

Legislative Journal

WEDNESDAY, MARCH 24, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 115

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

THE HONORABLE WALTER F. DeVERTER, member of the House of Representatives and guest chaplain, offered the following prayer:

Almighty God, our strength and stay in life, and the one to whom we can turn when the pressures of life crowd in upon us, it is with heartfelt thanks and grateful praise that we pause in this day to give Thee the honor due unto Thy holy and most righteous name. Without Thee we are nothing and can accomplish very little; but with Thee and Thy spirit inspiring and leading us, we are able to accomplish great things for Thee and the extension of Thy kingdom. Heavenly Father, work in and through these workmen of Thine to the power of Thy might, the furtherance of Thy will, and the formulation of Thy truth. This we ask in Thy name and for Thy sake. Amen.

The SPEAKER. The Chair thanks the gentleman.

There is a new serenity in the House this morning as a result of that prayer.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of December 10, 11 and 16, 1975?

If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, March 23, 1976, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Mrs. KELLY, Messrs. HILL, DiCARLO, BARBER, Mrs. TOLL, Messrs. GIAMMARCO, BONETTO, OLIVER, RIEGER, McINTYRE, LINCOLN, MILLIRON, USTYNOSKI, McCUE, GRIECO, SALVATORE, HAMILTON, PERRI, REED, BERLIN, STAPLETON, GARZIA, SHUMAN, DIETZ, McLANE, MISCEVICH, ROSS, CESSAR, WILSON, McGINNIS, McCLATCHY, Mrs. CRAWFORD, Messrs. PITTS, VROON, Mrs. FAWCETT, Messrs. PYLES and MYERS

HOUSE BILL No. 2252

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for and amount of State blind pensions.

Referred to Committee on Health and Welfare.

By Mr. McCUE

HOUSE BILL No. 2253

An Act amending the act of December 10, 1974 (P. L. 852, No. 287), entitled "An act to protect the public health and safety by preventing excavation or demolition work from damaging underground lines used in providing electricity, communication, gas, oil delivery, oil product delivery, sewage, water or other service; *** and prescribing penalties," providing an exception to certain requirements under the act.

Referred to Committee on Consumer Protection.

By Mrs. KERNICK, Messrs. O'BRIEN, COWELL, Mrs. GILLETTE, Messrs. SHELHAMER, PETRARCA, ABRAHAM, FLAHERTY, MRKONIC, NOVAK, WALSH, TADDONIO, CESSAR and MISCEVICH

HOUSE BILL No. 2254

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the return of certain deposits.

Referred to Committee on Local Government.

By Messrs. FINEMAN, MANDERINO, ENGLEHART, IRVIS, RYAN, BERSON, RAPPAPORT, BUTERA, SPENCER, SCIRICA and W. D. HUTCHINSON

HOUSE BILL No. 2255

An Act relating to the jurisdiction and powers of the Supreme, Superior and Commonwealth courts.

Referred to Committee on Judiciary.

By Messrs. FINEMAN, MANDERINO, ENGLEHART, IRVIS, RYAN, BERSON, RAPPAPORT, BUTERA, SPENCER, SCIRICA and W. D. HUTCHINSON

HOUSE BILL No. 2256

An Act amending the act of June 24, 1895 (P. L. 212, No. 128), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; ***," providing for additional judges to the Superior Court; prescribing the manner of their selection and initial term of office; providing for panels and for setting of certain former judges; and changing certain language to conform to the Constitution.

Referred to Committee on Judiciary.

By Messrs. FINEMAN, MANDERINO, ENGLEHART, IRVIS, RYAN, BERSON, RAPPAPORT, BUTERA, SPENCER, SCIRICA and W. D. HUTCHINSON

HOUSE BILL No. 2257

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania by

providing for additional judges for the Superior Court and for their initial term of office.

Referred to Committee on Judiciary.

By Messrs. MISCEVICH, A. K. HUTCHINSON, ABRAHAM, TRELLO, M. M. MULLEN, NOVAK, MENHORN, WALSH, PETRARCA, FRYER, MRKONIC, COWELL, Mrs. KERNICK, Messrs. MCGRAW, GEISLER, CAPUTO, MILANOVICH, FLAHERTY, ITKIN and RAVENSTAHL

HOUSE BILL No. 2258

An Act authorizing the chiefs of fire companies to appoint members of the fire companies to inspect fire hydrants at various times and requiring certain notification prior to inspection.

Referred to Committee on State Government.

By Messrs. BRUNNER, DeMEDIO and PRENDERGAST

HOUSE BILL No. 2259

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for veterans' organization licenses, further regulating the transfer or surrender of a license, and exempting certain units of national veterans' organizations from the licensing quota.

Referred to Committee on Liquor Control.

By Messrs. DOYLE, ZEARFOSS, O'KEEFE, GARZIA, STAPLETON, MORRIS, GILLESPIE, YOHAN, VROON, PITTS, E. H. SMITH, Mrs. CRAWFORD, Messrs. PANCOAST, POLITE, WEIDNER, BERLIN and GALLAGHER

HOUSE BILL No. 2260

An Act amending the act of August 5, 1932 (Sp. Sess., P. L. 45, No. 45), entitled, as amended, "An act empowering cities of the first class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; ***" providing for certain tax credits.

Referred to Committee on Urban Affairs.

SENATE MESSAGE

BILLS FOR CONCURRENCE

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

SENATE BILL No. 800

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for the Navigation Commission for the Delaware River and its navigable tributaries and making repeals and making an appropriation.

Referred to Committee on Transportation.

SENATE BILL No. 935

An Act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to judiciary and judicial procedure including certain judicially enforceable rights, duties, immunities and liabilities and separately enacting certain related provisions of law.

Referred to Committee on Judiciary.

SENATE BILL No. 979

An Act to encourage the use of solar energy systems

for heating, cooling or domestic hot water heating and excluding the material and installation costs thereof from sales and use taxes for a certain length of time.

Referred to Committee on Finance.

SENATE BILL No. 989

An Act amending the act of March 16, 1970 (P. L. 180, No. 69), entitled "An act relating to State taxation; . . .," further providing for the payment of the tentative corporate net income tax and corporate income tax.

Referred to Committee on Finance.

SENATE BILL No. 990

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," permitting deductions for net operating losses sustained in certain years.

Referred to Committee on Finance.

SENATE BILL No. 1093

An Act making an appropriation out of the Motor License Fund to the Department of Transportation for the Appalachian Local Access Roads program.

Referred to Committee on Transportation.

SENATE BILL No. 1166

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," defining a term, providing a service increment and option benefits and changing certain retirement ages and years of service.

Referred to Committee on Local Government.

SENATE BILL No. 1216

An Act amending the act of May 28, 1937 (P. L. 1053, No. 286), entitled "Public Utility Law," further defining terms; providing for rate increases and adjustments; further regulating billing procedures; providing for suspended railroad crossing; providing for appeals, further providing for budget limitations; and increasing certain penalties.

Referred to Committee on Consumer Protection.

SENATE BILL No. 1217

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 compensation, nomination and confirmation of members of the Public Utility Commission; further providing for certain powers and duties of commissioners and employes and as to employes in certain cases, compensation and providing for hearing and investigative procedures.

Referred to Committee on Consumer Protection.

SENATE BILL No. 1219

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 organization of the commission.

Referred to Committee on Consumer Protection.

SENATE BILL No. 1223

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 hearing and investigative procedures.

Referred to Committee on Consumer Protection.

SENATE BILL No. 1224

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 age of members of the Public Utility Commission and making an appropriation for an educational study.

Referred to Committee on Consumer Protection.

SENATE BILL No. 1275

An Act amending the act of August 5, 1932 (Sp. Sess. P. L. 45, No. 45), entitled, as amended, "An act empowering cities of the first class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes for general revenues purposes; . . ." further providing for the rate of taxation on certain individuals.

Referred to Committee on Urban Affairs.

