purposes of caucusing until 2:30 p.m.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think before we go off the floor, we ought to set some kind of procedure so that we can find out what the amendments are.

Our problem is that the members of our caucus—particularly Mr. Beren—who are handling this bill are not quite certain as to what the amendments are. So if we set forth a procedure whereby everybody who has amendments can proceed to a central place and then Mr. Beren can come to our caucus and Mr. Bonetto to yours, perhaps we can utilize the hour or hour and a half and get back here and dispose of this bill.

If you wish, we could use the majority caucus room for everybody with amendments to proceed and make certain we have them all, and then we can make good use of the time.

Mr. IRVIS. Mr. Speaker, I agree.

We will have a staff person in the majority caucus room immediately. I would request that each member who has an amendment, whether that member be a Republican or a Democrat, report to the majority caucus room, give two copies of that amendment to our staff member. He will see to it that the Republican caucus gets a copy and the Democratic caucus gets a copy. I would ask that you proceed to do that immediately on the declaration of the recess.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. One further announcement by the Speaker: The last time we debated these amendments, the Chair advised the membership that eight copies of the amendments had to be forwarded to the desk. The Chair is not receiving eight copies as is required by the rules of this House. Any amendments that come to the desk that do not have eight copies in the set will not be accepted by the Chair. It complicates the administrative work of the people at the desk tremendously if you do not have the required number of copies in your file. Hence, the Chair will not accept any amendments that do not have a full number in the set as is required by the rules.

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

Mr. RENNINGER. Mr. Speaker, I would like to address the majority leader. The suggestion I had about meeting in the majority caucus room with all these amendments, many of which are going to be noncontroversial because there are things that are coming back from the grass roots—my thought was to go down there with the people who have worked on this bill and see which ones they have to debate here and which ones they do not. The ones they do not, why waste the time arguing about them? Let us get on to something else. That is what I am suggesting, Mr. Speaker, and I think you would save everybody's time.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I agree with the gentleman, Mr. Renninger. We will ask Mr. Beren and Mr. Bonetto both to be in the majority caucus room to confer as to which of these amendments submitted are controversial and which are noncontroversial and so mark them for each caucus.

Is that understood? You are to bring your amendments, a copy of your amendments, to the majority caucus room.

Mr. Speaker, as far as the time is concerned. We will give you a half hour to get your amendments down there and for Mr. Beren and Mr. Bonetto to mark them. We will begin caucusing at 2 o'clock and return to the floor at 3 o'clock instead of 2:30.

From 1:30 until 2 o'clock, file your amendments, controversial or noncontroversial, with Mr. Bonetto and Mr. Beren and the staff member in the majority caucus room. At 2 o'clock, we in the Democratic Party shall be caucusing from 2 until 3, and I assume Mr. Butera will follow the same schedule. Thank you, Mr. Speaker.

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, the Republican caucus will commence at 2 p.m. promptly for the explanation of the amendments.

The SPEAKER. I understand that some of the amendments are up at the clerk's desk, and the members who are introducing those amendments ought to check with the clerk to see if they are up here.

**RECESS**

The SPEAKER. The Chair now declares the House in recess until 3 p.m.

**AFTER RECESS**

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

**THE SPEAKER (Herbert Fineman) IN THE CHAIR****COMMUNICATION FROM GOVERNOR**

The Secretary to the Governor, being introduced, presented the following communication in writing from His Excellency, the Governor, which was read:

**VETO OF HOUSE BILL No. 1492**

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

March 18, 1976

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House bill No. 1492, printer's No. 2568, entitled "An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'The Administrative Code of 1929,' [further providing for membership on the State Transportation Commission] **LIMITING THE ASSIGNMENT OF SCHOOL CHILDREN.**"

This is the so-called "anti-busing" bill.

But it is not an anti-busing bill. Indeed, the word "busing" is never even mentioned in the bill itself.

H.B. 1492 is indeed a pro-busing bill, for it is nothing more than an anti-Human Relations Commission Bill, which would invite the Federal Courts to step in and dictate the very busing program in Pennsylvania that this legislation supposedly would prevent.

On December 27th, 1974, I vetoed an almost identical bill.

Again, on July 22nd, 1975, I vetoed a similar measure.

That veto was soundly sustained by the State Senate.

Now, for the third time, let me state emphatically that the measures described in H.B. 1492 will never serve to advance the cause of education or of understanding and equality among our people.

I do not believe in federally dictated busing forced upon our people by court order.

But that is exactly what this bill will produce.

In depriving the Human Relations Commission of its tools to find peaceful solutions for our schools, this bill would leave the proponents of integration no recourse but to appeal to the federal courts, which would then take direct action. This would lead to a situation in Pennsylvania's cities similar to that which is now plaguing Boston.

House Bill 1492 would deprive the Human Relations Commission of every means to do its job, thereby forcing it to abandon the quiet, deliberate and effective work the Commission has been doing with our communities.

As on the two previous occasions, the answer is obvious: in the interest of equal opportunity for all our citizens, for the continued maintenance of sensible compromise, and for the avoidance of federal court dictation of forced busing, I veto House Bill 1492 and call upon the Legislature and all our citizens to cooperate with the Human Relations Commission to work out these difficult and complex problems in a spirit of understanding rather than under the dictation of the federal courts, a course which inevitably leads to disorder and unrest.

MILTON J. SHAPP  
GOVERNOR

## VETO MESSAGE AND HOUSE BILL No. 1492 Tabled

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Mr. IRVIS moved that the communication, together with the bill, be laid on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

## ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members of the House, the Speaker has extended permission to a photographer from UPI—United Press International—to take pictures on the floor during today's session.

## SENATE MESSAGE

AMENDED SENATE BILL  
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to

## SENATE BILL No. 852

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), entitled "Public Welfare Code," further providing for the payment of the costs and expenses for the care of the child; making certain repeals; and placing a duty upon the Auditor General to ascertain and certify certain costs.

And has appointed Senators SCANLON, CIANFRANI and DOUGHERTY a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

HOUSE INSISTS ON AMENDMENTS  
NONCONCURRED IN BY SENATE

Mr. IRVIS moved that the House insist upon its amendments nonconcurred in by the Senate on SENATE BILL No. 852, printer's No. 1656, and that a Committee of Conference be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE  
ON SENATE BILL No. 852

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House: Messrs. HAMMOCK, BERSON and SCIRICA.

Ordered, That the clerk inform the Senate accordingly.

CONSIDERATION OF HOUSE BILL No. 1817  
RESUMED

The SPEAKER. The Chair is about to take up House bill No. 1817, printer's No. 2873.

Does the gentleman, Mr. Bonetto, have agreed-to amendments?

Mr. BONETTO. Yes, 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. 6114), page 294, line 28, by striking out "SUBSECTION (B) (3)" and inserting: this paragraph

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 6108), page 289, line 9, by striking out "alter" and inserting: modify

Amend Sec. 1 (Sec. 6108), page 289, line 13, by striking out "AND ALTERATIONS"

On the question,

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. 4705), page 259, lines 7 and 8, by striking out "vehicle" on line 7 and all of line 8 and inserting: school bus

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 26, line 10, by inserting after "person": , Federal, State or local government agency or authority

Amend Sec. 1 (Sec. 102), page 26, line 11, by inserting after "who": or which

Amend Sec. 1 (Sec. 1103), page 41, line 17, by inserting after "violation.": This subsection does not apply to vehicles purchased by fleet owners or governmental or quasi-governmental agencies.

On the question,

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. 6307), page 310, line 8, by inserting after "may": reasonably

Amend Sec. 1 (Sec. 6307), page 310, line 9, by removing the period after "necessary" and inserting: to enforce the provisions of this title.

Amend Sec. 1 (Sec. 6307), page 310, line 13, by inserting after "dealer": , person engaged in the business of shredding, crushing or otherwise recycling vehicles, or other public place of business

Amend Sec. 1 (Sec. 6307), page 310, line 13, by removing the period after "vehicles" and inserting: or parts

Amend Sec. 1 (Sec. 6307), page 310, line 14, by inserting after "dealer": or other person

On the question,

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 32, line 9, by removing the period after "used" and inserting: , or a vehicle for which a certificate of junk was issued and is thereafter restored to operating condition.

Amend Sec. 1 (Sec. 1117), page 51, line 5, by inserting after "department.": An insurer, as defined in the act of July 19, 1974 (P. L. 489, No. 176), known as the "Pennsylvania No-fault Motor Vehicle Insurance Act," to which title to a vehicle is assigned upon payment to the insured of the replacement value of the vehicle, shall be regarded as a transferee under this subsection.

Amend Sec. 1 (Sec. 1117), page 51, by inserting between lines 27 and 28:

(d) Reconstructed vehicle.—If a vehicle for which a certificate of junk has been issued is thereafter restored to operating condition, it shall be regarded as a reconstructed vehicle.

On the question,

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. 4571), page 253, line 11 by inserting after "POLICE": and fire

Amend Sec. 1 (Sec. 4571), page 253, line 11 by striking out "AND FIRE EQUIPMENT"

On the question,

Will the House agree to the amendment?

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. 3363), page 194, line 9 by inserting after "greater": or

Amend Sec. 1 (Sec. 3363), page 194, line 13 by striking out "declare" and inserting: establish

Amend Sec. 1 (Sec. 3363), page 194, line 6 by striking out "declared to be" and inserting: made

On the question,

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. 4553), page 252, line 30 by inserting after "COLOR": or

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4533), page 249, line 13 by striking out "prevent" and inserting: minimize the throwing of  
Amend Sec. 1 (Sec. 4533), page 249, line 14 by striking out "from being thrown"

On the question,

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. 4945), page 276, line 18, by striking out "WEIGHTS" and inserting: weight

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1316), page 73, line 12, by striking out "REGISTRATION" and inserting: Registrations

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 36, line 28, by inserting after "their": intrastate scheduled

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 31, lines 3 and 4, by striking out "or motor driven cycle,"

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 6501), page 316, line 12, by striking out "OFFENSE," and inserting: Offenses.

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

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

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

Amend Sec. 1 (Sec. 1901), page 142, lines 2 through 17, by striking out all of said lines and inserting:

(b) Title and registration fees.—

(1) No fee shall be charged for titling or registration of any of the following:

(i) Buses owned by urban mass transportation systems except school buses and other buses required to be equipped with flashing red and amber lights.

(ii) Vehicles owned by volunteer fire, rescue and ambulance associations.

(iii) Vehicles owned by foreign nationals with the rank of vice consul or higher assigned to a consulate in this Commonwealth provided that citizens of the United States are granted reciprocal exemptions.

(2) No fee shall be charged for registration of vehicles owned by veterans who lost a limb or eye or who became partially paralyzed while serving in the armed forces of the United States. Only one passenger vehicle, or one other vehicle with a gross weight or registered gross weight of not more than 9,000 pounds, shall be registered for any veteran.

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

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

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

Amend Sec. 1 (Sec. 3753), page 228, lines 6 and 7, by striking out "As a minimum, the system shall be capable of providing:" and inserting: The department shall report to each session of the General Assembly how the record of traffic safety in Pennsylvania and other states with a point system compares with states that do not have a point system, the percentage and number of accidents, serious accidents, and fatal accidents caused by each violation of this title to which a point penalty is assessed, and the percentage and number of each violation of this title to which a point penalty is attached. The system shall provide:

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

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

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

Amend Sec. 1 (Sec. 3541), page 207, line 3, by inserting after "instructions": of a

Amend Sec. 1 (Sec. 3541), page 207, line 8 by striking out "A LOCAL AUTHORITY" and inserting: Local authorities

On the question,  
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. 4921), page 271, lines 17 and 18, by striking out "This SUBSECTION does not" on line 17 and all of line 18

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

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

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

Amend Sec. 1 (Sec. 4728), page 263, line 20, by striking out "inspection"

Amend Sec. 1 (Sec. 4728), page 263, line 20, by inserting after "certificate": of inspection

Amend Sec. 1 (Sec. 4728), page 263, line 21, by striking out "rear window of the"

Amend Sec. 1 (Sec. 4728), page 263, line 21, by striking out ", or"

On the question,  
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 34, lines 19 and 20, by striking out "of a type required to be registered" and inserting: materially altered from its original construction or a vehicle

Amend Sec. 1 (Sec. 102), page 34, line 22, by inserting a period after "vehicles"

Amend Sec. 1 (Sec. 102), page 34, lines 22 and 23, by striking out "and not materially altered from its" in line 22 and all of line 23

On the question,  
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. 4525), page 245, line 14, by striking out "Tire studs AND ICE GRIPS.—"

Amend Sec. 1 (Sec. 4525), page 245, lines 15 and 16, by striking out "FROM NOVEMBER 1 OF EACH YEAR TO APRIL 30 OF THE FOLLOWING YEAR" and inserting: Ice grips and tire studs.—Vehicles with

Amend Sec. 1 (Sec. 4525), page 245, line 18, by removing the comma after "MATERIAL" and inserting: may be driven on highways from November 1 of each year to April 30 of the following year if the grips or studs are

Amend Sec. 6, page 342, lines 3 through 6, by striking out all of lines 3 through 5 and "(E)" in line 6 and inserting: (d)

Amend Sec. 6, page 342, line 10, by striking out "(F)" and inserting: (e)

On the question,  
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. 4702), page 256, line 15, by inserting after "Commonwealth": except antique and classic vehicles,

Amend Sec. 1 (Sec. 4702), page 256, line 17, by inserting after "vehicle.": Antique and classic vehicles with antique or classic vehicle plates issued pursuant to section 1340 (relating to antique and classic plates) shall be inspected annually and an official certificate of inspection and approval obtained for the vehicle.

On the question,

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. 4732), page 265, line 4, by striking out "nine" and inserting: 11

Amend Sec. 1 (Sec. 4732), page 265, line 6, by inserting after "department": and of the Pennsylvania State Police

Amend Sec. 1 (Sec. 4732), page 265, lines 10 and 11, by striking out "ONE" on line 10 and "MEMBER" on line 11 and inserting: two members

Amend Sec. 1 (Sec. 4732), page 265, lines 11 and 12, by striking out "IS A" on line 11 and "LICENSED DRIVER." on line 12 and inserting: are licensed drivers.

On the question,

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. 3362), page 193, line 27, by removing the period after "MILE" and inserting: and unless the beginning and end of the zone covered by such speed limit are so indicated by special signs appropriately placed.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 6122), page 297, lines 25 through 30; page 298, lines 1 and 2, by striking out all of said lines

Amend Sec. 6, page 342, lines 10 through 12, by striking out all of said lines

On the question,

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. 1343), page 82, line 20, by striking out "25" and inserting: 50

Amend Sec. 1 (Sec. 1343), page 82, line 25, by striking out "not less than \$100." and inserting: \$50.

Amend Sec. 1 (Sec. 4921), page 271, line 7, by striking out "12 FEET" and inserting: 14 feet 6 inches

Amend Sec. 1 (Sec. 4921), page 271, line 11, by inserting after "husbandry.": The driver shall drive as close to the right side of the highway as possible.

On the question,

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 Bill, page 80, line 5, by striking out after "businesses" all the remainder of said line; line 6, by striking out all of said lines; line 7, by striking out at the beginning of the line "of the department of State"

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

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

Mr. YOHN. Mr. Speaker, I believe that my amendments are agreed to also.

The SPEAKER. Will the gentleman, Mr. Bonetto, advise the Chair if the amendments offered by the gentleman, Mr. Yohn, are also agreed to?

Mr. BEREN. That is correct, Mr. Speaker.

The SPEAKER. Will the gentleman consult with Mr. Bonetto?

Now are the amendments being offered by the gentleman, Mr. Yohn, agreed to?

Mr. BONETTO. They are not agreed to.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4525), page 245, line 22, by removing the period after "SURFACE" and inserting: , may be used upon any highway. The provisions of this subsection shall not apply to fire fighting vehicles.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4571), page 253, by inserting after line 30:

(f) Any vehicle owned and operated by the Pennsylvania Game Commission may be equipped with revolving or flashing red lights in accordance with subsection (a).

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4524), page 244, line 10 by striking out “, including ice or snow,”

Amend Sec. 1 (Sec. 4524), page 244, line 12 by removing the period after “sticker” and inserting: and no person shall drive any motor vehicle with any ice or snow on the front windshield which materially obstructs, obscures or impairs the driver's clear view of the highway or any intersecting highway.