SENATE BILL No. 1359

An Act amending the act of June 28, 1947 (P. L. 1062, No. 455), entitled "An act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings; . . ." providing for the transfer of unneeded moneys from the Public Building Construction Fund to the Public Building Construction Sinking Fund and further providing for the abolishment of both funds after payment of all outstanding obligations.

Referred to Committee on Appropriations.

SENATE BILL No. 1365

An Act amending the act of July 22, 1970 (P. L. 513, No. 178), entitled "Pennsylvania Cigarette Tax Act," deleting certain provisions relating to the disposition of funds.

Referred to Committee on Appropriations.

SENATE BILL No. 1375

A Supplement to the act of (P. L. , No.), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1976 to June 30, 1977 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1976," itemizing appropriations required from the Federal Revenue Sharing Trust Fund for the proper operations of the several departments of the Commonwealth authorized to spend Federal Revenue Sharing Trust Fund moneys.

Referred to Committee on Appropriations.

SENATE BILL No. 1381

An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1976 to June 30, 1977 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1976.

Referred to Committee on Appropriations.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Mr. PANCOAST **RESOLUTION No. 233**

The House of Representatives of the Commonwealth of Pennsylvania directs the Law and Justice Committee of the House to investigate the drug and alcohol traffic at the State Correctional Institution at Graterford to determine the extent and sources of such traffic and to

recommend what action should be taken to correct the situation.

Referred to Committee on Rules.

By Messrs. KNEPPER, MENHORN, FISHER,
Mrs. KERNICK, Messrs. PARKER, MRKONIC,
VALICENTI and TADDONIO **RESOLUTION No. 234**

The House of Representatives of the Commonwealth of Pennsylvania direct the Urban Affairs Committee to examine and make a complete study of the financial and budgetary needs of Allegheny County, to determine the extent that additional Commonwealth funding may be necessary to assist the county in providing vital services; to determine whether the proposed county budget fully reflects county needs.

Referred to Committee on Rules.

SENATE MESSAGE**RESOLUTION FOR CONCURRENCE**

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

SENATE RESOLUTION No. 223

Designating January 4 as "Haym Salomon Day."

Referred to Committee on Rules.

SENATE MESSAGE**HOUSE BILL CONCURRED IN BY SENATE**

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

HOUSE BILL No. 807

An Act amending the act of May 2, 1899 (P. L. 163, No. 111), entitled "An act legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways and as division fences," providing for fences with barbs.

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

HOUSE BILL SIGNED BY SPEAKER

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

HOUSE BILL No. 807

An Act amending the act of May 2, 1899 (P. L. 163, No. 111), entitled "An act legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways and as division fences," providing for fences with barbs.

Whereupon,

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I request leaves of absence for Messrs. DOMBROWSKI and RHODES for today's session.

Mr. Dombrowski's absence is due to the death of his mother.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leave of absence for Mr. THOMAS for today's session.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL

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

The roll was taken and was as follows:

YEAS—188

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

NOT VOTING—8

Barber	Dombrowski	McGraw	Thomas
DiDonato	Gleason	Rhodes	Zord

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

CALENDAR

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 355, printer's No. 1603, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to sublease the Geriatrics Center, Armstrong County, to the Armstrong County Health Center, Inc.

On the question,

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

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

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

YEAS—179

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

NAYS—2

Wagner	Wilt, W. W.
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NOT VOTING—15

Barber	DiDonato	Laughlin	Ritter
Bittle	Dombrowski	McGraw	Thomas
Bradley	Gleason	Pievsky	Zord
Cohen	Johnson, J.	Rhodes	

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, I was out of my seat when the vote was taken on Senate bill No. 355. Will you record me in the affirmative, please?

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

PROFESSIONAL LICENSURE BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 1883, printer's No. 2871**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, further providing for chiropractic services.

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

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I believe this is a somewhat controversial bill; it always has been. I do believe there are some amendments to the bill. I am not certain whether everyone is aware of the nature of the amendments which are going to be offered.

I realize we are going to be going to caucus shortly, as I was just informed by the majority leader, and I wonder if this is not the kind of bill that we should take up after we go to caucus so that we have some idea as to where we are going.

I understand that you have to vote a couple of bills to get everybody here, but beyond that I just do not think everybody really understands why we are doing this. I understand least of all.

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

Mr. CAPUTO. Mr. Speaker, there were amendments which have already been agreed to and added to the bill. If the minority leader is referring to the amendments proposed by the Ladies Garment Workers Union, they have already been attached to this bill. I think both sides agreed to them a week ago. There are no other amendments that I know of that are being contemplated.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the minority leader is correct, and if the members would adhere to the Chair's cautionary words, we may be able to make everything quite clear.

The bills which are being called up now are bills which have long since been caucused on, but they have been on our calendar off and on for the last several weeks.

I have been informed by Mr. Caputo that there are no further amendments to House bill No. 1883. Now if that information is not correct, then we will not call up House bill No. 1883 at this time.

I have also been informed that to Senate bill No. 883,

on page 2, which is the Public Welfare Code, that the only person to offer an amendment is the majority leader, who has a technical amendment changing the effective date. That is the bill which formerly was going to face controversial amendments but today is not. So that is listed for a vote prior to caucus.

The SPEAKER. Are there any amendments to be offered by anyone to House bill No. 1883?

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

The question is, Shall the bill pass finally?

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

Mr. O'CONNELL. I am sorry, Mr. Speaker, I was detained. I had a constituent in the office and I was not on the floor. Was there an amendment offered by the gentleman from Carbon, Mr. McCall?

The SPEAKER. There are no amendments being offered today, Mr. O'Connell.

Mr. O'CONNELL. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Would the gentleman, Mr. Caputo, stand for interrogation?

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

Mr. CAPUTO. I will.

The SPEAKER. The gentleman will proceed.

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, the original bill and even the amendment seemed to deal mainly with a change in the definition of "professional health services."

Now could you inform me as to what the ramifications are of those words when used throughout the act? I do not see the full act in front of me. You do not either? But what does it mean? What is the significance of the definition "professional health services"?

Mr. CAPUTO. Mr. Speaker, I am not sure that I heard all of the question, but I think it was some question as to what are general health services? Is that what you asked about?

Mr. WAGNER. Professional health services.

Mr. CAPUTO. Well, Mr. Speaker, professional health services are described in the act as services by medical doctors and other forms of professional doctors. The intent of this bill is to add chiropractic services to the definition of "professional health services."

I might also say at this time that the amendment we talked about was an amendment offered by the Ladies Garment Workers Union which changes the original intent of the bill, which would have made these chiropractic services a mandatory part of a Blue Cross-Blue Shield or similar type insurance policy to now provide that they may be included at an extra premium.

Mr. WAGNER. I understand that part, Mr. Speaker. For all I care, the professional health services could apply to nurses and nurses' aides and technicians. I really do not care. I have no problem with the definition, but I want to know what the act does. What does the act do with that definition?

Let me give you a problem. For instance, if the company I am employed by acquires an insurance plan which provides for professional health services and I am cov-

ered under that plan, can that employer, although the plan is optional, require me to go to one of the provisions of the health services, such as chiropractic services, if, in fact, I want medical services or I want a regular physician?

Mr. CAPUTO. No. Mr. Speaker, the answer to the question is "no." I do not think the employer could make you go to any service other than medical. I think, under other legislation, the employer may require you to go to at least one medical doctor before you seek out any other type of professional service. However, they could not force you to go to a chiropractor for the attention you may believe you need. Is that the answer to your question?

Mr. WAGNER. Yes.

One thing further: Would the scope of this act get into workmen's compensation claims where the employer would be allowed to retain chiropractic services in order to satisfy medical care?

Mr. CAPUTO. No, Mr. Speaker. This would in no way affect the Workmen's Compensation Act.