On the question,

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. 1302), page 62, line 10, by striking out all of said line and inserting:

(2) Motor vehicles, tractors, trailers and semi-trailers determined by the department to be used exclusively by any person, or his agents and employees, upon the farm or farms he owns or operates, or upon highways connecting the most direct route any farms or portions of farms, all of which are situated in any one county or county next adjoining thereto (unless the same is a farm tractor in which event the limitation of county lines shall not be applicable) and under the single ownership or operation of such person, shall be exempt from registration. A certificate of exemption shall be required in the case of motor vehicles, trailers and semi-trailers, except vehicles exempt from registration under this act, which use the highways as above limited, may be operated upon highways connecting by the nearest route such farm or farms and the nearest official inspection station for purposes of inspection, as provided for in this act. Vehicles exempt from registration may also be operated on the highways between such farm or farms and any garage for the purpose of having the same repaired, or between such farm or farms and another farm for the purpose of exchanging farm work without remuneration, except that the said garage or other farm is within eight miles of the farm or farms which the owner or operator of the vehicle owns or operates. Vehicles exempt from registration may also be operated on the highways between such farm or farms and any place or places for the buying or selling of farm products located within eight miles of the farm or farms which the owner or operator of the vehicle owns or operates.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

### PARLIAMENTARY INQUIRY

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

Mr. WILSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILSON. Mr. Speaker, last week or the week before we had an amendment that was adopted by this House to House bill No. 1817, printer's No. 2774. I find an error in the printing of the bill. I would like to correct that if I may at the proper time.

The SPEAKER. Will the gentleman come forward to the desk and bring his correction with him?

Mr. WILSON. 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. 1537), page 111, line 21, by removing the period after “points” and inserting: ; point credits.

Amend Sec. 1 (Sec. 1537), page 112, by inserting between lines 2 and 3:

(c) Establishment of point credits.—

(1) The department shall set up a point credit system to reward and promote good driving records. One point credit shall be allocated to each licensed driver who drives violation free for 24 consecutive months up to a maximum point credit of five points.

(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 amendments?

Amendments were agreed to.

### AMENDMENT WITHDRAWN

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

Mr. PITTS. Mr. Speaker, earlier I submitted an amendment. I want to know what the status of the amendment is now. Where it is now?

The SPEAKER. Will the gentleman withdraw his amendment at the moment? The Chair will recognize the gentleman next.

Mr. PITTS. Yes, Mr. Speaker.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3112), page 161, line 26, by striking out “Unless” and inserting: When

Amend Sec. 1 (Sec. 3112), page 161, line 26, by striking out “prohibiting” and inserting: permitting

Amend Sec. 1 (Sec. 3353), page 191, lines 10 and 11 by striking out “not less than \$5 nor more” in line 10, all of line 11 and inserting: of \$15.

Amend Sec. 1 (Sec. 3354), page 192, line 16 by striking out “not less than \$5 nor more than \$25.” and inserting: \$15.

Amend Sec. 1 (Sec. 4523), page 243, line 11 by inserting after “regulation.”: All such regulations shall be approved by the General Assembly before they become effective.

Amend Sec. 1 (Sec. 4531), page 248, line 9 by inserting a period after “law”

Amend Sec. 1 (Sec. 4531), page 248, lines 9 and 10 by striking out “or by regulations” in line 9 and all of line 10

Amend Sec. 1 (Sec. 4532), page 248, line 21 by inserting after “equipment.”: All such regulations shall be approved by the General Assembly before they become effective.

Amend Sec. 1 (Sec. 4904), page 269, line 2 by striking out “two” and inserting: three

Amend Sec. 1 (Sec. 6304), page 308, line 8 by striking out "(a) General rule.—"

Amend Sec. 1 (Sec. 6304), page 308, line 11 by removing the comma after "costs" and inserting a period

Amend Sec. 1 (Sec. 6304), page 308, lines 12 through 30, page 309, lines 1 through 6 by striking out all of said lines

Amend Sec. 1 (Sec. 6322), page 312, line 5 by striking out "week" and inserting: month

Amend Sec. 1 (Sec. 6322), page 312, line 10 by striking out "week" and inserting: month

Amend Sec. 1 (Sec. 6322), page 312, lines 12 and 13 by striking out "the following week," and inserting: seven days,

Amend Sec. 1 (Sec. 6322), page 312, lines 22 and 23 by striking out "clear and concise reasons supporting the adjudication,"

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

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

Mr. RITTER. Mr. Speaker, in order to save both time and money, I put all six amendments on one sheet and I have numbered where I think the amendment can be divided. If I am in order, I would like to move that the amendments be divided along the lines that I have indicated on my amendments, "1, 2, 3, 4, 5, and 6."

The SPEAKER. Which amendment does the gentleman desire to address himself to first?

Mr. RITTER. The one marked number "1," Mr. Speaker.

The SPEAKER. The question is divided in accordance with the suggestion of the gentleman as indicated. I assume that every member's amendment is similarly marked.

The gentleman may proceed.

Mr. RITTER. Mr. Speaker, this bill, on page 161, makes a change in existing law. It says that at every intersection controlled by a traffic signal, you will be allowed to make a right turn on a red light, unless specifically prohibited by the placing of a sign.

Now in many municipalities across this Commonwealth, under present law, you may make a right turn on a red signal if a sign is erected allowing you to do so. In my hometown of Allentown, for instance, out of the number of intersections controlled by traffic signals, only at four do we allow a right turn on a red signal and we do so by placing a sign.

Now if this bill becomes law without my amendment, it means that all of those other, over 90 percent, of our intersections, would require the placing of a sign prohibiting a right turn on a red light. That is an additional burden that I do not think my hometown can afford and I do not think that anyone else's municipality which has a number of traffic signals can afford either.

My amendment simply replaces the word "Unless" and it says, "When" a sign is erected permitting right turns on red lights, then you may do so. In other words, if you do not do that and if you want to allow a right turn on a red light, then you would erect a sign saying that that can be done; otherwise you simply do not have to put any signs up and you cannot make a right turn on the red light. I ask for support for my amendment.

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

Mr. MCGINNIS. Mr. Speaker, I believe it is the inten-

tion of this part of the bill to bring Pennsylvania into the 20th century and to allow the operators of motor vehicles in this state to make a right turn, as they do in Florida and other states, when it is safe. I believe it is up to the municipality to post a sign to let the motorists know when it is unsafe. But to have to post a sign at every intersection in the State of Pennsylvania prohibiting a right turn, I believe is wrong.

If we are going to pass this bill, let the people of Pennsylvania make a right turn when there is no sign and let them stop when there is a sign posted by the local municipality showing them that it is dangerous.

Thank you, sir.

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

Mr. BONETTO. Mr. Speaker, 35 states at the present time do exactly what we now have in the code—they permit right turns at red lights with no signs. To indicate that you cannot make a turn on the red light, they have a sign. Thirty-five states now do it. We will be the 36th state to do it.

It is a very costly proposition to post the signs. There are approximately 8,400 signals in Pennsylvania, 1,200 of which would have to be posted indicating no right turn; 7,200 or so at which you would be automatically making a right turn. I therefore oppose the amendment.

On the question,

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

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

YEAS—19

Brandt	Kistler	Ryan	Westerberg
Eckensberger	Lederer	Schmitt	Wilson
Garzia	McLane	Schweder	Zeller
Greenfield	Reed	Shuman	Zwinkl
Hill	Ritter	Weidner	

NAYS—161

Abraham	Geesey	Manmiller	Ross
Anderson, J. H.	Geisler	McCall	Ruggiero
Bellomini	George	McClatchy	Saloom
Bennett	Giammarco	McCue	Salvatore
Beren	Gillespie	McGinnis	Scheaffer
Berlin	Gillette	McIntyre	Scirica
Bittle	Gleeson	Mebus	Seltzer
Bonetto	Goodman	Menhorn	Shane
Bradley	Green	Milanovich	Shelhamer
Brunner	Grieco	Miller, M. E.	Shelton
Burns	Gring	Miller, M. E., Jr.	Shupnik
Butera	Halverson	Milliron	Sirianni
Caputo	Hamilton, J. H.	Miscevich	Smith, E.
Cessar	Hammock	Moehlmann	Smith, L.
Citrini	Hasay	Morris	Spencer
Cohen	Haskell	Mrkoncic	Stahl
Cole	Hayes, S. E.	Mullen, M. P.	Stapleton
Cowell	Hepford	Mullen	Stout
Crawford	Hopkins	Musto	Taddonio
Cumberland	Hutchinson, A.	Myers	Taylor
Davles	Hutchinson, W.	Novak	Toll
DeMedio	Irvis	Noye	Trello
Deverter	Itkin	O'Brien	Turner
Dicarlo	Johnson, J.	O'Connell	Ustynoski
DiDonato	Katz	O'Donnell	Valicenti
Dietz	Kelly, A. P.	O'Keefe	Wagner
Dininni	Kelly, J. B.	Oliver	Walsh, T. P.
Dorr	Kernick	Pancoast	Wansacz
Doyle	Klingaman	Parker, H. S.	Wargo
Dreibelbis	Kolter	Perri	Whelan
Englehart	Kowalyszyn	Petrarca	Wilt, R. W.
Fawcett	Kusse	Pievsky	Wilt, W. W.
Fee	LaMarca	Pitts	Worrlow
Fischer	Laudadio	Polite	Wright
Fisher	Laughlin	Pratt	Yahner
Flaherty	Lehr	Prendergast	Yohn



Foster, A.	Letterman	Pyles	Zearfoss
Foster, W.	Levi	Ravenstahl	Fineman.
Fryer	Lincoln	Renninger	Speaker
Gallagher	Lynch	Renwick	
Gallen	Manderino	Rieger	

NOT VOTING—16

Arthurs	Gleason	Perry	Thomas
Barber	Hayes, D. S.	Rappaport	Vroon
Berson	Knepper	Rhodes	Wojdak
Dombrowski	McGraw	Richardson	Zord

So the question was determined in the negative and Part I of the Ritter amendments was not agreed to.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, I do not know if all the amendments have been printed, but about 80 percent of the amendments coming to our desks have no member's name on them. That is the only way we have to organize these amendments.

So if somebody has not had their amendment printed yet, would they please put their name on the amendment before it gets printed for distribution so we can tell whose or what amendment is being talked about?

The SPEAKER. A name or some other form of identification. The gentleman is absolutely correct.

The Chair recognizes the gentleman from Lehigh, Mr. Ritter, to address himself to the second part of the amendments.

Mr. RITTER. Mr Speaker, it is my understanding that Mr. Bonetto and Mr. Beren agree to these amendments, number "2."

Mr. BONETTO. That is correct.

Mr. BEREN. That is correct.

On the question,

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

Amendments were agreed to.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, to address himself to the third part of the amendments.

Mr. RITTER. Mr. Speaker, briefly, on page 243 and on page 248, it deals with emission control and noise control on the highways. In addition to some language involving those two subjects, it says that those items are subject to such other rules and regulations as the department may promulgate.

My amendment simply says, in that case, under emission control and noise control: "All such regulations shall be approved by the General Assembly before they become effective."

I think it is about time, Mr. Speaker, that we get a hold on departments in this Commonwealth that promulgate rules and regulations which affect all of us. We ought to have them come before us and tell us why they want them changed and in what way they want them changed and then get out approval. That is what I am doing in my amendment, and I ask for support of the amendment.

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

Mr. BONETTO. Mr. Speaker, I oppose the amendment, and the simple reasoning behind my opposition is the fact that on emission control, we will be governed by what the Federal Government does. In order to comply with the action of the Federal Government, it will be

necessary for the department to issue regulations in compliance with those issued by the Federal Government. For that reason, I ask a negative vote on this amendment.

On the question,

Will the House agree to Part III of the Ritter amendments?

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

YEAS—127

Abraham	Gillette	Milanovich	Seltzer
Anderson, J. H.	Goodman	Miller, M. E.	Shelhamer
Beren	Crieco	Miller, M. E., Jr.	Shuman
Bittle	Gring	Milliron	Shupnik
Bradley	Halverson	Miscevich	Sirianni
Brandt	Hamilton, J. H.	Mochlmann	Smith, E.
Burns	Hammock	Morris	Smith, L.
Butera	Hasay	Mrkonje	Spencer
Cessar	Haskell	Mullen	Stahl
Cimint	Hayes, S. E.	Musto	Taddonto
Cowell	Hepford	Noye	Toll
Crawford	Hill	O'Brien	Trello
Cumberland	Hopkins	O'Connell	Turner
Davies	Hutchinson, A.	O'Donnell	Ustynoski
Deverter	Hutchinson, W.	Pancoast	Wagner
Dicarlo	Katz	Parker, H. S.	Walsh, T. P.
Dietz	Kelly, J. B.	Perri	Wansacz
Dininni	Kernick	Petrarca	Wargo
Dorr	Klingaman	Pitts	Weidner
Dreibelbis	Kolter	Polite	Westerberg
Eckensberger	Kusse	Pyles	Whelan
Fawcett	Laughlin	Reed	Wilson
Fischer	Lehr	Renninger	Wilt, R. W.
Fisher	Levi	Renwick	Wilt, W. W.
Foster, A.	Lynch	Ritter	Worrilow
Foster, W.	Manmiller	Ryan	Wright
Fryer	McCall	Saloom	Yahner
Gallen	McClatchy	Salvatore	Yohn
Garzia	McCue	Scheaffer	Zearfoss
Geesey	McGinnis	Schmitt	Zeller
George	McLane	Schweder	Zwinkl
Giammarco	Mebus	Scirica	

NAYS—54

Bellomini	Flaherty	Lederer	Ravenstahl
Bennett	Gallagher	Letterman	Rieger
Berlin	Geisler	Lincoln	Ross
Berson	Gillespie	Manderino	Ruggiero
Bonetto	Gleeson	McIntyre	Shane
Brunner	Green	Menhorn	Shelton
Caputo	Greenfield	Mullen, M. P.	Stapleton
Cohen	Irvic	Myers	Stout
Cole	Itkin	Novak	Taylor
DeMedio	Johnson, J.	O'Keefe	Valicenti
DiDonato	Kelly, A. P.	Oliver	Wojdak
Doyle	Kistler	Pievsky	
Engelhart	Kowalshyn	Pratt	Fineman,
Fee	LaMarca	Prendergast	Speaker

NOT VOTING—15

Arthurs	Hayes, D. S.	Perry	Thomas
Barber	Knepper	Rappaport	Vroon
Dombrowski	Laudadio	Rhodes	Zord
Gleason	McGraw	Richardson	

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

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, to address himself to the fourth part of the amendments.

Mr. RITTER. Mr. Speaker, on page 269 of the bill, it talks about "Driveaway-towaway operations", and it says: "Not more than two truck-tractors, empty trucks . . ." et cetera, ". . . may be towed by a truck-tractor. . ."

What that is talking about is this: For instance, in Allentown, we have the Mack Truck Company which manufactures tractors, and one tractor can pull two other tractors provided only the rear wheels are touching. That is present law.

My amendment simply seeks to change the "two" to "three" and allow three tractors to be pulled by one. They are still subject to the overall length limitations that are presently in the bill.

I am convinced, in talking to them, that on their 10-foot snub-nosed tractors they can haul three tractors without exceeding the overall length requirements. It would enable them to be a little bit more competitive in the truck market, and I ask for an affirmative vote on the amendment.

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

Mr. BONETTO. Mr. Speaker, I think the determination of this particular amendment must be made by this General Assembly.

I wish to inform you that this would require the towing of three vehicles instead of two. One of the safety factors involved in adding an extra vehicle to the towing which now is permissible—hauling two vehicles—is the sway. And if you feel, in this General Assembly, that it is safe to tow three vehicles on the highway at the same time, your decision will have to be made by your vote.

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

Mr. WESTERBERG. Mr. Speaker, I feel that this will not be a safety problem, because it is not exactly the same as towing three vehicles. Actually, the front axles are on the front of the vehicle and only the rear wheels of these truck-tractors are on the ground.

The limitation, as Mr. Ritter said, will still be 55 feet. There will not be any more axles on the ground now than there are on a three-axle tractor and a two-axle trailer. I do not see where there is any safety involved, but I do think that it would improve business conditions here.

It is a shame that, for instance, the Mack Truck Company, hauling these out of Pennsylvania, can go to the Ohio line, where it is legal then to haul three, but between here and the Ohio line it is not. They can haul them all the way to the west coast that way, but they cannot get them out of Pennsylvania. I think that this is just a sensible amendment and I hope the members will vote for it.

On the question,

Will the House agree to Part IV of the Ritter amendments?

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

YEAS—113

Anderson, J. H.	Garzia	Manmiller	Salvatore
Bellomini	Geesey	McCall	Schweder
Beren	Geisler	McGinnis	Scrica
Rittle	George	McLane	Seltzer
Bonetto	Gleeson	Mebus	Shane
Bradley	Goodman	Milanovich	Shelton
Brandt	Green	Miller, M. E.	Shuman
Brunner	Greenfield	Miller, M. E., Jr.	Sirianni
Burns	Gring	Milliron	Smith, E.
Butera	Halverson	Miscevich	Smith, L.
Caputo	Hammock	Moehlmann	Spencer
Cohen	Haskell	Morris	Stahl
Cole	Hepford	O'Brien	Stout
Crawford	Hill	O'Connell	Turner
Cumberland	Hutchinson, A.	O'Donnell	Wagner
Davies	Hutchinson, W.	Pancoast	Weidner
DeMedio	Klstler	Perri	Westerberg
Deverter	Klingaman	Pitts	Whelan
DiDonato	Kolter	Polite	Wilson
Dininni	Kusse	Pratt	Wilt, R. W.
Dorr	LaMarca	Prendergast	Wilt, W. W.

Dreibelbis	Laudadio	Rappaport	Worrlow
Eckensberger	Laughlin	Ravenstahl	Wright
Engelhart	Lederer	Reed	Yahner
Fee	Lehr	Renwick	Yohn
Fischer	Levi	Ritter	Zearfoss
Foster, A.	Lincoln	Ruggiero	Zeller
Foster, W.	Lynch	Ryan	Zwki
Gallen			

NAYS—67

Abraham	Hamilton, J. H.	Menhorn	Scheaffer
Bennett	Hasay	Mrkonic	Schmitt
Berlin	Hayes, S. E.	Mullen	Shelhamer
Cessar	Hopkins	Mullen, M. P.	Shupnik
Cimini	Irvis	Musto	Stapleton
Cowell	Itkin	Novak	Taddonio
Dicarlo	Johnson, J.	Noye	Taylor
Dietz	Katz	O'Keefe	Toll
Doyle	Kelly, A. P.	Oliver	Trelio
Fawcett	Kelly, J. B.	Parker, H. S.	Ustynoski
Fisher	Kernick	Petrarca	Valicenti
Flaherty	Kowalyshyn	Pievsky	Walsh, T. P.
Fryer	Letterman	Pyles	Wansacz
Gallagher	Manderino	Renninger	Wargo
Giammarco	McClatchy	Rieger	
Gillespie	McCue	Ross	Fineman, Speaker
Gillette	McIntyre	Saloom	
Grieco			

NOT VOTING—16

Arthurs	Gleason	Myers	Thomas
Barber	Hayes, D. S.	Perry	Vroon
Berson	Knepper	Rhodes	Wojdak
Dombrowski	McGraw	Richardson	Zord

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

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, to address himself to the fifth part of the amendments.

Mr. RITTER. Mr. Speaker, this is on pages 308 and 309 of the bill and it deals with the apprehension of an out-of-state violator. My amendment would seek to remove all of the language except that which is in the present law. I will read what the present law is and what I would like to keep in. "Upon arrest of a nonresident for any violation of this title, a police officer shall escort the defendant to the appropriate issuing authority for a hearing, posting of bond or payment of the applicable fine and costs" period.

My amendment would then seek to strike out all the rest of the language which deals with the fact that a police officer may stop an out-of-state resident and receive payment of a fine and costs right there. Then in the presence of the police officer, the defendant shall insert the money into an envelope addressed to the proper issuing authority, and then the defendant and the police officer shall proceed to the nearest mailbox and, in the presence of the police officer, the defendant shall deposit same in the mailbox.

I do not want to get into all of the ramifications of that, but I frankly do not believe that any police officer should be in the business of arresting violators of the Motor Vehicle Code and, at the same time, sitting there and accepting payment of fine and costs simply because somebody happens to be from out of state.

In larger municipalities where a police officer patrols a large area and where there may be four or five district magistrates, whenever he goes into any one of those areas and he makes an arrest, that is the issuing authority he must go to.

Under this bill the way it is written, every police officer will have to carry in his police car a box full of envelopes with all of the names and addresses of the appropriate issuing authorities within the areas which

he patrols. In the city of Pittsburgh, in the city of Allentown, and in other larger municipalities, he is going to have his whole front seat full of envelopes. He is going to have to stop and make sure that he gets the right one to give to the defendant so the defendant may, if he wants to, put the money in the envelope. Then they both go to a mail box and go through all of the other rigmarole. I just do not think it is worth it and I think we ought to eliminate that.

I just got a note, and I think this question is proper: What if the defendant does not have the proper amount of money with him or he has a \$50 bill and the fine and costs may be \$15? Is the police officer required to provide \$35 in change? And if so, how does he get that money back?

I think this provision in the bill is fraught with problems, and you are going to create a great deal more for the police officer by making him do it this way. I think the present law which requires the police officer to take him to the nearest available magistrate for posting of bond or an immediate hearing is sufficient. I would ask support for my amendment.

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment. I rise to oppose it for a couple of reasons. Number one, the prior gentleman talked about the problems that are going to come about by some municipal policeman who may have a problem deciding which magistrate to send this violation to.

I would like to point out to the gentleman that the State Police already have a far greater responsibility than that. They not only would have to point out the magistrate on this but they now point out the township and the county. So I do not see any problem with adding a magistrate's name.

But I think there is something that is more important to every resident in Pennsylvania, and that is this: If you are caught on the highway for violating the laws of Pennsylvania, you are required to pay your fine. But the fact of the matter is, if you are from outside Pennsylvania, with the exception of a couple states, you can simply walk away from that fine and forget about it. This amendment in this bill would say, stay or pay. I agree with that concept.

There is one other thing that should be considered here. For any driving member of the public who is a member of the AAA club, you are already given a bond that you may forfeit. The Club will guarantee that your fine is paid.

For that reason, I would oppose the amendment, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, we have provided in this bill an alternative for out-of-state drivers who violate the law in Pennsylvania. The state policeman or the local policeman who makes an arrest of an out-of-state driver can collect the fine under present law. That is also included in this bill. But this is an alternative. The reason it was done is that we collect from out-of-staters on an average of one or two out of 10. Eight of them get away scot-free. Is it not amazing that we have to be sympathetic to the out-of-stater who drives on our high-

ways, while you and I who violate the law in Pennsylvania get points, we get fines, and we also can be suspended?

I suggest to you to vote "no" on this amendment, because I think that it is one way we are going to be able to catch those who come from out of state, come to Pennsylvania, violate the law, thumb their nose at our policemen and go back home and never pay a fine.

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

Mr. RITTER. Mr. Speaker, just two things.

First of all, the gentleman, Mr. Shelhamer, said that a police officer would have to point out the magistrate. I am not saying that at all. He knows what district he is in. But what he is going to have to do is make sure he has a stamped envelope with that man's name and address on it, and that means he may have to carry as many as 15 or 20 different envelopes in that police car.

The gentleman, Mr. Bonetto, indicated that I am sympathetic—or at least those of us who support this amendment are—to out-of-state people coming in and violating our laws. I say that that is absolutely untrue. But the present law says that the police officer shall escort that defendant to the nearest available magistrate for the posting of a bond for his appearance at a hearing at a later date or he may demand an immediate hearing and have his day in court right then and there. There is no problem with that. There is a provision in this bill which gives the secretary the right to enter into reciprocal agreements with other states. Why are we not doing that, Mr. Speaker?

I am saying you are putting an unfair burden on police officers in this Commonwealth. They are going to be arresting officers; they are going to be fine collectors; they are going to be change makers; they are going to need a cash register in their car. Certainly I am being facetious in some of my remarks, but I think we are going too far. Let the police officer take that defendant who is from out of state to a magistrate who is available in that area and let him have his day in court, and the Commonwealth will get its pound of flesh if that is what we are worried about. The present law is sufficient. I do not think it is fair to put that burden on police officers. I ask for support of the amendment.

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

Mr. WESTERBERG. Mr. Speaker, Mr. Shelhamer and Mr. Bonetto have used my arguments. I will just say that this same process is used in other states and it has worked out very satisfactorily.

Somebody might say that the policemen are collecting the fines. The policemen are not collecting the fines; they are just seeing that the person who has received a citation is mailing in that fine. This has worked in other states, and I think it is a good idea for us to use it in this state.

As Mr. Bonetto has said, as a resident of this state you would not only pay the fine but you could lose your license and be suspended while too many of the out-of-staters are going free. I hope you will vote "no" on this amendment.

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

Mr. ZELLER. Mr. Speaker, I hope the members realize what problems they are creating in regard to voting

against this amendment. If you go along with Mr. Bonetto's, Mr. Westerberg's, and Mr. Shelhamer's ideas, the state policeman and the out-of-stater are going to have to take a little trip together to some local gas station or some other area to get the proper change. You are going to create so many problems, and especially when you are talking about wanting people to come into our state in regard to the Bicentennial year. You are going to have the nicest welcoming committee you ever saw in your life. And you are really going to sell Pennsylvania because they had better have the right change or, according to Mr. Shelhamer, you had better belong to a motor club.

In other words, what you are doing is aiding and abetting motor clubs now. I am not saying anything against them, but are we in the business down here to promote motor clubs? Are we here in the business of promoting the state policeman and the out-of-staters to take another guided tour around the state in order to get the proper change? You are creating havoc. These people who tell you they have no problems in other states had better bring the information here in facts and figures instead of just making rhetoric

So I say that if you want to have a state that is welcoming people to come into our state, at least let us use the good common sense we have been using presently. A few get away, but there are darn few and they know it. They are making a noise out of nothing. So let us vote for Mr. Ritter's amendment and get on with it.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Kowalyszyn.

Mr. KOWALYSHYN. Mr. Speaker, I would like to respond briefly to the statement that has just been made about making change. If the violator does not have the required change, I believe the proper practice would be for the violator to deposit a bill for an adequate amount. And since the address of the violator will be provided to the magistrate, the magistrate can then send a check for the balance so that change would not have to be made. I would like to state that there is no basis at all for this argument, and therefore the amendment should be defeated.

On the question,

Will the House agree to Part V of the Ritter amendments?

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

YEAS—25

Englehart	Klingaman	Ritter	Ustynoski
Greenfield	Laughlin	Salvatore	Wilt, R. W.
Halverson	Lederer	Schmitt	Wojdak
Hamilton, J. H.	McCue	Schweder	Yohn
Hasay	Oliver	Shuman	Zeller
Haskell	Perri	Taylor	Zwilk
Katz			

NAYS—156

Abraham	Gallagher	McClatchy	Ross
Anderson, J. H.	Gallen	McGinnis	Ruggiero
Bellomini	Garzia	McIntyre	Ryan
Bennett	Geesey	McLane	Saloom
Beren	Geisler	Mebus	Scheaffer
Berlin	George	Menhorn	Schica
Bittle	Giammarco	Milanovich	Seltzer
Bonetto	Gillespie	Miller, M. E.	Shane
Bradley	Gillette	Miller, M. E., Jr.	Shelhamer
Brandt	Gleeson	Milliron	Shelton
Brunner	Goodman	Miscevich	Shupnik
Burns	Green	Moehlmann	Sirianni

Butera	Grleco	Morris	Smith, E.
Caputo	Gring	Mrkonic	Smith, L.
Cessar	Hammock	Mullen	Spencer
Cimini	Hayes, S. E.	Musto	Stahl
Cohen	Hepford	Myers	Stapleton
Cole	Hill	Novak	Stout
Cowell	Hopkins	Noye	Taddonio
Crawford	Hutchinson, A.	O'Brien	Toll
Cumberland	Irvia	O'Connell	Trelo
Davies	Itkin	O'Donnell	Turner
DeMedio	Johnson, J.	O'Keefe	Valicenti
Deverter	Kelly, A. P.	Pancoast	Wagner
Dicarlo	Kelly, J. B.	Parker, H. S.	Walsh, T. P.
DiDonato	Kernick	Petrarca	Wansacz
Dietz	Kistler	Pievsky	Wargo
Dininni	Kolter	Pitts	Weidner
Dorr	Kowalyszyn	Polite	Westerberg
Doyle	Kusse	Pratt	Whelan
Dreibelbis	LaMarca	Prendergast	Wilson
Eckensberger	Laudadio	Pyles	Wilt, W. W.
Fawcett	Lehr	Rappaport	WorriLOW
Fee	Letterman	Reed	Wright
Fischer	Levi	Reminger	Yahner
Fisher	Lincoln	Renwick	Zarfoss
Flaherty	Lynch	Richardson	
Foster, A.	Manderino	Rieger	Fineman,
Foster, W.	Manmiller	Romanelli	Speaker
Fryer	McCaill		

NOT VOTING—15

Arthurs	Gleason	McGraw	Thomas
Barber	Hayes, D. S.	Mullen, M. P.	Vroon
Berson	Hutchinson, W.	Perry	Zord
Dombrowski	Knepper	Rhodes	

So the question was determined in the negative and Part V of the Ritter amendments was not agreed to.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, to address himself to the final part of the amendments.

Mr. RITTER. Mr. Speaker, if I may be parochial for just a few minutes, I was an alderman in the city of Allentown for about 12 years. I served on police and traffic court for a number of years and handled a lot of motor vehicle violations.

Under present law, a magistrate who handles motor vehicle violations is required, at the end of each month prior to the 10th day of the succeeding month, to send a complete report to the Department of Revenue, listing the names and addresses of each person who appeared in his office, the sections violated, and the amounts of fines and costs paid.

In addition to that, he sends a report to the municipality and sends the amount of money to the municipality they are entitled to based on the fines that he collected.

This bill seeks to change that and says that each magistrate shall now do this on a weekly basis. So instead of tying up a district magistrate's office for at least 1 day a month to make up these reports, we are now going to require them to tie up their office four times a month to make up weekly reports. Frankly, the reasons that I have heard for the weekly reports just do not make that much sense. I think the present law is sufficient in that we require them to be submitted on a monthly basis, and the department then, it seems to me, can proceed on that basis.

The second part of the amendment also deals with something which I think is not relevant to this bill, and that is, that in addition to all of the other requirements that you need to report, you also have to put down on the report clear and concise reasons for your adjudication. Frankly, Mr. Speaker, in my personal opinion, a district magistrate is no different from any judge sitting in a court of record. We do not require judges in courts of

record to give clear and concise reasons for their adjudication, and I do not see why we should require that of a district magistrate. If he wants to discharge a case on insufficient evidence, on reasonable grounds, or whatever, I do not want someone in the Department of Transportation to say that that is not a clear and concise reason and, in effect, reject that report.

Basically, my amendment seeks to leave the language the way it is under present law—that those reports have to be filed monthly and that we strike out the part about requiring clear and concise reasons for any adjudication. I ask for support of the amendment.

**THE SPEAKER PRO TEMPORE (John S. Renninger) IN THE CHAIR**

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

Mr. BONETTO. Mr. Speaker, there are several reasons this portion of the bill was changed. First, our investigation indicated to us that magistrates already make a weekly report. They mail them in once a month up to the 10th day after each month, but weekly reports are already made up by the magistrate.

Number two, and most important, for many, many months and many years since we have had the point system, the magistrate was required to send a report to the Department of Revenue and also one to the Department of Transportation. We have eliminated that dual system by saying that the magistrate will make one report every 7 days to the Department of Transportation. In doing so, the offender, the person being arrested, would surely be able to find out how many points he has got within at least 30 days. Right now, there are those who have waited 6 months after their arrest to find out whether their license is being suspended, whether they must go to school or whether or not they have been assessed points.

I think what we have done in this bill is good. A magistrate is being paid by this Commonwealth. His office is being paid by the county. He makes a report every week anyway. All we are asking him to do is mail it at the end of the week, so therefore, I oppose the amendment, Mr. Speaker.

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

Mr. RITTER. I have been in contact with the Magistrates Association and what the gentleman, Mr. Bonetto, just said is not what they indicated to me. They are making the reports on a monthly basis now. They are simply asking that we let the law remain the way it is.

I agree that we have changed how many reports they have to make. They used to report to the Department of Revenue and send a carbon copy of that report to the local municipality along with the payment of fines that the municipality was due. I do not see any way that we are changing this. We are simply replacing the Department of Revenue with the Department of Transportation. I do not see anything wrong with that. Let the Department of Transportation then send the money to the Department of Revenue. I do not care how they do it.

I am saying that we are putting an added burden on our local courts at a time when we really do not have to

do that. It seems to me that if a defendant violates the law and he pays his fine and costs and he wants to know what the points are, he can ask the magistrate at the time of his hearing. Many people send their fine and costs in through the mail. They do not even ask for a hearing, so they apparently are not that concerned about the number of points they are going to get. Whether or not we inform a defendant that three points are going to be added within 10 days or within 30 days seems to me to be kind of a facetious argument. I am talking about the amount of time and effort and money that is going to be spent in the local district magistrate's office that, to me, is not called for. I am asking that we use a little bit of reason in this.

For years and years we have required monthly reports. They were sufficient then, and I do not think there is any reason to change them now. Again, I ask for support for the amendment.

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

Mr. BEREN. Thank you, Mr. Speaker.

I oppose this amendment together with Mr. Bonetto.

On the question,

Will the House agree to Part VI of the Ritter amendments?