Mr. WAGNER. Okay. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—127

Abraham	Goodman	McLane	Ruggiero
Arthurs	Green	Menhorn	Saloom
Bellomini	Greenfield	Milanovich	Salvatore
Bennett	Grieco	Miller, M. E.	Schmitt
Berlin	Halverson	Miller, M. E., Jr.	Shane
Bonetto	Hammock	Milliron	Shelhamer
Bradley	Haskell	Miscevich	Shelton
Brandt	Hayes, D. S.	Morris	Shuman
Brunner	Hepford	Mrkonje	Shuonik
Burns	Hopkins	Mullen	Smith, L.
Caputo	Hutchinson, A.	Mullen, M. P.	Spencer
Cessar	Hutchinson, W.	Musto	Stapleton
Cimini	Irvis	Myers	Stout
Cole	Itkin	Novak	Taddonto
Cowell	Johnson, J.	Noye	Taylor
Crawford	Kelly, A. P.	O'Brien	Trello
Dicarlo	Kernick	O'Keefe	Ustynoski
Dimanti	Klingaman	Oliver	Valicenti
Eckensberger	Knepper	Pancoast	Walsh, T. P.
Engelhart	Kolter	Parker, H. S.	Wansacz
Fee	Kowalshyn	Perry	Wargo
Fisher	LaMarca	Petrarca	Weidner
Flaherty	Laudadio	Plevsky	Whehan
Fryer	Laughlin	Pratt	Wilson
Gallagher	Lederer	Prendergast	WorriLOW
Garzia	Letterman	Rappaport	Wright
Geesey	Lincoln	Ravenstahl	Yahner
Geisler	Manderino	Reed	Zeller
George	Manville	Renninger	Zwick
Giammarco	McCall	Rieger	
Gillespie	McCue	Ritter	
Gillette	McIntyre	Ross	Fineman, Speaker
Gleason			

NAYS—52

Anderson, J. H.	Foster, A.	Lynch	Scirica
Beren	Foster, W.	McGinnis	Seltzer
Berson	Gallen	Mebus	Sirianni
Butera	Hamilton, J. H.	O'Connell	Smith, E.
Cumberland	Hasay	O'Donnell	Stahl
Davies	Hayes, S. E.	Ferri	Toll
DeMedio	Hill	Pitts	Turner
Deverter	Katz	Polite	Vroon
Dietz	Kelly, J. E.	Renwick	Wagner
Dorr	Kistler	Richardson	Westerberg
Doyle	Kusse	Ryan	Wilt, W. W.
Dreibelbis	Lehr	Scheaffer	Yohn
Fischer	Levi	Schweder	Zearfoss

NOT VOTING—17

Barber	Fawcett	McGraw	Thomas
Bittie	Gleason	Moehlmann	Wilt, R. W.
Cohen	Gring	Pyles	Wojdak
DiDonato	McClatchy	Rhodes	Zord
Dombrowski			

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

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

HEALTH AND WELFARE BILL
ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. IRVIS the House resumed consideration on final passage of Senate bill No. 883, printer's No. 1589, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), entitled "Public Welfare Code," changing provisions relating to Food Stamp Computations.

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

RECONSIDERATION OF VOTE ON
SENATE BILL No. 883

Mr. IRVIS, under unanimous consent, moved that the vote by which SENATE BILL No. 883, printer's No. 1589, was agreed to as amended on third consideration on Wednesday, February 4, 1976, be reconsidered.

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

Amend Sec. 1 (Sec. 471), page 1, line 16 by striking out "DECEMBER 31, 1975" and inserting: March 31, 1976

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the members have on their desks an amendment to Senate bill No. 883 which changes the effective date. The reason for the change is a budgetary one.

The present effective date of January 1, 1976, would cost the Commonwealth \$2,600,000. By adopting this amendment and changing the effective date to a 3-months-later date, it will cost the Commonwealth \$1,400,000. The budget office informs me it can pay that bill. I ask for the adoption of the amendment.

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?

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

Mr. MEBUS. All I would like, Mr. Speaker, is to have my memory refreshed as to the subject and the impact of this bill, and, to accomplish that, I wonder if Mr. Hill would give us a brief statement on the subject of this bill for those of us who may—I am sure there are others like me—need a little refreshing.

The SPEAKER. Will the gentleman, Mr. Hill, consent to respond to the inquiry of the gentleman, Mr. Mebus?

Mr. HILL. I am sorry, Mr. Speaker, I did not hear your question. What is it?

Mr. MEBUS. What I was asking was this, Mr. Speaker: I wish to know the impact of this bill. Is it in good shape now? Frankly, I know we caucused on it, but I do not remember what it is all about at this point.

Mr. HILL. Well, as far as I am concerned, I think the bill is good and the reason I do is simply because this bill is spelling out a few things here that should have been done before the bill passed originally.

I did not know anything about this amendment that Mr. Irvis just introduced, but I understand why it was done, because that date change simply had to be made. In fact, it had been changed, I think, once or twice before because this bill has been around for some time.

This is a percentage now going back to the county level or city level. The bill as it was originally written said “. . . each county or city. . .” This bill now says “. . . every county, and for each city. . .” because previous to that, this always caused some problems in the computation of the percentages.

But as far as I am concerned, I think it is a good bill and I think it is necessary.

On the question recurring,

Shall the bill pass finally?

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

YEAS—182

Abraham	Gillespie	McIntyre	Scheaffer
Anderson, J. H.	Gillette	McLane	Schmitt
Arthurs	Goodman	Mebus	Schweder
Bennett	Green	Monhorn	Scirica
Beren	Greenfield	Milanovich	Seltzer
Berlin	Grieco	Miller, M. E., Jr.	Shane
Berson	Gring	Miller, M. E.	Shelhamer
Bittle	Halverson	Miliron	Shelton
Bonetto	Hamilton, J. H.	Miscevich	Shuman
Bradley	Hammock	Moehmann	Shupnik
Brandt	Hasay	Morris	Sirianni
Brunner	Haskell	Mrkonic	Smith, E.
Burns	Hayes, D. S.	Mullen	Smith, L.
Butera	Hayes, S. E.	Mullen, M. P.	Spencer
Caputo	Hepford	Musto	Stahl
Cassar	Hill	Myers	Stapleton
Cimini	Hopkins	Novak	Stout
Cole	Hutchinson, A.	Noye	Tadonico
Cowell	Hutchinson, W.	O'Brien	Taylor
Crawford	Irvis	O'Connell	Toll
Cumberland	Itkin	O'Donnell	Trelio
Davies	Katz	O'Keefe	Turner
DeMedio	Kelly, A. P.	Oliver	Ustynowski
Deverter	Kelly, J. B.	Pancoast	Valcenti
Dicarlo	Kernick	Parker, H. S.	Vroon
Dietz	Kistler	Perri	Wagner
Dininni	Klingaman	Perry	Walsh, T. P.

Dorr	Knepper	Petrarca	Wansacz
Dreibelbis	Kolter	Pitts	Wargo
Eckensberger	Kowalshyn	Polite	Weidner
Englehart	Kusse	Pratt	Westerberg
Fawcett	LaMarca	Prendergast	Whelan
Fee	Laudadio	Pyles	Wilson
Fischer	Laughlin	Rappaport	Wilt, R. W.
Fisher	Lederer	Ravenstahl	Wilt, W. W.
Flaherty	Lehr	Reed	Wojdak
Foster, A.	Letterman	Renninger	WorriLOW
Foster, W.	Levi	Renwick	Wright
Fryer	Lincoln	Richardson	Yahner
Gallagher	Lynch	Rieger	Yohn
Gallen	Manderino	Ritter	Zearfoss
Garzia	Manmiller	Ross	Zeller
Geesey	McCall	Ruggiero	Zwickl
Gelsier	McClatchy	Ryan	
George	McCue	Saloom	Fineman, Speaker
Giammarco	McGinnis	Salvatore	

NAYS—1

Doyle

NOT VOTING—13

Barber	Dombrowski	Johnson, J.	Rhodes
Bellomini	Gleason	McGraw	Thomas
Cohen	Gleeson	Pievsky	Zord
DiDonato			

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

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

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

Mr. RICHARDSON. Mr. Speaker, I was trying to get your attention before you called the roll on that vote. I had a question of Mr. Hill.