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

**YEAS—50**

Anderson, J. H.	Green	McClatchy	Scheaffer
Bittle	Greenfield	McCue	Schmitt
Butera	Grieco	McGinnis	Schweder
Cimini	Halverson	McIntyre	Shuman
Cumberland	Hasay	Milliron	Taylor
Davies	Haskell	Mrkonjic	Turner
Dininni	Hopkins	Perri	Ustynoski
Dorr	Katz	Polite	Weidner
Eckensberger	Kistler	Pyles	Wilt, R. W.
Englehart	Lederer	Rieger	Yohn
Foster, A.	Lehr	Ritter	Zeller
Garzia	Manmiller	Salvatore	Zwtkl
Geesey	McCall		

**NAYS—133**

Abraham	Giammarco	Milanovich	Scirica
Bellomini	Gillespie	Miller, M. E.	Seltzer
Bennett	Gillette	Miller, M. E., Jr.	Shane
Beren	Gleeson	Miscevich	Shelhamer
Berlin	Goodman	Moehlmann	Shelton
Berson	Gring	Morris	Shupnik
Bonetto	Hamilton, J. H.	Mullen, M. P.	Sirianni
Bradley	Hammock	Mullen	Smith, E.
Brandt	Hayes, S. E.	Musto	Smith, L.
Brunner	Hepford	Novak	Spencer
Burns	Hill	Noye	Stahl
Caputo	Hutchinson, A.	O'Brien	Stapleton
Cessar	Hutchinson, W.	O'Connell	Stout
Cohen	Irvin	O'Donnell	Taddonio
Cole	Itkin	O'Keefe	Toll
Cowell	Johnson, J.	Oliver	Trello
Crawford	Kelly, A. P.	Pancoast	Valicenti
DeMedio	Kelly, J. B.	Parker, H. S.	Wagner
Deverter	Kernick	Ferry	Walsh, T. P.
Dicarlo	Klingaman	Petrarca	Wansacz
Dietz	Koiter	Petrovsky	Wargo
Doyle	Kowalyszyn	Pitts	Westerberg
Dreibelbis	Kusse	Pratt	Whelan
Fawcett	LaMarca	Prendergast	Wilson
Fee	Laudadio	Rappaport	Wilt, W. W.
Fischer	Laughlin	Ravenstahl	Wojdak
Fisher	Letterman	Reed	Worrlow
Fiaherty	Levi	Renninger	Wright
Foster, W.	Lincoln	Renwick	Yahner
Fryer	Lynch	Richardson	Zearfoss
Gallagher	Manderino	Ross	
Gallen	McLane	Ruggiero	Fineman,
Gelsler	Mebus	Ryan	Speaker
George	Menhorn	Saloom	

## NOT VOTING—13

Arthurs  
Barber  
DiDonato  
Dombrowski

Gleason  
Hayes, D. S.  
Knepper

McGraw  
Myers  
Rhodes

Thomas  
Vroon  
Zord

So the question was determined in the negative and Part VI of the Ritter amendments was not agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 4103), page 231, by inserting between lines 16 and 17:

(e) Extension of standards prohibited.—Vehicle equipment standards promulgated by the department shall not be extended to any vehicle which is not required by Federal standards to have the equipment.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Mr. Speaker, this is the previous amendment that I had submitted. Again, it would amend page 231, section 4103. Essentially, it would prohibit the department from requiring any equipment on older cars that is not so required by Federal requirements or statutes.

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

Mr. BONETTO. Mr. Speaker, I would like to ask the gentleman, Mr. Pitts, one question, please.

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

Mr. PITTS. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BONETTO. Mr. Speaker, am I correct that your amendment would prohibit the Commonwealth of Pennsylvania from accepting Federal regulations on automobiles—I mean vehicles—of yesterday? Is that what you are talking about?

Mr. PITTS. That is correct, Mr. Speaker. It would prohibit the department from requiring equipment on older cars—whether it is antipollution, safety equipment, seat belts, et cetera—which is not required by Federal statute.

Mr. BONETTO. Mr. Speaker, I have no objection to this amendment. I would ask, if there is going to be a roll-call vote, that everybody vote "yes."

The SPEAKER pro tempore. If this is an agreed-to amendment, I think we will proceed to the next amendment.

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

Mr. MEBUS. Mr. Speaker, what is the section number or page that this amendment is on? I am trying to keep track of them but without names it is difficult.

The SPEAKER pro tempore. It is a new section on page 231, section 4103, to be inserted between lines 16 and 17. Actually, it is a new subsection (e), Mr. Mebus. We can re-treat this as an agreed-to amendment?

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

Amend Sec. 1 (Sec. 3368), page 199, line 20, by striking out "The rate" and inserting:

(1) The rate

Amend Sec. 1 (Sec. 3368), page 199, line 30, by striking out "ALL NEW UNITS PURCHASED" and inserting:

(2) The rate of speed of any vehicle may also be timed by the use of speed timing devices specified in paragraph (1) by members of the police force of a political subdivision having a population of not less than 20,000 on any highway within their jurisdiction except that the timing may only be done on a limited accessed or divided highway if it is patrolled by the police force under the terms of an agreement with the Pennsylvania State Police.

(3) No person may be convicted of exceeding the maximum speed limit specified or established under section 3362(a)(1) or (3) (relating to maximum speed limits) solely on the basis of timing by a speed timing device authorized under this section unless the timed speed exceeds the maximum speed limit by more than five miles per hour

(4) All new speed timing devices purchased

On the question,

Will the House agree to the amendments?

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

Mr. MEBUS. Mr. Speaker, when we originally amended this bill a week or two ago, there was a provision in it to provide for use of radar for certain of the local municipalities in the Commonwealth.

At that time the provision said that if the police force had 10 members or more, the municipality could select to use radar for speed enforcement if it so chose. This would, in some measure, allow the municipality to qualify by simply adding additional members to their police force if they felt the desire to use this provision.

Therefore, when that was stricken from the bill as it originally existed, those of us who still felt that there was a need for this right to be given to local municipalities figured that something the municipality itself cannot control should be the governing factor, and we settled upon the matter of population. So that any municipality having 20,000 or more persons residing therein may elect to use radar if they so choose.

Another provision in here that exists states that there will be a 5-mile-an-hour latitude relative to enforcement. In other words, you would have to be going at least 6 miles over the posted limit as judged by radar to allow for the possible inaccuracy of the equipment at a given moment in time. This would again provide certain specifics, recognizing the fallibility of equipment.

And still further, it incorporates the provision that Mr. Wilson amended into the bill stating that all new radar equipment and all radar equipment purchased by a municipality under the terms of this provision would be new and would have a printout feature on it, and that too

would be part of this provision if it is incorporated into the bill.

The reasons still exist for incorporating a radar provision into the bill. If we are going to have speed limits, it must be possible to enforce them. When you get into built-up municipalities, there is no way that you can reasonably enforce speeding provisions except through the use of radar. If you start to chase a speeder, then you have the opportunity to have people killed on the streets, not only by the speeder but by the chase car employed by the policeman that is coming down after them. This is a means to eliminate that. Therefore, Mr. Speaker, I think that this should be adopted and incorporated into the bill.

Incidentally, for those who may wonder, this would enable, according to the figures I got from the Department of Commerce, some 61 municipalities in the Commonwealth to use this provision out of the some 2,500 municipalities that there are in the state.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. There are several speakers on the floor who are going to be recognized in this order, so they will know that they need not stay standing in place: Mr. McGinnis, Mr. Zeller, Mr. McCue, Mr. Fryer and Mr. Bonetto, in that order.

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

Mr. MCGINNIS. Mr. Speaker, I rise to oppose this amendment. This is radar, whether it is under 20 policemen, 10 policemen, 5 policemen, 40 policemen. We hear the story that our police departments are very fair, but I do not know about someone else's.

This amendment is radar with local policemen no matter how you slice it or cut it. If the local police force had radar and the fines went to the State of Pennsylvania, they would not go out and buy one radar unit. They would not go out and buy one unit if the fines went to the state. This is just a gimmick for the local policemen to fill up the coffers of the police department.

Now I do not need 500 of my constituents calling me every week about radar. Any member here who votes for radar is going to hear it next week, the month after, the year after, whether there are 20 policemen, 10 policemen or 50 policemen. As a matter of fact, the larger municipalities that have more policemen certainly would not have the speeding problems that some of the smaller municipalities have that are located out in the country where people can go faster.

I urge you to vote against this. The policemen are more interested in their pension—House bill No. 919—than they are in radar.

If you put in an amendment that says that the fines have to go to the state, they will not buy one piece of radar equipment. Vote it down.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, 2 weeks ago we debated this issue, and at that time I stated the possible abuse that could be had from the use of radar by local municipal policemen. As a former mayor of two terms working with the police department, working with councilmen, I am going to give you a little illustration of what goes on.

As a matter of fact, just yesterday I spoke to the mid-eastern counties' Chiefs Of Police Association representing about six or seven counties in my area, and they were divided. There were about 50 chiefs there and they were divided almost half and half. I find that the ones who were most eager were former state troopers who are retired and are now chiefs of police. They were all gung ho for this. As a matter of fact, several chiefs admitted that the big problem they have—and they wish the councilmen and the mayor would get off their backs—is somebody calling up and saying they got caught speeding on so-and-so street. Okay. Take the boob tube out and check it out or take out your stop watches and clock them.

Now we have one street in the Borough of Emmaus where it was reported by the local magistrate that there were over 400 in 2 days who were stopped. Now out of that, 71 were written up; some were slapped on the wrist because it was close to it. They talk about the 5-mile-an-hour bit. That is the rule today. That is nothing new. I have found that there are very few who will not give you the 5-mile leniency in almost every case.

That is not the problem. The problem here is that there is definitely going to be abuse. There is going to be a cost factor because, say, for instance, in a small community you have them on one street—A street. What about B Street, C Street, F Street, H Street? What about those streets? In other words, they can set a car there and have the same effect as far as having a radar unit because what we are going to do is increase the business for the CB—citizens band—units. In other words, everybody is going to have a CB unit in their car. This is what they are asking for. So, in other words, we are aiding and abetting the CB business.

They talk about 20,000 population. What about those communities under 20,000? What you are going to have is a foot in the door if you pass it now. This is the frosting on the cake. Give it to them for the 20,000 population and next year they will be in here to give it to the whole state. This is only a gimmick to get the foot in the door.

Now we talk about speeding as a killer. No one has proved that. Reckless driving and driving too fast for conditions and alcohol have been the killers. Fifty-two percent of the fatalities on the highways are from alcohol drinking. This is where your problem lies.

So if you want to do justice to your citizens, please vote down radar. If you want to see abuse, just put that in your community and then try to run for reelection.

Thank you.

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

Mr. MCCUE. I, too, oppose this amendment. This provision would create the same abuses that the original municipal radar amendment would have provided and which this House of Representatives very wisely amended out of the bill. The local police, prodded by the local municipal officers, would be looking for fines as a matter of tribute extorted from the traveling public. Even if the fines were turned over to the state, it would be a matter of statistics for the police in their monthly police report to council to show what they had done the month

before, that they are building up their own bureaucracy with their statistics.

The easiest type of offense to apprehend with radar is that of speeding. And in the meantime, the more serious safety problems that the police should be checking would not be detected, such as bad passing, blocking an intersection, improper equipment on a vehicle, and so on.

I feel that we have the same problem that we discussed in the debate the last time we were here, 2 weeks ago, and I, too, would urge the members of the House to wisely vote down this proposed amendment.

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

Mr. FRYER. Mr. Speaker, in this House last week, after due deliberation and much debate, we decided against the point of offering the use of radar to local police. Local police using radar, dealing with their friends and neighbors, will lead to a poor administration of justice. This, in turn, leads to more disrespect for the law. Surely there are sufficient laws to control this problem without adding additional concern for our citizens by the use of radar by the local police.

I hope that this House remains steadfast and continues the same type of vote that they did last week when they said "no" to this proposal.

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

Mr. RITTER. Mr. Speaker, several statements were made that I would like to address myself to. One is that if all the fines went to the state, local police would not make any arrests and they would not buy any equipment. I say to you that that simply is not true. If someone cares to get an amendment together to require that all of those fines go to the state, I know the police department in the city of Allentown would still want to use radar.

One of the gentleman made reference to the fact that, of the police chiefs who were at the meeting that he was, those who seemed to be the most eager for radar were former State Police officers. Well, perhaps that is because they appreciate the value of radar and they know what radar equipment can do in terms of stopping speeding.

Then several other speakers mentioned, both last week and today, that the police departments would be spending too much time getting speeders and they would not be enforcing any other provisions of the law. Again, that simply is not true. All you have got to do is check with your local police department. They are making arrests now for speeding. The problem is that they are making arrests now using antiquated equipment, and it is like sending a police officer out with one hand tied behind his back and asking him to apprehend a criminal. Why do you not give him the latest equipment? They are making arrests presently. Do not be misled into thinking that they are not. They are making arrests. They are spending a great deal more time making arrests now under the antiquated system than if you allowed them the use of radar. The larger municipalities in this Commonwealth desperately need this weapon, this latest tool, to aid them in their job. And as Mr. Mebus

pointed out, only 61 municipalities out of some 2,500 would be able to qualify under Mr. Mebus' amendment.

Mr. Zeller pointed out that this is only going to be a foot in the door. Well, I dare say to you that if you allow those 61 municipalities to use radar and they can prove to you that it works and they have not abused it, then what is wrong with opening it up to somebody else? But if, on the other hand, those 61 municipalities abuse that privilege and make fining mills out of it—if that is what you are worried about—you have an opportunity to take it away. But at least give those of us in the larger municipalities, where our police departments want it and need it, the opportunity to use it. I urge support for the amendment, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, Mr. Mebus' amendment would permit the use of electronic devices by local police in political subdivisions where the population exceeds 20,000. This is controversial; it has been controversial. It was voted down 2 weeks ago.

I think that this General Assembly must determine once and for all whether or not they want to allow local police the use of electronic devices. So my suggestion is that every man and woman in this hall use their own good conscience in voting for this particular amendment.

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

Mr. ECKENSBERGER. Mr. Speaker, I wonder if Mr. Mebus would consent to a brief interrogation.

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

Mr. MEBUS. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ECKENSBERGER. Mr. Speaker, if your amendment were adopted, would it or other provisions of the bill require those municipal police who would be permitted to use radar to undergo any type of training?

Mr. MEBUS. I do not know that that is specifically set forth in the amendment, but it certainly would be true under the terms of the police training bill, which you have great interest in, and it would be inherent that those people do be trained in advance.

Mr. ECKENSBERGER. Mr. Speaker, at the present time I am not aware of any specific requirements regarding the training in the use of radar as promulgated by the Municipal Police Training Commission. I do not have all of those regulations in front of me, but, as I say, to the best of my recollection, there is no such requirement.

Mr. MEBUS. Mr. Speaker, if this amendment is adopted and the bill passes with this amendment in it, I would propose to join you in adding to the police training provisions of the police training bill to make sure that that is the case.

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

Mr. CAPUTO. Will Mr. Mebus permit himself to be interrogated further?

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



Mr. MEBUS. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. CAPUTO. Mr. Speaker, I do not have a copy of the amendment, but I would just like to ask you if this amendment requires an agreement between the local police and the State Police.

Mr. MEBUS. It does on multilane state highways, yes. In other words, the local municipality could not control the dual state highways without a specific agreement with the State Police. That is a part of the amendment.

Mr. CAPUTO. However, if it were not designated as a state highway, it would not require such an agreement?

Mr. MEBUS. On local highways—and “local” is anything other than a state or county highway—there is no such provision. There is nobody to make an agreement with.

Mr. CAPUTO. Thank you.

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

Mr. BEREN. Mr. Speaker, I support my colleague, Mr. Mebus, on this amendment. It is a vitally important amendment to municipalities that are not patrolled by the State Police.

I think the reasons have been spelled out adequately and I so support them.

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

Mr. MCGINNIS. I just caution my colleagues on one thing: If you open up the floodgates for 20 policemen, just remember that your constituents will drive through the areas that have 20 policemen, and next year it will be 15, the year after it will be 10, and eventually it will be the whole state. Do not open up these floodgates. Vote the radar down now.

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

Mr. BURNS. Thank you, Mr. Speaker.

I just want to say, notwithstanding the remarks of Mr. McGinnis, that I would much prefer to have police officers checking speeding by radar rather than by stopwatches at different locations throughout the townships and throughout the counties by men who really, at times, do not know how to use a stopwatch and do not know the figures for speed. I just think that if we required radar and the radar gave us a printout, as I think the new machines would, it would be a lot more fair and a lot more accurate than the stopwatch situation that we have every day on all our roads in Pennsylvania.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, I rise to oppose the amendment. This is discrimination. 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. Mebus?

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

Mr. MEBUS. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. W. W. WILT. Mr. Speaker, I am inclined to vote against this amendment but for a different reason from those that have already been mentioned.