The SPEAKER. Does the gentleman still want to pose the inquiry?

Mr. RICHARDSON. Well, I just want to ask one question of Mr. Hill. I do not think it requires necessarily, taking the vote over again.

The SPEAKER. Okay. Well, the Chair would have no objection if the House does not object to the further posing of an inquiry.

Will the gentleman, Mr. Hill, consent to respond to one question on the bill we just voted on, by the gentleman, Mr. Richardson?

Mr. HILL. I will try to.

The SPEAKER. The Chair thanks the gentleman.

The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I would just like to know whether or not the food stamp computations would mean that it would change the amounts of money that individuals get concerning food stamps?

Mr. HILL. Individuals? No.

Mr. RICHARDSON. It would not at all?

Mr. HILL. No.

Mr. RICHARDSON. Thank you very much.

HOUSE SCHEDULE AND DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, so the House may be informed of a schedule—and we apologize for not being able to give you the printed schedule the way we normally do, but we did not know in our office how far we would go

last night and what we could get done today—in rough outline, we shall follow this:

We have now voted and passed those bills which have already been caucused on. There are a number of bills which require caucusing. We shall now go to caucus and return to the floor after caucus to vote those bills which are agreed to be voted by both Republican and Democratic caucuses. And I will sit down with Mr. Butera and go over the list of bills to be caucused on.

We will also call up after the caucus, House bill No. 1817, so that Mr. Salvatore will have an opportunity for his reconsideration motion. And there are other reconsideration motions which may be offered to House bill No. 1817.

I would ask that you take with you and keep with you your copy of House bill No. 1817 and the printout addendum. The printout addendum contains all of the amendments which the House already has adopted to House bill No. 1817. You will need both your bill, printer's No. 2873, and the addendum. You will be able to follow the amendments to House bill No. 1817 section by section; not page by page but section by section. I would suggest that you take both your addendum and your copy of the bill with you. We do not have a number of extras. Take them into your caucus so that we will be able to go through any discussion at either caucus which may arise on the bill.

When we return from caucus, as I said, we will take up House bill No. 1817 plus other bills on the calendar then caucused on. I would anticipate that we ought to be out of here by 4 to 4:30 this afternoon.

Mr. Speaker, I would ask for the declaration of a recess at this time until 11:30. I have recognized, Mr. Speaker, that that is a very brief caucus, but if I am to get the members out of here at a reasonable time, they will have to report to the caucus rooms promptly, minimize the discussion, and get back on the floor; otherwise we shall be very late indeed.

Mr. Speaker, I ask for the declaration of a recess until 11:30 and ask that the Democratic members report immediately to the caucus room.

The SPEAKER. The Chair would remind the members that if anyone is entertaining the idea of seeking a reconsideration motion, that their reconsideration request must be in writing, and the Chair would appreciate the request being accompanied by a copy of the amendment on which you are seeking reconsideration. Otherwise it becomes almost impossible for the clerk at the desk to properly identify the amendment in question.

And certainly we would hope that there be a minimum of reconsideration requests; otherwise we might re-live today all of the debate that we had yesterday and the day prior to that.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I particularly urge the Republican members to proceed to the caucus immediately. We have several matters we have to take up. If they do not want to stay for the whole time, that is fine, but I wish they would come to the caucus room right now so that we can dispose of our business quickly.

RECESS

The SPEAKER. The Chair now declares the House in recess until 11:30.

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

IRISH TENOR INTRODUCED

The SPEAKER. The Chair has been given a statement to read. It goes as follows:

Because of the frenetic pace of business in the House, it is not uncommon for us to carry over certain bills from one session day to the next or even from one week to the next.

However, this year marks the first time, at least in my memory, so the statement says, that the House of Representatives has found it necessary to observe Saint Patrick's Day one week later than the appointed date, but I am certain that the descendants of blarney will understand that we are as sincere today as we would have been last week in our observance, even though the wearing of the green must be conspicuous by its absence today.

We are privileged to have with us today, Mr. Ecker McCullion, a renowned singer of Irish songs, from Summit Hill, who is with us by special arrangement with Representative Thomas McCall of Carbon County.

Mr. McCullion, a retired member of the United Auto Workers Union, launched his musical career many years ago with the famous Tommy Dorsey Orchestra, which, you may or may not know, also had its origin in Carbon and Schuylkill Counties.

I ask the members to sit back for a few moments and enjoy an interlude of some fine Irish singing by Mr. McCullion. He is accompanied today by Mr. John Sharp, director of music at the Panther Valley High School in Carbon County.

Also present is Mrs. Dorothy McCullion, wife of our Irish tenor; Mr. Michael Leonzi; Mr. Paul Yanchura, member of the United Auto Workers; and Gary Fredricks, all of whom are here as the guests of Mr. McCall.

The Chair would ask the members of the House to welcome Mr. McCullion and the other guests who are with us.

(A musical program was presented.)

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Kelly.

Mrs. KELLY. Mr. Speaker, a few years ago, maybe 2 or 3, you did the Irish jig for us, and we were very delighted to see you do that. Do you think you might repeat that performance today?

The SPEAKER. Mrs. Kelly, your mathematics is not very good. That was 10 years ago, and the bones have aged considerably since that time.

Mrs. KELLY. It could not have been 10 years ago.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Upon the declaration of the recess to-

day for lunch, the members of the Committee on State Government should be reminded that there will be a meeting immediately thereafter in room 115 A. This is at the call of the chairman of the Committee on State Government.

CALENDAR

TRANSPORTATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2050, printer's No. 2856**, entitled:

An Act amending the "Capital Budget Act for Fiscal Year 1973-1974, Highway Project Itemization Supplement," approved December 30, 1974 (P. L. 1160, No. 369), adding a project in Luzerne County.

On the question,

Will the House agree to the bill on third consideration?

HOUSE BILL No. 2050 REVERTED TO PRIOR PRINTER'S NUMBER

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

Mr. BENNETT. Mr. Speaker, on behalf of Mr. Cumberland, I would, if I am in order, make a motion.

The SPEAKER. The gentleman will state his motion.

Mr. BENNETT. Mr. Speaker, I would move that we revert to the prior printer's number on this particular House bill.

The SPEAKER. Is this an agreed-to motion?

Mr. BENNETT. It is agreed to.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Shupnik.

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

On the question,

Will the House agree to the motion?

Motion was agreed to.

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

Mr. MILLIRON. Mr. Speaker, I have an agreed-to amendment. However, since we have reverted to the prior printer's number, the amendment is drafted to the wrong number. Is it still in order?

The SPEAKER. In order to save a little bit of heartburn on the part of the gentleman, Mr. Shupnik, would the gentleman, Mr. Milliron, consider withdrawing the amendment and doing something else with it?

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. BONETTO. Can we accept the Milliron amendment and then revert to the prior printer's number?

The SPEAKER. That would wipe out the Milliron amendment.

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

Mr. MILLIRON. Mr. Speaker, since the amendment is in print and on everyone's desk and it has been agreed to, could I make a motion to temporarily suspend the rules to allow this amendment to be offered?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. I have no objection to that. The amendment is agreed to and we may as well proceed. Make the motion.

MOTION TO SUSPEND RULES

Mr. MILLIRON. Mr. Speaker, I move that we suspend the rules for the purpose of allowing an amendment.

The SPEAKER. Does the gentleman, Mr. Gallen, desire to speak on the motion?

Mr. GALLEN. Well, I do not know the procedure, Mr. Speaker, but I would like to know what this amendment does.