In our county, for instance, we have the city of Altoona with a population of 65,000. We have a lot of smaller boroughs from the 5,000 to 12,000 population. What we are saying, if we adopt this amendment, is that if the hillbillies go into the city of Altoona and they speed, there is a probability that they will be arrested because of the use of radar; however, the city slickers can come into our communities and they will not be exposed to this possibility. So I think it is unfair. If we are going to have radar, let us either have it all the way or not have it at all.

Mr. MEBUS. The answer to that, Mr. Speaker, I think is really quite simple. In most of those hillbilly areas, as you chose to describe them—those are your words, not mine—they are patrolled by State Police anyway, and radar is permitted to be used by the State Police.

Mr. W. W. WILT. This is not correct at all. We have, through one small community of 2,500, Duncansville, Route 220, which is one of the major east-west highways through Pennsylvania, and we have Route 220 north and south. This is a common section of the highway, and the traffic there is unbelievable, especially in the afternoon and early evenings; it is bumper to bumper and, of course, you have heavy traffic until midnight. It just seems to me that if the folks from that community are going to be exposed to radar facilities in Altoona, then I think that the Altoona folks should get the same consideration when they come to Duncansville.

Mr. MEBUS. Mr. Speaker, could I interrogate the gentleman for a moment?

Mr. W. W. WILT. You may.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MEBUS. Mr. Speaker, should we remove all the speed-limit signs in Pennsylvania except on the turnpike and interstate highways and those highways patrolled by the State Police?

Mr. W. W. WILT. As far as I am concerned, we should not.

Mr. MEBUS. Why do you say that? Because you cannot enforce it, and in major measure it is not being enforced without the use of this tool. So what you are saying is that those signs are just there and they are so much metal that has been erected at the cost of the taxpayers and serves no useful purpose.

Mr. W. W. WILT. Well, we could go round and round on this, but my question is, do you think it is fair for one group of people to have the radar?

Mr. MEBUS. I would be happy to have it broadened to any municipality that would care to have the use of radar. The only thing is that in an effort to get it for those who need it the most, this seemed a way to limit the number of municipalities that would be involved, not that I object to your having it but I feel that there are many who do not want it in their own municipalities and hopefully they would not play dog in the manger and allow us, who do have the need for the use of radar,

to obtain that right, privilege, or however you choose to view it.

There are 61 municipalities that would conceivably be permitted the use of radar under the terms of this amendment. I question that all of them would use it; in fact, I question whether probably more than one-half would use it. It would depend on what the needs are therein, because these units are not inexpensive and they must be purchased.

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

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

Mr. McCLATCHY. Mr. Speaker, I rise in support of the legislation and I do so as a former township commissioner.

We had many problems with speeders in Lower Merion Township, and I can specifically remember a very tragic problem. Outside one of our better-known schools in the area, a little elementary school in our township, we had a child killed by a speeder. We had the community mothers and fathers in that elementary school, the friends of the child and his parents up in arms. The police stated—and we confirmed it in the preceding year—that they could not catch speeders and cut down the probability of that killing under present-day law. They needed radar. And this is the reason, I think, that if we could give communities such as mine a chance to use radar, a chance to show how effective it could be to stop these people, I think everyone would welcome this aspect of it.

Mr. Speaker, in support of this legislation and in support of protecting the children's lives in our communities, I think we should support this legislation. Thank you.

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

Mr. ZELLER. Mr. Speaker, quickly I would like to add to what was stated on the other side by Mr. Mebus and Mr. Wilt in regard to the rural versus the more populated areas, the urban areas.

The State Police can now come into your community and reduce radar not only on the state highways but if requested, on other streets. They can do that now. There is no problem. And, secondly, they talk about councilmen and mayors who would want this bill. I have news for you, there are a few. The only thing they talk about to the policemen is shaking them up in regards to doing something about the speeders. But if you think you have problems on House bill No. 919 in regard to pension costs, you have not seen anything yet until you get this radar in. So you folks who have been against House bill No. 919 better wait until you see the costs for the streets they are going to want to cover.

We are talking about costs here. You have not seen anything yet with the many streets they will want to cover in regard to having a car and a patrolman on the various streets that they claim they have problems on. So we are going to have traffic experts instead of criminal experts.

One speaker here mentioned that they referred to these speeders as criminals. This to me is outrageous. I

never heard of a person who occasionally would violate the law by going too fast as being a criminal. This I just cannot understand.

The last item is this. The gentleman who spoke last mentioned about the tragic condition existing in his community, Lower Merion. Ohio has had radar for some years and that did not stop here a few weeks ago with eight young people being killed by a guy going through a stop sign and hitting all eight of these kids and killing all of them. Radar did not help that.

Our problem is not in the radar area. Our problem is getting tough with reckless driving, drunken driving and those areas, not the occasional speeder. So I say, let us knock it down again. Let us give them the works.

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

Mr. RITTER. Mr. Speaker, I realize that the members are restless, but for many of us this is a very important issue.

The SPEAKER pro tempore. Will the gentleman yield? The gentleman may proceed.

Mr. RITTER. I would just ask for a brief indulgence, Mr. Speaker. On several of the amendments that were offered today and two weeks ago and on several that are going to be offered a little later, the argument was used that 36 states allow this, that other states do this, such as the right turn on red light, and that we would be the 37th state to allow this business about carrying three truck tractors in tandem, and many other states allow that; many other states allow driving on the left side of the road, and we want Pennsylvania to be in conformity. I just want to remind you one more time that 46 states out of 50, 46 states out of 50, presently allow local police to use electronic devices, radar, on local roads. Three or four states, South Dakota, Oklahoma, Pennsylvania—and I do not remember the name of the 4th state—do not allow local police to use radar. But out of the 46 states that do allow local police to use radar, two states, California and Massachusetts, do not allow State Police to use radar but they do allow local police to use radar.

I say to you again, if the purpose of House bill No. 1817 is to bring Pennsylvania into conformity with the majority of the states in this nation, then you have got to accept the Mebus amendment because 46 out of 50 states already allow local police to use radar. Let us be the 47th.

Thank you, Mr. Speaker.

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

Mr. L. E. SMITH. I do not have any strong feelings about this amendment either way. I would like to ask someone a simple question: In the event that this amendment goes into the bill, would these excessive speeds clocked by radar be accountable to the driver's point record?

The SPEAKER pro tempore. Does the gentleman, Mr. Mebus, have an opinion on that?

Mr. MEBUS. I believe Mr. Bonetto would be better able to answer that question than I.

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

Mr. BONETTO. Any violation apprehended by a local police naturally does go onto the point system.

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

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

YEAS—67

Abraham	Fisher	Mebus	Ryan
Anderson, J. H.	Foster, A.	Miller, M. E.	Schaeffer
Bennett	Foster, W.	Miller, M. E., Jr.	Schwartz
Beren	Gallen	Milliron	Scirica
Berlin	Geesey	Miscevich	Shane
Burns	Hayes, S.E.	Musto	Stahl
Butera	Hepford	Novak	Stapleton
Cimini	Hopkins	O'Donnell	Turner
Cowell	Hutchinson, W.	O'Keefe	Wagner
Davies	Kernick	Pancoast	Walsh, T. P.
DeMedio	Kowalshyn	Parker, H. S.	Westerberg
Dicarlo	Kusse	Pitts	Wilson
Dinnini	Lehr	Polite	Wright
Dorr	Lewi	Reed	Yohn
Doyle	Manmiller	Renninger	Zearfoss
Dreibelbis	McClatchy	Rieger	Zwiski
Fawcett	McIntyre	Ritter	

NAYS—112

Bellomini	Greenfield	McGinnis	Seltzer
Berson	Grieco	McLane	Shelhamer
Bittle	Gring	Milanovich	Shelton
Bonetto	Halverson	Moehlmann	Shuman
Bradley	Hamilton, J. H.	Morris	Shupnik
Brandt	Hammock	Mrkonic	Sirianni
Brunner	Hasay	Mullen	Smith, E.
Caputo	Haskell	Mullen, M. P.	Smith, L.
Cessar	Hill	Myers	Spencer
Cole	Hutchinson, A.	Noye	Stout
Cumberland	Irvic	O'Brien	Taddonio
Deverter	Itkin	Oliver	Taylor
Dietz	Johnson, J.	Perrt	Toll
Eckensberger	Katz	Perry	Trello
Englehart	Kelly, A. P.	Petrarca	Ustynoski
Fee	Kelly, J. B.	Pievsky	Vallenti
Fischer	Kistler	Pratt	Wansacz
Flaherty	Klingaman	Prendergast	Wargo
Fryer	Kolter	Pyles	Weidner
Gallagher	LaMarca	Rappaport	Wilt, R. W.
Garzia	Laudadio	Ravenstahl	Wilt, W. W.
Geisler	Laughlin	Renwick	Wojdak
George	Lederer	Rhodes	Worriow
Giammarco	Letterman	Richardson	Yahner
Gillespie	Lincoln	Ross	Zeller
Gillette	Lynch	Saloom	
Gleason	Manderino	Salvatore	Fineman,
Goodman	McCall	Schmitt	Speaker
Green	McCue		

NOT VOTING—17

Arthurs	DiDonato	McGraw	Thomas
Barber	Dombrowski	Menhorn	Vroon
Cohen	Hayes, D. S.	O'Connell	Whelan
Crawford	Knepper	Ruggiero	Zord
Gleason			

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

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

Mr. Bonetto, I understand that your amendments are agreed to.

Mr. BONETTO. They are all technical in nature please.

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. 1305), page 66, line 26, by inserting after "by": proof of insurance and

Amend Sec. 1 (Sec. 1533), page 108, line 12, by striking out "overtime"

Amend Sec. 1 (Sec. 1548), page 119, line 24, by striking out "shall" and inserting: may

Amend Sec. 1 (Sec. 1548), page 119, line 27, by striking out "will" and inserting: may

Amend Sec. 1 (Sec. 1551), page 123, line 23, by inserting after "no": recall,

Amend Sec. 1 (Sec. 1571), page 124, line 23, by inserting after "a": recalled,

Amend Sec. 1 (Sec. 1742), page 136, line 23, by inserting after "or": shall

Amend Sec. 1 (Sec. 1742), page 136, lines 23 and 24, by striking out "for six months from the date of the consent, and thereafter"

Amend Sec. 1 (Sec. 1742), page 137, line 5, by striking out "401" and inserting: 104

Amend Sec. 1 (Sec. 1742), page 137, line 30, by striking out "\$20,000" and inserting: \$30,000

Amend Sec. 1 (Sec. 4721), page 260, line 13, by inserting after "facilities": within this Commonwealth

Amend Sec. 1 (Sec. 4722), page 260, lines 21 and 22, by striking out "and accompanied by the appropriate fee"

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

Amend Sec. 1 (Sec. 1132), page 54, line 29, by inserting after "Unless": perfected as provided in this subchapter or

Amend Sec. 1 (Sec. 1132), page 55, lines 2 through 4, by striking out "creditors of the owner" on line 2 and all of lines 3 and 4, and inserting: any person as to whose rights an unperfected security interest is subordinate under the provisions of the Pennsylvania Uniform Commercial Code.

Amend Sec. 1 (Sec. 1132), page 55, line 5, by striking out "and time"

Amend Sec. 1 (Sec. 1132), page 55, line 6, by striking out "the delivery to the department of" and inserting: notation thereof by the department on the certificate of title for the vehicle. In order to obtain such notation the lienholder shall deliver to the department

Amend Sec. 1 (Sec. 1132), page 55, lines 11 through 13, by striking out "It is perfected as of the time of its" on line 11 and all of lines 12 and 13

On the question,  
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. JOHNSON requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 6302), page 307, by inserting between lines 4 and 5:

(e) Disposition of proceedings within two years.—In no event shall any proceedings be held or action taken pursuant to a summary offense under this title subsequent to two years after the commission of the offense.

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

The SPEAKER pro tempore. Would the gentleman yield a minute?

The Chair has before it at this stage the following

persons who have amendments, Messrs. Halverson, Reed, Cohen, Lincoln, Fischer, W. W. Wilt, Gallagher and De-Verter. I think that all of those amendments are in the process of being finished and circulated.

Now we have additional amendments from others, and I am going to recognize now Mr. Cumberland.

QUESTION OF INFORMATION

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

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

The SPEAKER pro tempore. The gentleman may state it.

Mr. McCUE. Mr. Speaker, would the Chair advise whether my name is on the list to offer amendments?

The SPEAKER pro tempore. That is right, sir. Your name is on the list. I did not go through the whole list. I just wanted to take about five or six so that you all knew who had things coming up yet. It is ten of 5 and, gentlemen, we are going to be finished by 6 o'clock.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 102), page 31, line 13 by removing the period after "regulations" and inserting: including sheriffs and full-time deputy sheriffs.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Cumberland.

Mr. CUMBERLAND. Mr. Speaker, this is amendment No. 1.

The SPEAKER pro tempore. Mr. Cumberland, are these amendments agreed to?

These amendments are not agreed to. Therefore, the gentleman, Mr. Cumberland, may proceed.

Mr. CUMBERLAND. Mr. Speaker, on Amendment No. 1, all it would do is to include sheriffs and full-time deputy sheriffs so that they could arrest under the Vehicle Code. I feel that when I leave the House I will be more likely sheriff again and I want all of the power I can get.

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

Mr. BONETTO. I oppose this amendment, Mr. Speaker. Let us roll it.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—78

Table listing names of those in favor (Yeas): Anderson, J. H., Beren, Bittle, Brandt, Butera, Cessar, Greenfield, Grieco, Halverson, Hamilton, J. H., Hasay, Haskell, Manmiller, McClatchy, McCue, McGinnis, Mebus, Moehimann, Scirica, Seltzer, Sirlanni, Smith, E., Smith, L., Spencer.

Table listing names of those in favor (Yeas): Cimini, Crawford, Cumberland, Deverter, Dininni, Dorr, Fawcett, Fischer, Fisher, Foster, A., Foster, W., Gallen, Geesey, Green, Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Itkin, Katz, Kelly, J. B., Klingaman, Kusse, Lederer, Lehr, Levi, Lynch, Noye, O'Connell, Pancoast, Parker, H. S., Perri, Pitts, Polite, Pyles, Renninger, Rieger, Ryan, Salvatore, Scheaffer.

Table listing names of those in favor (Yeas): Stahl, Stout, Taddonio, Taylor, Turner, Ustynoski, Wagner, Whelan, Wilt, R. W., Wilt, W. W., Worriow, Zearfoss, Zeller.

NAYS—97

Table listing names of those in opposition (Nays): Abraham, Bellomini, Bennett, Berlin, Berson, Bonetto, Bradley, Brunner, Burns, Caputo, Cole, Cowell, DeMedio, Dicarolo, Dietz, Doyle, Dreibeilbis, Eckensberger, Englehart, Fee, Flaherty, Fryer, Gallagher, Garzia, Geisler, George, Giammarco, Gillespie, Gillette, Goodman, Gring, Hammock, Hutchinson, A., Irvis, Johnson, J., Kelly, A. P., Kernick, Kistler, Kolter, LaMarca, Laudadio, Laughlin, Letterman, Lincoln, Manderino, McCall, McIntyre, McLane, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Miscewich, Morris, Mrkonc, Mullen, Mullen, M. P., Musto, Novak, O'Brien, O'Donnell, O'Keefe, Petrarca, Pratt, Prendergast, Rappaport, Ravenstahl, Reed, Renwick, Rhodes, Richardson, Ritter, Ross, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shelhamer, Shelton, Shuman, Shupnik, Stapleton, Toll, Trello, Valicenti, Walsh, T. P., Wansacz, Wargo, Weidner, Westerberg, Wilson, Wojdak, Wright, Yohn, Zwinkl, Fineman, Speaker.

NOT VOTING—21

Table listing names of those who did not vote: Arthura, Barber, Cohen, Davies, DiDonato, Dombrowski, Gleason, Gleason, Hayes, D. S., Knepper, Kowalyszyn, McGraw, Menhorn, Myers, Oliver, Perry, Plevsky, Thomas, Vroon, Yahner, Zord.

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

Amend Sec. 1 (Sec. 4921), page 270, line 28, by inserting after "excluding": tires or

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Cumberland.

Mr. CUMBERLAND. Mr. Speaker, on Amendment No. 2, the reason I am introducing this amendment is that back in our district we are in the coal-stripping business, and, if you order a truck with a 44,000-pound rear axle or a 50,000-pound rear axle and with the Federal regulations saying we have to have on 14-ply tires, 1100 or 22 or 1022 tires, with the 17½ inch by 7 brake lining with road-block tires, this puts the overall width to about 99 inches. The inspection stations of course are not allowed to inspect them. I have two trucks. They are both over width. Well, the body will not be over width; it is just the tires. I would ask a "yes" on this amendment.

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

Mr. BONETTO. Mr. Speaker, I think the members of the House had better be very careful in this amendment.