The SPEAKER. Well, let us first move the motion, and then the gentleman will address himself to the amendment.

On the question,

Will the House agree to the motion?

MOTION TO SUSPEND RULES WITHDRAWN

The SPEAKER. Will the gentleman, Mr. Milliron, withdraw his motion to suspend the rules?

Mr. MILLIRON. Yes, Mr. Speaker.

The SPEAKER. The clerk will strike the vote from the board.

Will the gentleman come to the desk?

HOUSE BILL No. 2050 PASSED OVER TEMPORARILY

The SPEAKER. This bill is being passed over temporarily.

LIQUOR CONTROL BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 567, printer's No. 2322**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), temporarily changing a fee.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 408.4), page 1, line 24, by inserting brackets before and after "or" and inserting immediately thereafter a comma

Amend Sec. 1 (Sec. 408.4), page 1, line 25, by inserting after "company": , or local bi-centennial committee recognized by the American Revolution Bi-Centennial Administration

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Klingaman.

Mr. KLINGAMAN. Mr. Speaker, my amendment simply would add to the bill "or local bi-centennial committee

recognized by the American Revolution Bi-Centennial Administration." The purpose in making the committee recognized by the administration is to prevent the possibility of a number of people getting together, calling themselves the committee, and taking advantage of securing such a license.

The thinking behind adding the bicentennial committee is that these people are public-spirited individuals organized for the benefit of the entire committee. It is only for the balance of 1976, the Bicentennial year, and, therefore, I believe that they, in their fund-raising, should have this advantage.

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

The yeas and nays were required by Messrs. KLINGAMAN and ZELLER and were as follows:

YEAS—176

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

NAYS—9

- | | | | |
|---------|-----------|-----------|-----------|
| Dicarlo | Letterman | Seltzer | Smith, E. |
| Green | Pitts | Shelhamer | Vroon |
| Kernick | | | |

NOT VOTING—11

- | | | | |
|------------|-----------|--------|--------|
| Barber | Gleason | McGraw | Thomas |
| DiDonato | LaMarca | Perri | Zord |
| Dombrowski | McClatchy | Rhodes | |

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

HOUSE BILL No. 567 PASSED OVER TEMPORARILY

The SPEAKER. Does the gentleman from Lehigh, Mr. Zeller, have an amendment?

Mr. ZELLER. Thank you, Mr. Speaker.

As I mentioned in the caucus, it is being drawn up. I apologize. It is not here yet. It should be here shortly. I could explain it and save time if you want me to.

The SPEAKER. No. The amendment would have to be distributed to the members. The Chair will temporarily pass this bill over.

Mr. ZELLER. Thank you, Mr. Speaker.

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 333, printer's No. 2854, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing for readjustment of tax rates following a county-wide reassessment of real property.

On the question,

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

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

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

YEAS—184

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

NAYS—0

NOT VOTING—12

Barber	Gleason	Lynch	Stahl
DiDonato	Hammock	McGraw	Thomas
Dombrowski	Hutchinson, W.	Rhodes	Zord

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

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

LAW AND JUSTICE BILL
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

On the question,

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

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

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

YEAS—176

Abraham	Giammarco	McGinnis	Saloom
Anderson, J. H.	Gillespie	McIntyre	Salvatore
Arthurs	Gillette	McLane	Scheaffer
Bellomini	Gleeson	Menhorn	Schmitt
Bennett	Goodman	Milanovich	Schweder
Berlin	Green	Miller, M. E.	Seltzer
Berson	Greenfield	Miller, M. E., Jr.	Shane
Bittle	Grieco	Milliron	Shelhamer
Bonetto	Gring	Miscevich	Shelton
Bradley	Halverson	Moehlmann	Shuman
Brandt	Hasay	Morris	Shupnik
Brunner	Haskell	Mrkonjic	Sirianni
Burns	Hayes, D. S.	Mullen, M. P.	Smith, E.
Caputo	Hayes, S. E.	Mullen, M. P.	Smith, L.
Cessar	Hepford	Musto	Spencer
Cimini	Hill	Myers	Stahl
Cohen	Hopkins	Novak	Stapleton
Cole	Hutchinson, A.	Noye	Stout
Cowell	Irvis	O'Brien	Taddonio
Crawford	Itkin	O'Connell	Taylor
Cumberland	Johnson, J.	O'Donnell	Toll
Davies	Katz	O'Keefe	Trello
DeMedio	Kelly, A. P.	Oliver	Turner
Deverter	Kelly, J. B.	Pancoast	Valicenti
Dicarlo	Kernick	Parker, H. S.	Vroon
Dietz	Kistler	Perri	Wagner
Dininini	Klingaman	Petrarca	Walsh, T. P.
Dorr	Knepper	Pievsky	Wansacz
Doyle	Kolter	Pitts	Wargo
Dreibelbis	Kowalyszyn	Polite	Weidner
Eckensberger	Kusse	Pratt	Wilt, R. W.
Englehart	LaMarca	Prendergast	Wilt, W. W.
Fee	Laudadio	Pyles	Wojdak
Fischer	Laughlin	Rappaport	Worrilow
Fisher	Lederer	Ravenstahl	Wright
Flaherty	Lehr	Reed	Yahner
Foster, A.	Letterman	Renninger	Yohn
Foster, W.	Levi	Richardson	Zearfoss
Fryer	Lincoln	Rieger	Zeller
Gallagher	Lynch	Ritter	Zwick
Gallen	Manderino		

Garzia	Manmiller	Ross	Fineman,
Geesey	McCall	Ruggiero	Speaker
Geisler	McClatchy	Ryan	
George	McCue		

NAYS—8

Beren	Fawcett	Mebus	Westerberg
Butera	Hamilton, J. H.	Scirtca	Whelan

NOT VOTING—12

Barber	Gleason	McGraw	Thomas
DiDonato	Hammock	Perry	Ustynoski
Dombrowski	Hutchinson, W.	Rhodes	Zord

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

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

BUSINESS AND COMMERCE BILL
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

On the question,

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

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

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

YEAS—181

Abraham	Geisler	McCue	Ryan
Anderson, J. H.	George	McGinnis	Saloom
Arthurs	Giammarco	McIntyre	Scheaffer
Bellomini	Gillespie	McLane	Schmitt
Bennett	Gillette	Mebus	Schweder
Beren	Gleeson	Menhorn	Scirtca
Berlin	Goodman	Milanovich	Seltzer
Berson	Green	Miller, M. E.	Shane
Bittle	Greenfield	Miller, M. E., Jr.	Shelhamer
Bonetto	Grieco	Milliron	Shelton
Bradley	Gring	Miscevich	Shuman
Brandt	Halverson	Moehlmann	Shupnik
Brunner	Hamilton, J. H.	Morris	Sirianni
Burns	Hasay	Mrkonjic	Smith, E.
Butera	Haskell	Mullen, M. P.	Smith, L.
Caputo	Hayes, D. S.	Mullen, M. P.	Spencer
Cessar	Hayes, S. E.	Musto	Stahl
Cimini	Hepford	Myers	Stapleton
Cohen	Hill	Novak	Stout
Cole	Hopkins	Noye	Taylor
Cowell	Hutchinson, A.	O'Brien	Toll
Crawford	Irvis	O'Connell	Trello
Cumberland	Itkin	O'Donnell	Turner
Davies	Johnson, J.	O'Keefe	Ustynoski
DeMedio	Katz	Oliver	Valicenti
Deverter	Kelly, A. P.	Pancoast	Vroon
Dicarlo	Kelly, J. B.	Parker, H. S.	Wagner
Dietz	Kernick	Perri	Walsh, T. P.
Dininini	Kistler	Perry	Wansacz
Dorr	Klingaman	Petrarca	Wargo
Doyle	Knepper	Pievsky	Weidner
Dreibelbis	Kolter	Pitts	Westerberg
Eckensberger	Kowalyszyn	Polite	Whelan
Englehart	Kusse	Pratt	Wilson
Fee	LaMarca	Prendergast	Wilt, R. W.
Fischer	Laudadio	Pyles	Wilt, W. W.
Fisher	Laughlin	Rappaport	Worrilow
Flaherty	Lederer	Ravenstahl	Wright
Foster, A.	Lehr	Reed	Yahner
	Letterman	Renninger	Yohn