You know several months ago we opposed the extension of the length of trucks in this state and the increase in its weights. This amendment now increases the width because of tires. And that will open up, in my opinion, a Pandora's box, because the legal limit of an automobile or a vehicle on the highway is strictly 8 feet, and to permit a vehicle on the highway, exclusive of tires, saying that the vehicle shall be 8 feet and the tires can be 4 inches wider, now you have 8 feet 4 inches or 8 feet 6 inches, whatever it may be. So you are opening up a Pandora's box here and I think that you ought to be very careful. And for that reason I oppose this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Cumberland.

Mr. CUMBERLAND. The Federal regulations on ordering trucks through states that we show have 14-ply tires, 1022. So you can get the 870 pounds per square inch, and the brake lining has to be 17½ by 7 inches, the Federal law states that, and when you do everything that the Federal law wants to get your trucks ordered through—I am not asking to increase the widths of the bodies—all I am asking to do is give us legal tire width.

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

Mr. BONETTO. I am asking for a negative vote because in this state you are permitted 800 pounds per square inch of tire space. The overall width is 8 feet and you will exceed the 8-foot limit, and for that reason I am asking opposition to this amendment.

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

Mr. L. E. SMITH. In support of Mr. Cumberland's amendment, I would like to remind the members that tire construction trends are changing and you are seeing a great number of what we call in the trade "super-singles". That is a large tire that replaces a set of duals. And by necessity they have to be an inch or so wider than the duals they replace in order to make up for the weight restrictions. So I do not believe that this is an unreasonable amendment and I think it is looking to the future when there will be more and more super-single tires.

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

Mr. WESTERBERG. Mr. Speaker, I think that this is a sensible amendment. I do not think it is opening up Pandora's box. The present Motor Vehicle Code has said for years that the mirrors are allowed to be wider than the 96-inch limit, and this has not caused any undue hardship. And, really, the load on the body will not be allowed to be any wider, but just because, as Mr. Smith said, of the construction of the tires, I think this is necessary. And I do not think it is opening up anything. They are still going to be way narrower than the west coast mirror sticking out. And, honestly I do not think that you have to worry about it if you would vote for this. I think that it is just sensible.

Thank you, Mr. Speaker.

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

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

YEAS—89

Anderson, J. H.	George	McClatchy	Scitica
Bennett	Goodman	McGinnis	Seltzer
Beren	Green	Mebus	Sirianni
Bittle	Greenfield	Miller, M. E.	Smith, E.
Brandt	Grieco	Miller, M. E., Jr.	Smith, L.
Burns	Gring	Moehlmann	Spencer
Butera	Halverson	Noye	Stahl
Cessar	Hamilton, J. H.	O'Brien	Turner
Cimini	Hasay	O'Connell	Ustynoski
Crawford	Haskell	Pancoast	Wagner
Cumberland	Hayes, S.E.	Parker, H. S.	Walsh, T. P.
Davies	Hepford	Perri	Wargo
DeMedio	Hill	Petrarca	Weidner
Deverter	Hopkins	Pitts	Westerberg
Dininni	Katz	Polite	Whelan
Dorr	Kusse	Prendergast	Wilson
Engelhart	LaMarca	Pyles	Wilt, R. W.
Fawcett	Lederer	Renwick	Wilt, W. W.
Fischer	Lehr	Ruggiero	Worrlow
Foster, A.	Levi	Ryan	Wright
Foster, W.	Lynch	Salvatore	Yahner
Gallen	Manmiller	Scheaffer	Yohn
Geesey			

NAYS—82

Abraham	Geisler	McIntyre	Schmitt
Bellomini	Giammarco	McLane	Schweder
Berlin	Gillespie	Milanovich	Shane
Berson	Gillette	Milliron	Shelhamer
Bonetto	Hutchinson, A.	Morris	Shelton
Bradley	Irvis	Mrkonic	Shuman
Caputo	Itkin	Mullen, M. P.	Shupnik
Cohen	Johnson, J.	Musto	Stapleton
Cole	Kelly, A. P.	Novak	Stout
Cowell	Kelly, J. B.	O'Keefe	Taddonio
Dicarlo	Kernick	Oliver	Taylor
Dietz	Kistler	Pratt	Toll
Doyle	Klingaman	Rappaport	Trello
Dreibelbis	Kolter	Ravenstahl	Valicenti
Eckensberger	Kowalshyn	Reed	Wansacz
Fee	Laudadio	Renninger	Wojdak
Fisher	Laughlin	Rhodes	Zeller
Flaherty	Letterman	Rieger	Zwick
Fryer	Lincoln	Ritter	
Gallagher	McCall	Ross	Fineman
Garzia	McCue	Saloom	Speaker

NOT VOTING—25

Arthurs	Hammock	Menhorn	Plevsky
Barber	Hayes, D. S.	Miscevich	Richardson
Brunner	Hutchinson, W.	Mullen	Thomas
DiDonato	Knepper	Myers	Vroon
Dombrowski	Manderino	O'Donnell	Zearfoss
Gleason	McGraw	Perry	Zord
Gleason			

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3368), page 199, line 25, by inserting after "Police.": No police force of a municipality or county operating under a home rule charter shall use mechanical or electrical timing devices unless specifically authorized to do so by provisions of this title.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Mr. Taddonio, you may proceed.

Mr. TADDONIO. Mr. Speaker, this amendment would address the question of confusion that exists in the creation of home rule municipalities and whether or not they

are subject to the normal Vehicle Code provisions of radar.

Simply stated, this amendment says that all home rule municipalities will be bound by the same law that we make for other municipalities. In other words, it makes them fall under the same provisions.

As it is currently, this question is being litigated, and I think it is up to us to do something about it to clarify this provision, because when the present code was written, there was no such thing as a home rule municipality. And I think this would clarify it and put them all in the same ball park.

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

Mr. BONETTO. Mr. Speaker, this amendment is not necessary. And it is not necessary because under the code now we have just rejected the use of electronic devices by any municipality by not having it in the code. But to violate the home rule charter would be wrong, and for that reason I oppose this amendment.

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

Mr. PARKER. Mr. Speaker, I rise to oppose this amendment. As a Representative of a home rule community, I think we ought to keep in mind that these communities that do have home rule have the flexibility which this General Assembly gave them. The General Assembly some years ago gave these communities a right by vote to go home rule, and I think that they should be permitted to run their own affairs and I think, as the General Assembly, we have said so. Thank you.

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

Mr. ZELLER. Mr. Speaker, I would like to interrogate the gentleman, Mr. Taddonio.

The SPEAKER pro tempore. Mr. Taddonio, will you consent to interrogation?

Mr. TADDONIO. I will.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ZELLER. Mr. Taddonio, would you say that unless your amendment is approved that presently those with home rule charters can use radar?

Mr. TADDONIO. Yes. Currently there is quite a bit of confusion. The question is in litigation right now. The home rule municipality of Mount Lebanon is currently using radar; the borough of Monroeville, which is currently up for a home rule charter, has purchased a radar set and is using it pending the outcome of these cases.

Now I believe that we ought to make a firm statement in the General Assembly whether or not we want these municipalities to use it or we want to authorize them specifically to use it.

Mr. ZELLER. Mr. Speaker, you are saying to me that your amendment then would settle it once and for all, if we voted for your amendment, and that would say they cannot use radar?

Mr. TADDONIO. That is correct, unless we authorize them by some other amendment.

Mr. ZELLER. Mr. Speaker, thank you very much.

Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman.

Mr. ZELLER. Mr. Speaker, this was a real smooth one. We have to be very careful because what Mr. Taddonio is telling us now that we should go along with, we have consistently voted against; that is, the use of radar because of this terrible abuse. Here is a chance now to get that so-called foot in the door that some of our friends were talking about earlier. And next year we are going to hear, if this case is settled in their behalf, that home rule charter areas have it; that this area has it and now everybody will have it. So let us vote it down again. Let us vote for Mr. Taddonio's amendment and let us give them a message. Thank you.

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

Mr. O'CONNELL. Mr. Speaker, I represent a home rule community and I share the same concerns as Mr. Taddonio, and I would like to support his amendment.

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

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

YEAS—125

Abraham	Fryer	Manderino	Ryan
Anderson, J. H.	Gallen	Manmiller	Saloom
Bellomini	Geesey	McCall	Salvatore
Beren	George	McCue	Scheaffer
Berlin	Gillespie	McGinnis	Schweder
Bittle	Goodman	McIntyre	Scirica
Bradley	Green	Mebus	Seltzer
Brandt	Gring	Milanovich	Shane
Brunner	Halverson	Miller, M. E.	Shelhamer
Butera	Hamilton, J. H.	Miller, M. E., Jr.	Shuman
Cesser	Haskell	Milliron	Shupnik
Cimini	Hayes, S.E.	Moehmann	Sirianni
Cole	Hepford	Morris	Smith, E.
Cowell	Hill	Mrkonje	Smith, L.
Crawford	Hopkins	Musto	Spencer
Cumberland	Hutchinson, A.	Myers	Stahl
Davies	Itkin	Novak	Stapleton
DeMedio	Katz	Noye	Stout
Deverter	Kelly, J. B.	O'Brien	Taddonio
Dicarlo	Kistler	O'Connell	Taylor
Dietz	Klingaman	O'Keefe	Turner
Dininni	Kolter	Perri	Ustynoski
Dorr	Kowalshyn	Petrarca	Walsh, T. P.
Eckensberger	LaMarca	Pitte	Wansacz
Engelhart	Laudadio	Pratt	Wargo
Fawcett	Laughlin	Prendergast	Whelan
Fee	Lehr	Ravenstahl	Wilt, R. W.
Fischer	Letterman	Renninger	Wilt, W. W.
Fisher	Levi	Renwick	Worrlow
Flaherty	Lincoln	Rhodes	Yahner
Foster, A.	Lynch	Rieger	Zeller
Foster, W.			

NAYS—46

Bennett	Giammarco	Miscevich	Trello
Berson	Gillette	Mullen, M. P.	Valicenti
Bonetto	Greenfield	Oliver	Wagner
Burns	Hasay	Pancoast	Weidner
Caputo	Irvis	Parker, H. S.	Westerberg
Cohen	Johnson, J.	Polite	Wilson
DiDonato	Kelly, A. P.	Pyles	Wright
Doyle	Kernick	Reed	Yohn
Dreibelbis	Kusse	Ritter	Zwki
Gallagher	Lederer	Ross	
Garzia	McClatchy	Schmitt	Fineman,
Geisler	McLane	Toll	Speaker

NOT VOTING—25

Arthurs	Hayes, D. S.	O'Donnell	Shelton
Barber	Hutchinson, W.	Perry	Thomas
Dombrowski	Knepper	Plevsky	Vroon
Gleason	McGraw	Rappaport	Wojdak
Gleeson	Menhorn	Richardson	Zearfos
Grieco	Mullen	Ruggiero	Zord
Hammock			

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3368), page 199, line 25, by inserting after "Police.": No conviction shall be had upon evidence obtained through the use of such devices unless the speed recorded is six or more miles per hour in excess of the legal speed limit.

On the question,

Will the House agree to the amendment?

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

Mr. TADDONIO. Mr. Speaker, this amendment restores the code to its original provision as it relates to radar and the 5-mile-an-hour grace over the legal speed limit. Now I realize that there is some objection to this about the Federal Government mandating strict enforcement of 55-miles-an-hour speed limits. I believe that we are strictly enforcing it now. I think that all we are doing right now is questioning the accuracy of the calibration of the speedometer. I would hate to see a constituent picked up for 2 or 3 miles an hour over the speed limit when his speedometer really is not that accurate.

I really do not think that we are trying to do anything by leaving this in here. I would like to see the Federal Government really come down and tell us specifically that they are going to withdraw funds because of this. I do not believe they will do it and I solicit the support of the House on this amendment.

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

Mr. BONETTO. Mr. Speaker, this is a perfect way to kill House bill No. 1817. If that is what the members want, fine.

The Federal Government has enacted legislation that the 55-mile speed limit is the law of the land. We cannot give grace on over 55 miles an hour in this state or any other state. Now they are not going to come down here and say, ladies and gentlemen, you have made a mistake. But whenever you ask for money, they are going to say there is none. And this code means \$30 million.

Now simply I would say to you that we are wrong in permitting this amendment to go into the code. In local municipalities I do not mind that one bit; if they want to give you grace, fine. But when you are dealing with the state highway system, particularly the interstate system, we are making an awful mistake. For that reason I am asking every member of this House to vote "no" on this amendment. Roll it.

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

Mr. ECKENSBERGER. Mr. Speaker, in response to Mr. Bonetto, this amendment does not change the speed limit. The speed limit remains at 55 or whatever it is that is properly posted. This merely affects what may be used in evidence to establish the speed.

Furthermore, I think we could get into an argument at the time the bill is called up for final passage as to whether the Federal Government does in fact have the authority that it has been stated on the floor that it does have. We will postpone that argument for the present time. I do not believe that the Federal Government can

tell this state what it chooses to do by legislative enactment.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, to my good friend, Mr. Eckensberger, if you read very carefully, by permitting six miles over the speed limit, it does extend the speed limit from 55 miles to 61 miles an hour. At least that is the way I read it. I think that is wrong, and I am asking again that we be very careful because we must justify to the Federal Government that we are making arrests over 55. Whether we are doing it or not is another matter. The question is, do not put it into law. I am asking for a negative vote on this amendment.

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

Mr. LINCOLN. Mr. Speaker, will the gentleman, Mr. Bonetto, submit to a brief interrogation?

The SPEAKER pro tempore. Mr. Bonetto?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, do I understand you correctly to say that the current provision allows five miles per hour over the speed limit, allowing for a non-calibrated speedometer and other deficiencies in an automobile that could allow a person to be going what they would think to be 55 but they would be going 60, and that is not going to be in effect in the code that we are now writing?

Mr. BONETTO. The 5-mile-an-hour provision under the existing code is for radar only. But the Federal Government, in the passage of the act in 1974, indicated that the speed limit for the entire country shall be 55. We are required under the Uniform Vehicle Code of the United States to comply with that 55-mile speed limit with no grace.

Mr. LINCOLN. In other words, without this amendment, upon the enactment of House bill No. 1817, if you get caught going 57 miles an hour through radar, you can be arrested?

Mr. BONETTO. You are in violation of the law, yes.

Mr. LINCOLN. Have you or your staff given any thought to a forced calibration of the speedometer for every resident of Pennsylvania for their own protection?

Mr. BONETTO. No, we have not.

Mr. LINCOLN. Why not?

Mr. BONETTO. Because radar is checked every 30 days. This only applies to radar, not speedometers.

Mr. LINCOLN. But what I am speaking of is the individual driving his automobile who does not have a calibrated speedometer every 30 days.

Mr. BONETTO. That is tough luck, is it not?

Mr. LINCOLN. Tough luck?

Mr. BONETTO. Yes. Why does he not go out and do it?

Mr. LINCOLN. It could vary four miles over the speed limit?

Mr. BONETTO. It is the responsibility of every person owning an automobile to have his own car checked. I do not think that it is the Commonwealth's position to do that.

Mr. LINCOLN. That is the most unrealistic thing that I have ever heard said on the floor of this House.

How you can expect everybody to not be able to vary one or two or three miles per hour over the speed limit, even if they had a perfect speedometer, that is ridiculous. I do not believe the Federal Government said that.

Mr. BONETTO. It is ridiculous, Mr. Speaker. It is ridiculous to go over 55.

The SPEAKER pro tempore. Would the gentleman yield?

Please, one at a time. We do have stenographers who are trying to keep track of this colloquy.

Mr. LINCOLN. I will say this, Mr. Speaker that if this amendment does not go in, anybody who feels any responsibility to the constituency that they serve should not vote for House bill No. 1817 on final passage.

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

Mr. BONETTO. Mr. Speaker, I would like to tell the man from Fayette County that when he mentions the fact that he cannot support House bill No. 1817, that is his own personal business. Every man has the right to vote the way he pleases in this House. Roll the amendments, sir.

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

Mr. RITTER. Mr. Speaker, what Mr. Bonetto was getting at is, if you look at the bill on page 110, you get points assessed for violating the speed limit. Exceeding the maximum speed limit by six to ten miles, you get two points. So I guess what the gentleman was saying, if it is one to five, you pay a fine but there are no points attached; but six to ten is when you finally begin to get the points.

So you just have to read a little bit between the lines. But as much as I disagree with the concept of the Federal Government telling us what to do, the gentleman, Mr. Bonetto, in this case is right. And until we can get the monkey off our backs and get our congressmen to stand up and say that the states shall decide for themselves, we are faced with the problem Mr. Bonetto pointed out. We are going to lose \$30 million if we do not do something.

The SPEAKER pro tempore. The Chair thanks the gentleman. I know where we can find a congressman like that.

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

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

YEAS—71

Abraham	Fischer	Lynch	Renwick
Anderson, J. H.	Fisher	Manmiller	Ryan
Bittle	Flaherty	McCall	Salvatore
Brandt	Fryer	McClatchy	Scheaffer
Brunner	George	McCue	Seltzer
Butera	Goodman	McGinnis	Shuman
Cessar	Gring	Milanovich	Stahl
Cowell	Halverson	Miller, M. E.	Taddonio
Crawford	Hasay	Miller, M. E., Jr.	Taylor
Cumberland	Haskell	Moehlmann	Valicenti
Davies	Hill	Mrkonic	Walsh, T. P.
Dicarlo	Hutchinson, A.	Noye	Wansacz
Dinanzi	Itkin	O'Brien	Weidner

Dorr	Klingaman	O'Donnell	Wilt, R. W.
Dreibelbis	Kolter	Parker, H. S.	Yahner
Eckensberger	Laudadio	Perri	Yohn
Englehart	Lehr	Pitts	Zeller
Fawcett	Lincoln	Pyles	

NAYS—105

Bellomini	Green	Miscevich	Shelhamer
Bennett	Greenfield	Morris	Shelton
Beren	Grieco	Mullen	Shupnik
Berlin	Hamilton, J. H.	Musto	Sirtanni
Bonetto	Hayes, S. E.	Myers	Smith, E.
Bradley	Hepford	Novak	Smith, L.
Burns	Hopkins	O'Connell	Spencer
Caputo	Irvic	O'Keefe	Stapleton
Cimini	Johnson, J.	Oliver	Stout
Cohen	Katz	Pancoast	Toll
Cole	Kelly, A. P.	Petrarca	Trello
DeMedio	Kelly, J. B.	Polite	Turner
Deverter	Kernick	Pratt	Ustykoski
DiDonato	Kistler	Prendergast	Wargo
Dietz	Kowalyszyn	Rappaport	Westerberg
Doyle	Kusse	Ravenstahl	Whelan
Fee	LaMarca	Reed	Wilson
Foster, A.	Laughlin	Renninger	Wilt, W. W.
Foster, W.	Lederer	Rieger	Wojdak
Gallagher	Letterman	Ritter	Worrlow
Gallen	Levi	Ross	Wright
Garzia	Manderino	Ruggiero	Zearfoss
Geesey	McIntyre	Saloom	Zwilk
Geisler	McLane	Schmitt	
Giammarco	Mebus	Schweder	Fineman,
Gillespie	Menhorn	Scirica	Speaker
Gillette	Milliron	Shane	

NOT VOTING—20

Arthuris	Gleason	McGraw	Richardson
Barber	Hammock	Mullen, M. P.	Thomas
Borson	Hayes, D. S.	Perry	Vroon
Dombrowski	Hutchinson, W.	Plevsky	Wagner
Gleason	Knepper	Rhodes	Zord

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

Amend Sec. 1 (Sec. 4305), page 239, line 16, by striking out "the driver of a vehicle" and inserting a colon  
Amend Sec. 1 (Sec. 4305), page 239, by inserting between lines 16 and 17:

- (1) The driver of a vehicle
- Amend Sec. 1 (Sec. 4305), page 239, by inserting between lines 21 and 22:
- (2) The driver of a bus equipped with simultaneous flashing signals shall use the signals when the bus is stopped with one or more wheels on the roadway between dusk and dawn for the purpose of receiving or discharging passengers.

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

QUESTION OF INFORMATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Crawford, Mr. Haskell.

Mr. HASKELL. Mr. Speaker, point of information.  
The SPEAKER pro tempore. Yes, sir?  
Mr. HASKELL. Mr. Speaker, is it the intention of the Chair to complete all of the amendments today?

The SPEAKER pro tempore. If possible. We plan to run until 6 o'clock, Mr. Haskell.

Mr. HASKELL. Thank you, Mr. Speaker.



On the question recurring,

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

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

Amend Sec. 1 (Sec. 3368), page 200, line 2, by inserting after "OUTPUT.": The printout or a copy thereof produced by all such new units must be made available to any defendant who requests such printout. The printout shall include the time and date of the alleged violation.

On the question,

Will the House agree to the amendment?

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

Mr. LINCOLN. Mr. Speaker, last week or the week before last we adopted an amendment offered by the gentleman from Bucks, Mr. Wilson, which stated that any new radar equipment purchased after the enactment of this act would be required to provide a printout. My amendment takes that one step further and says that this printout shall be provided to the violator upon his request, either the printout or a copy of the printout, and the printout shall include the time and date of the alleged violation.

I do not believe there is any sense in having a printout if it is not available to the defendant.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Bonetto. Is this amendment agreed to, Mr. Bonetto?

Mr. BONETTO. Yes, sir.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

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

Mr. BEREN. Mr. Speaker, would you just recognize me for a second please?

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

Mr. BEREN. Mr. Speaker, this is agreed to. But I would like to point out for the members on our side that Mr. Westerberg will be representing the minority point of view on the amendments for the remainder of the afternoon.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1503), page 92, line 3, by removing the period after "years" and inserting: , except that the department shall issue a driver's license to any person who is at least 16 years of age and who presents evidence that the person has satisfactorily completed a driver education course and all other requirements necessary for the type of license to be issued. This course must be approved by the department and the Department of Education and may be given by a public school, a private school or a licensed professional driver training school. Upon receiving an application signed and verified by a parent, guardian or person in loco parentis, the department shall

issue a learner's permit to any person who has attained the age of 15 years 9 months in order that the person may receive classroom instruction in an approved driver training course. Upon such person's 16th birthday, the learner's permit shall be valid for driving on the highways of this Commonwealth subject to the provisions of this chapter governing the use of learners permits.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter. The gentleman may proceed.

Mr. DeVERTER. Thank you, Mr. Speaker. Mr. Speaker, this amendment is an attempt to place back in the bill the requirements for driver education for those youngsters who are first applying at the age of 16. I feel that it is extremely important that we leave this provision in the bill because I believe it is going to have a major impact if we do not provide some form of driver education program for the youngsters of this Commonwealth.

In addition, the impact on the discount for insurance premiums I think is going to be tremendous. In discussing this with many school officials, they indicate that at present most of the children do sign up for driver education. And I believe if we are going to eliminate the junior driver's license aspect, the least we can do is provide some opportunity for them to receive education prior to the receipt of a regular driver's license.

In addition, on the lighter side, can some of you imagine what is going to happen within your school districts where you have driver education teachers who are also basketball, football, soccer and other types of coaches? You are going to lose quite a few of them, I am afraid, because this is going to open the door for driver education to be quietly and slowly phased right out of our educational system. I would ask the members for an affirmative vote on this amendment.

Thank you.

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

Mr. BONETTO. Mr. Speaker, can we have a moment for a little conference here?

The SPEAKER pro tempore. The Chair recognizes the gentleman for a conference.

The House will be at ease.

#### AMENDMENT PASSED OVER

The SPEAKER pro tempore. Mr. Bonetto, can we pass over this amendment and go on to another one?

Mr. Bonetto, I am going to pass over this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter. Mr. DeVerter, are you ready to go?

Mr. DeVERTER. Mr. Speaker, there is a technical problem with the sentence preceding my amendatory language, and I am going to have to ask the Reference Bureau for a redraft. I would appreciate being retained on the list for a later time. Thank you.

The SPEAKER pro tempore. Would the gentleman please proceed with that with some haste and then we can get on with the business of the House?

#### SENATE BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been

prepared for presentation to the Governor and the same being correct, the titles were read:

**SENATE BILL No. 1282**

An Act repealing section 22 act of May 1, 1861 (P. L. 450, No. 424), entitled "An act relating to Allegheny County," eliminating the reduction of five per centum discount for payment of Allegheny County real estate taxes.

**SENATE BILL No. 1284**

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," authorizing discounts on taxes.

Whereupon,

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

**CONSIDERATION OF BRANDT AMENDMENTS RESUMED**

On the question recurring,

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

The House resumed consideration of the BRANDT amendments, which were read:

Amend Sec. 1 (Sec. 102), page 24, line 3, by striking out "ten" and inserting: 25

Amend Sec. 1 (Sec. 102), page 24, lines 4 and 5, by striking out "because of discontinued production and limited availability,"

On the question recurring,

Will the House agree to the amendments?

**POINT OF ORDER**

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Mr. Speaker, if the reading clerk could just say two more words when he reads that amendment and give us the page number, it would be a big help.

The SPEAKER pro tempore. Would the clerk proceed with the request?

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

Mr. BRANDT. Thank you, Mr. Speaker.

What we attempt to do in this amendment is to clarify the problem that has developed over the past several years between classic motor vehicles and antique motor vehicles.

I have got quite a bit of response from members of Antique, Automobile Associations that there is some total disregard for the idea of what a classic vehicle is. This amendment in effect would remove the classification of classic motor vehicles by saying that to be termed a classic motor vehicle they must be 25 years old. We are taking out the language of "because of discontinued production".

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

Mr. BONETTO. Mr. Speaker, in preparing this section to the code and in checking with the antique dealers throughout the Commonwealth, many of them have suggested to us that a classic motor vehicle be 10 years of

age and an antique be 25 years of age. They claim and they have told us many times that there is a difference and they want to continue that to be the difference. So, therefore, I suggest that we allow the bill to remain as is and oppose the amendment in view of the fact that the majority of the antique dealers who are in Pennsylvania are very interested in keeping the two classifications separated.

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

Mr. BRANDT. Mr. Speaker, I still support the amendment, because apparently we are talking to different types of antique dealers.

We have the problem of the regulation from the department of what is classified as a discontinued model. I know for a fact that there are some 1963 and 1964 Chevrolet Bel Airs running around that have antique car licenses on them and I just do not think it is quite fair.

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

Mr. WESTERBERG. Mr. Speaker, I do believe there is a difference between a classic and an antique vehicle and I see no reason to change this bill from the way it is written now. I advise voting against this amendment.

On the question recurring,

Will the House agree to the amendments?

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

**YEAS—30**

Anderson, J. H.	Fryer	McClatchy	Smith, E.
Brandt	Griff	McCue	Smith, L.
Crawford	Hayes, S. E.	Miller, M. E.	Stahl
Davies	Hill	Miller, M. E., Jr.	Taddonito
Deverter	Hutchinson, W.	Mochlmann	Weidner
Dorr	Kelly, J. B.	Pitts	Whelan
Foster, A.	Kusse	Scheaffer	Zearfoss
Foster, W.	Lehr		

**NAYS—144**

Abraham	George	Mebus	Ryan
Bennett	Giammarco	Menhorn	Saloom
Beren	Gillespie	Milanovich	Salvatore
Berlin	Gillette	Milliron	Schmitt
Berson	Goodman	Miscevich	Schweder
Bittle	Green	Morris	Scirica
Bonetto	Greenfield	Mirkonic	Seltzer
Bradley	Grieco	Mullen, M. P.	Sheihamer
Brunner	Halverson	Mullen	Shuman
Burns	Hamilton, J. H.	Musto	Sirianni
Butera	Hammock	Myers	Spencer
Caputo	Hasay	Novak	Stapleton
Cessar	Haskell	Noye	Stout
Cimini	Hepford	O'Brien	Taylor
Cohen	Hopkins	O'Connell	Toll
Cole	Hutchinson, A.	O'Donnell	Trello
Cowell	Irvic	O'Keefe	Turner
Cumberland	Itkin	Oliver	Ustynowski
DeMedio	Johnson, J.	Pancoast	Valcenti
Dicarlo	Katz	Parker, H. S.	Wagner
DiDonato	Kelly, A. P.	Perri	Walsh, T. P.
Dietz	Kernick	Petrarca	Warsacz
Dininni	Kistler	Polite	Wargo
Doyle	Klingaman	Pratt	Westerberg
Dreibelbits	Kowalyshyn	Prendegast	Wilson
Eckensberger	Laudadio	Pyles	Wilt, R. W.
Engelhart	Laughlin	Rappaport	Wilt, W. W.
Fawcett	Lederer	Ravenstahl	Worrlow
Fee	Letterman	Reed	Wright
Fischer	Levi	Renninger	Yahner
Fisher	Lincoln	Renwick	Yohn
Flaherty	Lynch	Richardson	Zeller
Gallagher	Manderino	Rieger	Zwickl
Gallen	Mannmiller	Ritter	
Garza	McCall	Ross	Fineman, Speaker
Geesey	McGinnis	Ruggiero	
Geisler	McLane		

## NOT VOTING—22

Arthurs	Hayes, D. S.	Perry	Shupnik
Barber	Knepper	Pievsky	Thomas
Bellomint	Kolter	Rhodes	Vroon
Dombrowski	LaMarca	Shane	Wojdak
Gleason	McGraw	Shelton	Zord
Gleeson	McIntyre		

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 3732), page 218, by inserting between lines 6 and 7:

(c) Certain arrests authorized.—In addition to any other powers of arrest, a police officer is hereby authorized to arrest without a warrant any person who the officer has probable cause to believe has violated the provisions of this section, regardless of whether or not the alleged violation was committed in the presence of such officer.

Amend Sec. 1 (Sec. 3732), page 218, line 7, by striking out "(c)" and inserting: (d)

On the question,

Will the House agree to the amendments?

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

Mr. YOHN. Mr. Speaker, I believe these amendments are agreed to. They are the product of Mr. Cessar primarily. Their purpose is to bring the bill back to where current law is. I think the Legislative Reference Bureau felt originally that that was the way they were drafting it, but on further thought they realized that perhaps this amendment is necessary.

The purpose of it is to allow a police officer to arrest for drunken driving on probable cause rather than only in those situations where he has actually seen the driving occur.

We debated this bill last year and enacted it into law at that time.

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. A. C. FOSTER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 1 (Sec. 4728), page 263, line 22, by inserting after "department.": Should the window to which the inspection certificate is affixed be replaced, an inspection station shall issue a replacement inspection certificate for a fee of 50¢, upon surrender of a dated receipt from installer of said window as provided for in section 4729.

Amend Sec. 1 (Sec. 4729), page 264, line 2, by striking out "windshield" and inserting: window to which an inspection certificate is affixed

Amend Sec. 1 (Sec. 4729), page 264, lines 2 and 3, by striking out "a windshield" and inserting: such window

Amend Sec. 1 (Sec. 4729), page 264, line 4, by removing the period after "sticker" and inserting: and shall issue the owner a receipt therefore. Said receipt shall suffice for the absence of an inspection certificate for the vehicle for a period not to exceed 48 hours.

On the question,

Will the House agree to the amendments?

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

Mr. A. C. FOSTER. Mr. Speaker, basically what I am trying to do with this amendment is remedy the situation where the window to which an inspection sticker is affixed is broken and has to be replaced and then, even though you may have had your vehicle inspected just a couple of days before that, you are required to have the vehicle reinspected; plus, during the period in which you can get from, say, a glazier to an inspection station, you are running strictly at your own risk and can be ticketed for driving without an inspection sticker.

Basically what I do here in this amendment is that when you have a window replaced under the present law, the person replacing the windshield has to destroy the sticker. Now I am saying that he shall give you a receipt for that sticker and that that receipt shall be valid for 48 hours until such time as you can get to an inspection station, at which time the inspection station shall be authorized to issue a replacement sticker without inspection for a fee of 50 cents.

I have been in this situation a number of times myself—three times to be precise—and I have had a number of my constituents who have been involved with it. So I would ask an affirmative vote on the amendment.

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

Mr. BONETTO. Mr. Speaker, I oppose this amendment. It is my understanding that the department has issued regulations in which in the event of a windshield being destroyed or cracked or necessary to be replaced, that section of the windshield on which the sticker appears shall be cut from the broken windshield and retained in the possession of the driver in his glove compartment until the next inspection. I find no reason, no reason in the world, to have an extra charge of 50 cents for another sticker to replace one where it would not be necessary so long as he carries the old sticker until the next inspection. For that reason, I oppose the amendment.

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

Mr. WESTERBERG. Mr. Speaker, I realize that this may have caused some problems in some areas where they did not comply with the department regulation, but I must point out to the gentleman from York that when the inspection station puts a sticker on a car, that inspection station mechanic is certifying that that car is in good shape all the way through. He is also certifying that he has pulled two wheels off that car, and it does not matter whether it was inspected a week ago or 6 months ago.

You cannot expect the inspection station to fully inspect that car for 50 cents, and under the rules of the inspection, he has to give it a complete inspection before he can put a sticker on that car. The only way that this would work, this idea in this amendment, is to give the inspection station amnesty, that he was just putting that sticker on for 50 cents but was not guaranteeing that the car was in good shape. So I will have to ask you to vote against this amendment.

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

Mr. A. C. FOSTER. Mr. Speaker, Mr. Westerberg has really given the strongest argument for this amendment inadvertently, and I respect what he has said there because the present law does state that when an inspection agent shall put a certificate on the windshield, he has attested to the fact that that vehicle is in safe operating condition. However, it would be a very simple matter for him to simply note in his records, as he is required to keep, that this inspection sticker is a replacement, and that would in no way impinge upon his credibility.