Foster, W.	Levi	Renwick	Zeller
Fryer	Lincoln	Richardson	Zwinkl
Gallagher	Lynch	Rieger	
Gallen	Manderino	Ritter	Fineman,
Garzia	Manmiller	Ross	Speaker
Geesey	McCall	Ruggiero	

NAYS—2

Taddonio Zearfoss

NOT VOTING—13

Barber	Hammock	McGraw	Thomas
DiDonato	Hutchinson, W.	Rhodes	Wejidak
Dombrowski	McClatchy	Salvatore	Zord
Gleason			

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

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

HOUSE RESOLUTION No. 174 ADOPTED

Mr. DiCARLO called up **HOUSE RESOLUTION No. 174, printer's No. 2389**, entitled:

House Committee on Health and Welfare to conduct a thorough review of the statutes relating to foster care and the implementation of the adoption opportunities program by the Department of Public Welfare.

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

HOUSE RESOLUTION No. 197 ADOPTED

Mr. BEREN called up **HOUSE RESOLUTION No. 197, printer's No. 2706**, entitled:

Urging Department Environmental Resources to decide quickly the type of sewage treatment system to be installed in Pennypark Watershed.

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

HOUSE RESOLUTION No. 199 ADOPTED

Mr. A. K. HUTCHINSON called up **HOUSE RESOLUTION No. 199, printer's No. 2742**, entitled:

Consumer Protection Committee to investigate the travel agency business.

On the question,
Will the House adopt the resolution?

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

Amend First Resolve Clause, page 1, line 10 by inserting after "Protection": and the Committee on Business and Commerce

Amend Second Resolve Clause, page 1, line 13 by striking out "the" and inserting: each

Amend Third Resolve Clause, page 2, line 12 by striking out "the" and inserting: each

Amend Third Resolve Clause, page 2, line 13 by striking out "committee" and inserting: committees

Amend Third Resolve Clause, page 2, line 14 by striking out "committee," and inserting: committees,

Amend Third Resolve Clause, page 2, line 18 by striking out "committee" and inserting: committees

Amend Fourth Resolve Clause, page 2, line 22, by striking out "the" where it appears the first time and inserting: each

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

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

Mr. BENNETT. Mr. Speaker, the amendment simply adds the House Business and Commerce Committee to the resolution.

It is agreed to by Mr. Amos Hutchinson and myself.

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

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

HOUSE RESOLUTION No. 206 ADOPTED

Mr. ITKIN called up **HOUSE RESOLUTION No. 206, printer's No. 2766**, entitled:

Urging House Health and Welfare Committee to hold public hearings calling upon the Department Public Welfare to inform legislature regarding its allocation procedures and decision-making powers.

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

HOUSE RESOLUTION No. 207 ADOPTED

Mr. TAYLOR called up **HOUSE RESOLUTION No. 207, printer's No. 2767**, entitled:

Memorializing Congress to enact legislation to pay World War II Veterans a bonus.

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

HOUSE RESOLUTION No. 214 ADOPTED

Mr. GOODMAN called up **HOUSE RESOLUTION No. 214, printer's No. 2808**, entitled:

House Committee on Mines and Energy Management to investigate the procedures used by Department Environmental Resources in issuing mine permits.

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

SENATE RESOLUTION No. 224 ADOPTED

Mr. IRVIS called up **SENATE RESOLUTION No. 224**, entitled:

Extending appreciation to members of the Joint State Government Commission Advisory Committee on Decedents' Estates Laws.

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

LUNCH RECESS AND VOTING SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, as the members have un-

doubtedly noted, we have been skipping around trying to get noncontroversial measures out of the way so that we can get you to lunch. I am going to ask for a recess now until 1:30 p.m. for purposes of lunch.

I remind the members of the Rules Committee that there will be a Rules Committee meeting in my office.

For those members who wish to follow the schedule this afternoon, I will read very quickly, if you will note down on some scrap of paper, the order of business.

We shall take up House bill No. 2050, which, by that time, I think will be ready. It was reverted to a prior printer's number, and we expect the amendment to be ready by that time. House bill No. 567, which was amended once but there is another amendment to be offered by Mr. Zeller, and we expect that amendment to be ready. It will be followed by House bill No. 2124, on page 5; Senate bill No. 229, on page 5; and House bill No. 1817, on page 1.

Mr. Pratt has withdrawn his amendment. There are several other motions to reconsider which will be taken up. We will take up those motions to reconsider and, following those motions, we will call up House bill No. 1817 for a final vote.

Following that, we shall take up Senate bill No. 153, on page 7, House bill No. 1770, on page 9, House bill No. 1789, on page 9, House bill No. 2093, on page 9, House bill No. 796, on page 11, House bill No. 612, on page 12 and House bill No. 1153, on page 12.

For those of you who could not take it down that rapidly, we will have this retyped and duplicated and on your desk by the time you return from lunch.

Mr. Speaker, I ask that we be declared in recess until 1:30 for purposes of lunch.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Geesey.

Mr. GEESEY. In the interest of brevity, Mr. Speaker, I would like to submit to the clerk remarks for the record concerning legislation I will introduce next week.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. Speaker, in today's press, stories reporting opposition to making the Valley Forge Hospital a nursing home facility for veterans are being explained by saying that the "money" is not available.

I say to this House and to the people of Pennsylvania, if the Commonwealth is to deal in good faith with the people, that the money is available. We all know that. In the name of aiding war veterans with a bonus, a tax increase was placed on cigarettes to meet the good cause. We also know that when that cause had been fulfilled, the Commonwealth then continued the tax but started using the money for other purposes.

None of us, who are interested in seeing tax money used on a better priority system for good and necessary humane purposes, really believe that out of a general fund budget of more than \$5 billion this year, the state cannot find the less than \$2 million to get the Valley Forge Hospital conversion started. And, for long range financing, all we need is to pass a bill returning 1 cent

of the cigarette tax—a tax put on in the name of veterans—to the cause of veterans, and earmark that money for the support of institutions such as the Valley Forge Hospital.

Mr. Speaker, I will have just such a bill ready by next week and I invite those who agree with me on both sides to lend their support through cosponsorship. I call on veterans all over the state to join with me to support the legislation to return the 1-cent tax to the veterans.

SENATE BILL No. 33 TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, considerable discussion has been aroused concerning Senate bill No. 33, which is now approaching the last day on the calendar.

So that that bill, on page 10, will not drop from the calendar, I move that Senate bill No. 33, printer's No. 1559, be placed upon the table.

Mr. Wagner, I thank you for bringing it to my attention.

On the question,

Will the House agree to the motion?

Motion was agreed to.

TRANSPORTATION COMMITTEE MEETING

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

Mr. BONETTO. Mr. Speaker, I would like to call a meeting of the Transportation Committee immediately upon the declaration of the recess for the purpose of discussing a bill.

The Transportation Committee will meet in the back of the House right away.

RECESS

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

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

TRANSPORTATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House resumed consideration of House bill No. 2050, printer's No. 2856, entitled:

An Act amending the "Capital Budget Act for Fiscal Year 1973-1974, Highway Project Itemization Supplement," approved December 30, 1974 (P. L. 1160, No. 369), adding a project in Luzerne County.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Bill, page 2, by inserting after line 30:

Section 2. All pre-design and design work involving the projects set forth in this amendatory act shall be furnished by employees of the Pennsylvania Department of Transportation.

Amend Sec. 2, page 3, line 1, by striking out "2" and inserting: 3

On the question,

Will the House agree to the amendments?