Also, I would like to address myself to the point that Mr. Bonetto raised, and I discussed this matter with Mr. Bonetto previously. The department has vaguely suggested that they may get around to some regulation which would take care of the situation. However, they cannot possibly do it in the way that was suggested because the code as written specifically forbids anyone to remove, to cut out, from a windshield the section containing the sticker. So they would be trying to do by regulation what is expressly forbidden in this code.

I think the solution that I propose here is a much simpler one and much more workable, and I think it takes care of the point which Mr. Westerberg raised. And for any of you who have had constituents in this situation, believe me, they will understand the problem.

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

Mr. BONETTO. Mr. Speaker, I would like to make a suggestion to your amendment, and we are going to be here tomorrow with a few more. Maybe we can get it done tonight.

What I do not particularly like is the fact that you are asking a replacement sticker and charging 50 cents. Would you be willing to take an amendment mandating that when a windshield is either destroyed or cracked and must be replaced, that that section of the windshield be placed in the glove compartment containing the sticker until the next inspection? I would agree to it.

Mr. A. C. FOSTER. Yes; I would offer an amendment of that type. It will involve changing several portions of the code.

If I have time to prepare such an amendment tomorrow, I will withdraw this amendment.

Mr. BONETTO. We can get it done. If you withdraw your amendment, we can have it done tonight.

#### AMENDMENT WITHDRAWN

Mr. A. C. FOSTER. Fine. I therefore withdraw this amendment.

The SPEAKER pro tempore. You are withdrawing the amendment?

Mr. A. C. FOSTER. Mr. Speaker, I have a second amendment, but I do not think it has been circulated as yet.

The SPEAKER pro tempore. Will you hold that amendment? The Chair will go on with Mr. McCue.

#### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. WILSON. Mr. Speaker, would the Speaker perhaps rule, on those amendments that have been circulated without identification, that we should just throw them away and ignore them and not consider anybody who is going to send them around? I have 20 such amendments sitting here that I cannot identify; they have no one's name on them. I do not think we should recognize them and let them offer an amendment that has no name. This does not refer to Mr. McCue's. He has got his name on about 20 of them.

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

Mr. IRVIS. Mr. Speaker, the gentleman, Mr. Wilson, has preempted the field apparently. I intended to wait until the end of today's session to make the announcement, but you are quite correct.

I would point out to the members of this General Assembly that Rule No. 27 not only requires eight typewritten copies of an amendment, but it requires that they be signed by its sponsor. Those of you who are getting very careless—and I just got through at my desk checking the last 12 amendments, and of the last 12 amendments passed out to me, only two were signed. Those of you who are getting that careless are making it very, very difficult for this House to function.

I would strongly suggest that all of you who have further amendments to offer to make certain that your name appears, and if you will do us the courtesy, if you have more than one, number them in sequence so that we can refer to that particular amendment that you wish to produce before this House.

#### ANNOUNCEMENT

Mr. IRVIS. Inasmuch as I am on my feet, Mr. Speaker, let me make an announcement which was alluded to by Mr. Bonetto indirectly. Because of the printing problem, we shall not continue the debate on the amendments today beyond 6 p.m. We shall begin again tomorrow at 9:30 in the morning and we shall continue tomorrow until, hopefully, we have finished all amendments. At that time we shall make a decision as to when this bill will be called for final passage. But we shall not work beyond 6 p.m. this evening.

Thank you, Mr. Speaker, for your courtesy.

The SPEAKER pro tempore. Thank you, Mr. Majority Leader.

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

Mr. WILSON. Mr. Speaker, would the Speaker then indicate that by the rules of the House all said amendments on our desks that are unsigned, as the majority leader has indicated, shall be thrown away and we will not honor or recognize said amendments? Is that a correct assumption on this speaker's part?

The SPEAKER pro tempore. The rules will be adhered to, Mr. Wilson, and the Chair thanks the gentleman. Therefore, if you have amendments that have not been signed, they cannot be considered—

Mr. WILSON. Thirty of them.

The SPEAKER pro tempore. —under the rules from here on.

So those of you who have amendments that fell under

the point of order of the gentleman from Bucks, it will behoove you to see that the rules are complied with.

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

Mr. RITTER. Mr. Speaker, I appreciate what the gentleman said. I do not have any further amendments, so I am not one of those 30. But what happens if each one of those people now gets an amendment, signs their name to it, and has it reproduced 203 times? I think we are spending enough money in terms of amendments on this bill now. I know that it is difficult to follow amendments without any names on them, but perhaps we could describe the amendment by the section and page number and do away with the possibility of having all those amendments reproduced another 203 times.

The SPEAKER pro tempore. The Chair recognizes the majority leader. What are your thoughts, sir?

Mr. IRVIS. Is the question now on the agreed-to amendments, Mr. Speaker?

The SPEAKER pro tempore. No, Mr. Irvis. The question was raised by Mr. Ritter as to why should we throw out 203 amendments times whatever the number is even though they are not signed, and can we somehow come to an accord that would have the effect that we would describe the amendments sufficiently as a member rises to his feet who has neglected to comply with the rules, so that we can have, in effect, a signing as an amanuensis by the members of this House?

Mr. IRVIS. Mr. Speaker, I do agree with the gentleman and with the statement of the Speaker. I think it would be a waste of time and a waste of material for us to throw out the amendments simply because they have not been physically signed. I was pointing out to the members of the House the error being committed today and urging that that error not be repeated tomorrow or in the future. I do not agree with Mr. Wilson's proposal that we get rid of the unsigned amendments today. That would be getting rid of too many of them and would also raise a question as to the legitimacy of those amendments which we have already adopted which were unsigned as far as the sponsor is concerned.

So I would suggest that the House bear with us for another 12 minutes, even if we must deal with unsigned amendments, and that those people who have not signed their amendments take care to identify those amendments when they rise to their feet so that we shall be able to follow their amendments much more carefully.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair instructs the clerk to accept for distribution no further amendments that are unsigned after today.

The Chair recognizes the gentleman from Bradford, Mr. Turner. For what purpose does the gentleman rise?

Mr. TURNER. That was in line, Mr. Speaker, with the suggestion I was going to make, that when these copies come to the majority leader's desk or the Speaker's desk, that they reject them and announce on the floor that they are not going to be considered.

This thing is going to happen again tomorrow just as sure as I am a Representative in this House.

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

Amend Sec. 1 (Sec. 1376), page 86, line 28, by inserting after "registration," where it appears the first time: shall notify the holder of the registration plate and registration card by personal service and direct such person to show cause why the registration plate and card should not be surrendered within ten days of such service. The required service shall be made by an authorized department employee, police officer or constable. If no cause is shown or if there is no reply within the prescribed ten days, then the department

On the question,

Will the House agree to the amendment?

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

Mr. McCUE. Mr. Speaker, this amendment is identified as No. 1. It would require a personal service by an agent of the Department of Transportation before a license, either a license card or a license tag, would be physically removed from him by an agent, either a policeman or an employe of the department.

I have discovered in my area that licensees have had the experience of a state policeman coming to their door on Saturday night and demanding the license tag. This is the first time that such a person knew that the return of the tag was required. This mix-up in this one case was due to the licensee being informed by his insurance agency that he had filed an improper insurance form.

In another case it was the change of address by the post office from one rural delivery number to another rural delivery number. The post office refused to deliver any mail to the new rural delivery, and this one in particular had actually filed his change of address. This is a case of where the licensee continued to live in the same house at the same location. It was merely that the post office, for its convenience, changed the identification of his address, and the change of address had failed to be noted in the department.

I feel that personal notice in such a case is necessary rather than to have a confiscation of the license. Certainly this is no great burden. When a person is sued in common pleas court, the defendant must be given service of the case against him. In this case he is being deprived of a very valuable piece of property—his registration tag or his license card. This would mean that if the licensee, for whatever reason, has to return his card and he does not, that in effect the department would investigate why he had not returned it. The department would give him this personal notice, and this personal notice would require that he return the card and tag within 10 days. After such personal notice and if he had not in fact returned the card and the tag, then the employe or the agent of the department, whether he be a policeman or a civilian, would proceed as now to go out and physically confiscate the tag or the card.

I respectfully request favorable consideration by the House.

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

Mr. BONETTO. Mr. Speaker, I oppose this amendment. I oppose it because in the first place the operator of the vehicle was already notified when he was given

the ticket, and for that reason I do not see any reason for having this amendment inserted into the bill. Notification by ticket is sufficient.

Here is a man, in my personal opinion, who probably failed to pay the fine or has done something radically wrong. There is no reason, in my opinion, to have anything like this in the bill. So, therefore, I oppose it.

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

Mr. WESTERBERG. Thank you, Mr. Speaker.

I imagine there are cases such as Mr. McCue has pointed out, but what I have found in my district is that there are more cases where the people have received these notifications and have entirely ignored them, and for that reason the police must go out on Saturday night or Sunday and try to get hold of the fellow because he has not been able to find him any other time. And I believe that for the very few cases that Mr. McCue would be trying to remedy here, we would be causing 10 times that many more problems.

I will tell you another thing: With some of these people, when they got out and found them the first time, they have been lucky. And if they give them 10 days' notice that they are coming back again, I will tell you they are going to be hard to find that next time. I say vote down this amendment.

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

Mr. McCUE. Mr. Speaker, I must respectfully correct the presumptions of the two other gentlemen who spoke on this subject. I am talking about the case of where the licensee has had no prior notice whatsoever. Mr. Bonetto said that he was notified by having been given a ticket. A person may lose his license by means other than having been given a ticket. In the case that Mr. Westerberg was speaking of, he had no other prior notice. Certainly a person who is being relieved of a valuable piece of property, such as his license tag or his license to drive, should receive the same benefits as a person who is being sued in common pleas court.

I think that it is very unfair if a person has no prior notice whatsoever. All I am saying is that he be given personal notice. Then if he does not respond to this notice in fact, his license or his tag would be removed.

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

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

YEAS—17

Burns	Hutchinson, W.	Perri	Whelan
Fisher	Katz	Salvatore	Wilson
Gring	McCue	Shuman	Wright
Hasay	Moehlmann	Ustynoski	Zearfos
Hutchinson, A.			

NAYS—154

Abraham	Gallen	McCall	Ryan
Anderson, J. H.	Garzia	McClatchy	Saloom
Bennett	Geesey	McGinnis	Scheaffer
Beren	Geisler	McLane	Schmitt
Berlin	George	Mebus	Schweder
Bittle	Giammarco	Menhorn	Selrica
Bonetto	Gillespie	Milanovich	Seltzer
Bradley	Gillette	Miller, M. E.	Shehauer
Brandt	Goodman	Miller, M. E., Jr.	Shupnik
Brunner	Green	Milliron	Sirianni
Butera	Grieco	Miscevich	Smith, E.

Caputo	Halverson	Morris	Smith, L.
Cessar	Hamilton, J. H.	Mrkonie	Spencer
Cimini	Hammock	Mullen	Stahl
Cohen	Haskell	Musto	Stapleton
Cole	Hayes, S. E.	Myers	Stout
Cowell	Hepford	Novak	Taddonio
Crawford	Hill	Noye	Taylor
Cumberland	Hopkins	O'Brien	Toll
Davies	Irvis	O'Connell	Trello
DeMedio	Itkin	O'Donnell	Turner
Deverter	Johnson, J.	O'Keefe	Valicenti
Dicarlo	Kelly, A. P.	Oliver	Wagner
DiDonato	Kelly, J. B.	Pancoast	Walsh, T. P.
Dietz	Kernick	Parker, H. S.	Wansacz
Dimind	Kistler	Petrarca	Wargo
Dorr	Klingaman	Pitts	Weidner
Doyle	Kowalyszyn	Polite	Westerberg
Dreibelbis	Kusse	Pratt	Wilt, R. W.
Eckensberger	LaMarca	Prendergast	Wilt, W. W.
Engelhart	Laudadio	Ravenstahl	Wojdak
Fawcett	Laughlin	Reed	Worrillow
Fee	Lehr	Renninger	Yahner
Fischer	Letterman	Renwick	Yohn
Flaherty	Levi	Richardson	Zeller
Foster, A.	Lincoln	Rieger	Zwilk
Foster, W.	Lynch	Ritter	
Fryer	Manderino	Ross	Fineman,
Gallagher	Manmiller	Ruggiero	Speaker

NOT VOTING—25

Arthur	Greenfield	McIntyre	Rhodes
Barber	Hayes, D. S.	Mullen, M. P.	Shane
Bellomini	Knepper	Perry	Shelton
Berson	Kolter	Pievsky	Thomas
Dombrowski	Lederer	Pyles	Vroom
Gleason	McGraw	Rappaport	Zord
Gleeson			

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

The SPEAKER pro tempore. Would the majority leader state his pleasure with respect to House bill No. 1817?

Mr. IRVIS. Mr. Speaker, I would ask that no further debate on the amendments be carried; that House bill No. 1817, printer's No. 2873, remain on third consideration until tomorrow morning; and that Mr. McCue be recognized first to offer the rest of his amendments.

The SPEAKER pro tempore. The Chair thanks the gentleman.

HOUSE BILL No. 1883 TAKEN FROM TABLE

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

Mr. IRVIS. Mr. Speaker, I have a motion to remove from the table one bill—House bill No. 1883, printer's No. 2871—and I so move.

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

BILLS AND RESOLUTIONS NOT CALLED UP

The SPEAKER. Remaining bills and resolutions on today's calendar are not called up.

BILLS REPORTED FROM COMMITTEES

HOUSE BILL No. 1382 (Amended)

By Mr. RICHARDSON

An Act providing for the right of persons arrested to communicate by telephone while in custody.

Reported from Committee on Judiciary.

**HOUSE BILL No. 1696**

By Mr. SCHMITT

An Act amending the act of March 31, 1937 (P. L. 160, No. 43), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; \*\*\*" further providing for the appointment of members to the commission.

Reported from Committee on Consumer Protection.

**HOUSE BILL No. 2103 (Amended)** By Mr. SCHMITT

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), requiring three affirmative votes prior to utility rate increases and prior to registration of security certificates.

Reported from Committee on Consumer Protection.

**HOUSE BILL No. 2164**

By Mr. FRYER

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), further providing for approval of plats.

Reported from Committee on Local Government.

**HOUSE BILL No. 2170 (Amended)** By Mr. SCHMITT

An Act regulating contracts for health spa services and membership and prescribing remedies and penalties.

Reported from Committee on Consumer Protection.

**LEGISLATION TO BE INTRODUCED**

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

Mr. HAMMOCK. Mr. Speaker, I have a piece of legislation that I would like to have introduced at this time. I would like leave from the Chair to make a few brief remarks.

Mr. Speaker, for the record, I am today introducing legislation which would exempt residential users of electricity from the state's gross receipts utility tax. The effect of this measure, should it be adopted, would mean a savings to residential homeowners who use 500 kilowatt hours or less per month.

This legislation seeks to exempt electric utilities from having to pay the gross receipts tax on revenues received from residential consumers on the first 500 kilowatt hours. It is being proposed to lighten the tax load for average consumers of electricity while at the same time encouraging conservation.

Currently utilities in Pennsylvania now pay a 45-mill tax on every dollar of gross receipts received, including revenue received from fuel adjustments. In 1975 this tax

on residential users alone in the state amounted to about \$34 million. Other state taxes paid by the utilities include realty, capital stock, and corporate net income taxes.

The proposed tax break that the bill would offer would help all residential customers, but would be especially useful to the small consumers who use a small amount of electricity. Many of these people are our senior citizens and others who live on fixed incomes in this state. I believe that this bill could provide savings in electric bills of \$14 to \$20 a month to customers who most need it.

There has been a lot of talk recently about conserving our energy in this country and indeed in this state, but the only practical way of doing this is to provide some incentive to those who use electricity. At the same time, many of the people who do manage to keep their energy consumption to minimal levels do so because they cannot afford higher electric bills. By providing this tax break and this tax incentive, which will be passed directly to the consumer by the utility, we will be aiding many people who are especially on fixed incomes and who use a small amount of electricity on a monthly basis.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**WELCOMES**

The SPEAKER pro tempore. The Chair would like to welcome to the hall of the House a group of high school students from Southmoreland High School in Westmoreland County.

These students are here as the guests of the gentlemen, Messrs. Saloom and Manderino.

The Chair is pleased to welcome to the hall of the House today eighth-grade students from Blessed Sacrament School, Natrona Heights, Pennsylvania.

They are accompanied by Father Dzjermako, Father DePietro, Sister Barbara Ann and Miss Jane Priester. They are the guests of the lady from Allegheny, Mrs. Gillette.

**ADJOURNMENT**

Mr. GILLESPIE moved that this House do now adjourn until Tuesday, March 23, 1976, at 9:30 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 6:07 p.m., e.s.t.) the House adjourned.