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

Are these non-contested amendments, Mr. Milliron?

Mr. MILLIRON. Yes, Mr. Speaker, they are.

Mr. Shupnik had agreed to the amendments. However after I had left the floor, Mr. Speaker, Mr. Noye said that he had some questions. I asked him what they were, and he said that he would ask me on the floor when the amendment was offered.

The SPEAKER. Is Mr. Noye on the floor of the House?

We just cannot keep passing over these bills temporarily, awaiting the arrival of members.

Mr. IRVIS. Mr. Speaker, would you proceed with what you thought we were going to do, wait for two minutes, and after the two-minute waiting period, proceed so that we can get along with the business of the day?

The SPEAKER. The membership should be advised that promptly at 1:45 the Chair will proceed with consideration of the calendar regardless of whether the members are present or not present, so long as there is a quorum in the House.

REPORTS OF COMMITTEES

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

RESOLUTIONS REPORTED AS COMMITTED

HOUSE RESOLUTION No. 131 My Mr. WARGO

The Speaker of the House of Representatives appoint the members of the Subcommittee on Health of the Committee on Health and Welfare to conduct a thorough investigation of the Medicaid reimbursement system.

Reported from Committee on Rules.

HOUSE RESOLUTION No. 204 By Mr. WARGO

The first sentence of the seventh paragraph of Rule 14 be amended.

Reported from Committee on Rules.

HOUSE RESOLUTION No. 211 By Mr. WARGO

The House of Representatives of the Commonwealth do salute the Close Up program and wholeheartedly urge the citizens of the Commonwealth to support this worthwhile program.

Reported from Committee on Rules.

HOUSE RESOLUTION No. 225 By Mr. WARGO

The Joint State Government Commission study the manner in which the use of uniform accounting standards

could be accomplished in this Commonwealth and draft the needed legislation.

Reported from Committee on Rules.

BILLS REMOVED FROM TABLE FOR REREFERRAL

The SPEAKER. The Chair recognizes the majority leader.

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

House bill No. 2060;
House bill No. 2139;
House bill No. 2140;
House bill No. 2170;
House bill No. 2171; and
Senate bill No. 1059.

On the question,

Will the House agree to the motion?

Motion agreed to.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. DIETZ, TAYLOR, DOYLE, Mrs. GILLETTE, Messrs. MRKONIC, POLITE, ZELLER, PITTS, LEHR, GIAMMARCO, MILLIRON, PRATT, STAPLETON, Mrs. CRAWFORD, Miss SIRIANNI, Messrs. W. W. WILT, McCLATCHY, Mrs. FAWCETT, Mr. PYLES, Mrs. KERNICK, Messrs. A. K. HUTCHINSON, SHELHAMER, E. H. SMITH, SALOOM, YAHNER and Mrs. KELLY

HOUSE BILL No. 2261

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, more specifically defining obscene.

Referred to Committee on Judiciary.

By Messrs. CIMINI, BURNS, PANCOAST, SHANE and LETTERMAN **HOUSE BILL No. 2262**

An Act amending the "Community College Act of 1963," approved August 24, 1963 (P. L. 1132, No. 484), further providing for reimbursements by the Commonwealth of certain costs and expenses.

Referred to Committee on Education.

By Messrs. OLIVER, RIEGER, McINTYRE, Mrs. KELLY, Messrs. USTYNOSKI, GRIECO, MISCEVICH, MYERS, ROSS and COHEN

HOUSE BILL No. 2263

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the salary of the State Athletic Commission.

Referred to Committee on State Government.

By Messrs. BENNETT, FINEMAN, IRVIS, DOMBROWSKI, L. E. SMITH, GILLESPIE, BUTERA, SPENCER, DeVERTER, COLE, ZWIKL, LAUGHLIN, WANSACZ, RIEGER, McINTYRE, DiDONATO, KNEPPER, PARKER, HALVERSON, McGINNIS, PYLES, MILLIRON, McCLATCHY, DORR, A. C. FOSTER, S. E. HAYES, RAPPAPORT,

LETTERMAN, SHUMAN, PRATT, MILANOVICH.
GARZIA, STAPLETON, BERLIN and O'KEEFE

HOUSE BILL No. 2264

An Act designating a period in July for a special observance of the American Bicentennial Celebration.

Referred to Committee on State Government.

**HOUSE RESOLUTION INTRODUCED
AND REFERRED**

By Messrs. MISCEVICH, ABRAHAM, TRELLO,
GEISLER, MRKONIC, FLAHERTY, FRYER,
NOVAK, RAVENSTAHL, SALOOM, PETRARCA,
COWELL, Mrs. GILLETTE, Mr. VALICENTI, Mrs.
KERNICK, Messrs. GOODMAN, KOLTER, HASAY,
RAPPAPORT, SHANE, RIEGER, OLIVER, STAHL,
MANDERINO, IRVIS, RENWICK, BRUNNER, Mrs.
KELLY, Messrs. TADDONIO, M. M. MULLEN,
BUTERA, BITTLE, KISTLER, LINCOLN,
GALLAGHER, A. C. FOSTER, RENNINGER,
MEBUS, HEPFORD, SPENCER, DIETZ, DeVERTER,
W. W. WILT, DeMEDIO, WAGNER, MENHORN,
LEDERER, WARGO, McINTYRE, DiCARLO,
POLITE and PANCOAST **RESOLUTION No. 235**

The House of Representatives of the Commonwealth of Pennsylvania respectfully memorialize the Congress of the United States to reenact legislation which provides an appropriation and a continuation of the program of general revenue sharing.

Referred to Committee on Rules.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee has also instructed me to make a motion to remove the following bills from the table, and I so move:

House bill No. 1350;
House bill No. 1377;
House bill No. 1714;
House bill No. 2003;
House bill No. 2059;
House bill No. 2061;
House bill No. 2062;
House bill No. 2063;
House bill No. 2064;
House bill No. 2118;
Senate bill No. 1002; and
Senate bill No. 1153.

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

**CONSIDERATION OF MILLIRON
AMENDMENTS TO HOUSE BILL
No. 2050 RESUMED**

The SPEAKER. Does the gentleman, Mr. Noye, desire to interrogate the gentleman, Mr. Milliron, who has offered an amendment which has been read by the clerk?

Mr. NOYE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. NOYE. Mr. Speaker, as I understand it, you are

amending another road project into this 1973-74 highway budget, right? Am I correct?

Mr. MILLIRON. I am offering an amendment to the bill. I had not offered the amendment to the capital budget.

The projects in House bill No. 2050 are not in my district and I have not offered them.

Mr. NOYE. Does your amendment add any other projects to the highway budget?

Mr. MILLIRON. I cannot hear him, Mr. Speaker.

Mr. SPEAKER. The gentleman indicates his response is in the negative.

Mr. NOYE. All right. Mr. Speaker, I have no objections to the amendment then.

But I would like to interrogate Mr. Shupnik. I think we have already returned the bill to a prior printer's number and I would like to ask Mr. Cumberland a question.

The SPEAKER. Does the gentleman from Luzerne, Mr. Shupnik, consent to interrogation?

Mr. SHUPNIK. Yes, Mr. Speaker.

The SPEAKER. The gentleman indicates that he consents. The gentleman, Mr. Noye, may proceed.

Mr. NOYE. Mr. Speaker, I have no objections to the bill as it stands. I have several questions though and I might have to get some answers from PennDOT if your answers come in such a way.

My question is, the project that you are undertaking, is it a state-funded project totally or are there Federal funds involved?

Mr. SHUPNIK. Mr. Speaker, there are redevelopment funds in here and HUD—Housing and Urban Development—funds. Yes, there are Federal funds.

Mr. NOYE. Are they matching funds?

Mr. SHUPNIK. No, I would not say they would be matching funds. What has happened, redevelopment is now buying all the property. They bought all the property for this project. Now, the borough of Luzerne, through redevelopment, has bought the land, even with HUD money predesigned. But they do not have the money for the construction of the bridge.

Mr. NOYE. Do you know, Mr. Speaker, how much state money is involved out of the highway capital budget, roughly?

Mr. SHUPNIK. Here it says \$336,000, but I doubt if it would be that much because the land acquisitions come from redevelopment. I would say it would be around \$300,000.

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, could I interrogate Mr. Cumberland please?

The SPEAKER. Will the gentleman from Clarion, Mr. Cumberland, consent to interrogation?

Mr. CUMBERLAND. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. NOYE. Mr. Speaker, we revert to a prior printer's number which puts a project in your district back in this capital budget. My question is, is that road project funded entirely by state funds?

Mr. CUMBERLAND. Yes, it is, for the exception of \$10,000 which will be paid by the railroad.

Mr. NOYE. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Mr. Speaker, I have no objections to both

of these proposals by Mr. Cumberland and Mr. Shupnik. But I do have a concern about something that is bothering—

The SPEAKER. Is the gentleman addressing himself to the amendment offered by the gentleman, Mr. Milliron?

Mr. NOYE. No, sir.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I have an objection I guess in the way of the answers that I have been getting from PennDOT.

There is a project in my district which has been deemed one of the most important projects, as far as this district 80 is concerned, in getting done. It has been on the drawing board for 10 years. It has been on and off and finally we got it into the 1973-74 capital budget. It passed this House and the Senate. Everything was underway and it was scheduled to be bid this month. Now out of the clear blue, PennDOT has shelved the project again, they claim, under instructions by the Budget Secretary.

PennDOT's story is that the Budget Secretary states that the only state funds that he will agree that can be spent on capital projects are those that can be matched against Federal funds on projects on the Federal Highway System.

Now I think that we are getting some double talk from the department if this is the case. Here are two projects that you are going to add to the 1973-74 capital budget that involve almost entirely state funds. They tell me they do not have the money to do a project of any size with only state funds.

Mr. Turner has exactly the same situation going on in his district. He has been told by PennDOT that his project cannot go because it is not on the Federal highway plan and they will not spend any state funds unless it can match Federal funds.

Mr. Speaker, I hate to delay these bills, but I must respectfully ask that these bills be held until I get some kind of straight answer from PennDOT.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have been asked by the chief sponsor to move these bills and, following a policy decision which I have always made, I try to agree with the chief sponsor's position on any bill unless his position materially affects the flow of legislation.

I would defer then to Mr. Shupnik. If Mr. Shupnik insists on the bill being run, then I will support that position. If Mr. Shupnik says that he can afford to let the bill wait, I will support that position.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Shupnik.

Mr. SHUPNIK. Mr. Speaker, the Borough of Luzerne was threatened by—not only threatened—building, around the 1920's, of a new road on Main Street, and the Highway Department came in and constructed a bridge over Toby's Creek. Unfortunately they built that bridge right over a water main, one of the biggest water mains in the Wyoming Valley. Now that was fine until the Agnes flood came along and then when the Agnes hurricane and floods came, Toby's Creek then began to flow over. That threatened the whole town of Luzerne and Forty Fort and even parts of Kingston and Edwardsville.

With all our problems there, it was still set aside until finally the Federal Government came out with their new flood map, and when they came out with this new flood map, they had put three or four different boroughs in the floodplain because of this bridge. They said that definitely it would be in the flood zone, and each community and the people in those communities will be paying much higher flood insurance until that bridge is removed.

As a result, the Borough of Luzerne went in and with redevelopment money, has bought up several plots of land. They have redeveloped that area. They have taken the whole cost of that project except the construction of that bridge.

Mr. Speaker, the longer we delay this bill, the longer the danger is of those people paying that flood insurance and the threat of a flood being there.

PARLIAMENTARY INQUIRY

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

Mr. NOYE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NOYE. Mr. Speaker, could you tell us, as of right now—are there plans to come back here on Monday?

The SPEAKER. We intend to be in session three and possibly four days next week.

Mr. NOYE. Mr. Speaker, I will let Mr. Turner speak to that. But I would respectfully request the House to give us until Monday on this issue to get some kind of answer out of PennDOT, and I will yield at this time to Mr. Turner who will explain why.

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

Mr. TURNER. Mr. Speaker, would it be within reason to ask that we have a 2 weeks' delay in the decision on the part of Mr. Shupnik to run this bill? The reason that I am asking that is that I have a meeting on a similar problem in my district, which is on United States Route 6 and which is state-funded unfortunately and a new bridge which has been on the drawing boards for several years, and I have a meeting with the PennDOT officials Monday morning at 10:30. If I could have a little time, perhaps we could resolve our problem on this. I am respectfully requesting that action on this bill be delayed a week.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Shupnik.

Mr. SHUPNIK. Mr. Speaker, there is only one difficulty with this. Anytime we put this type of bill out,

everyone who has been here for any length of time knows that the longer it is here, the more problems we are going to have with this bill. I am not disagreeing with the gentleman and he may be 100 percent correct, but I am quite sure that there are a number of others who have very similar problems. And I can only suggest that, if they do, they should put a bill in, and we will try to resolve it in that manner.

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

Mr. TURNER. Mr. Speaker, I just received last week notification from the Pennsylvania Department of Transportation that they had abandoned the program that has been on the drawing boards for several years. I had no knowledge of this until last week.

I immediately contacted the Department of Transportation and requested a meeting with the officials in order to attempt to resolve their absolute position on this thing.

All I am asking is 1 week because I, myself, did not get this notification from the Department of Transportation until approximately seven days ago. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Cumberland.

Mr. CUMBERLAND. Mr. Speaker, I would ask that it would not be delayed. This bridge was built in 1894 that is there now. It is a wooden, one-lane bridge. The reason they need it is because of a PUC—Public Utility Commission—complaint. The bridge they feel is unsafe to cross with farm equipment, school buses and fire equipment.

These people in Armstrong County have asked for this bridge for many years, and I would like to see it voted on today so that the project can be started.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Just one last point, Mr. Speaker: Mr. Shupnik mentioned the fact that we ought to put a bill in to do something about this. We already passed this legislation in this House, and the Senate agreed to fund that project. Somewhere along the line an order has been handed down from somebody in the administration—PennDOT tells me that it is the Budget Secretary—that they cannot spend the money for that project.

Now I think that we who are in this situation—and Mr. Shupnik is probably right that there are probably several of us in the same boat and probably on both sides of the aisle—deserve an answer as to why some projects that are entirely state funded can now be added—and again I have no objections to adding those projects—but others that have already been approved and been on that capital budget for several years now are going to be scrapped and totally ignored. I think to ask a three- or four-day delay is not asking too much for that answer.

The SPEAKER. Gentlemen, I would suggest that we are not going to come to a resolution of this problem unless someone puts a motion either to place it upon the table or pass it over, and the members will then make a decision.

MOTION TO TABLE

Mr. NOYE. Mr. Speaker, I make the motion that House bill No. 2050 be tabled until Monday, at which time I will make the motion to remove it from the table.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen, on the motion.

Mr. GALLEN. Mr. Speaker, I have an amendment on my desk to this bill. I spoke to Mr. Shupnik about it a couple of weeks ago. He asked that as a courtesy to him that I do not offer the amendment. I have decided not to offer that amendment. It is an important project in my district.

But I ask the members of the House to vote against this motion, and to extend Mr. Shupnik the courtesy of allowing his bill to get out of this House and get over to the Senate.

I think that there are other worthwhile projects that every member of this House would like to see included. But I think that Mr. Shupnik's legislation is critical for his area and I ask that all the members of the House defeat the motion to table and support Mr. Shupnik's position.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I oppose the motion to table and ask for a negative vote.

On the question,

Will the House agree to the motion?

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

YEAS—55

Anderson, J. H.	Hamilton, J. H.	Miller, M. E.	Smith, L.
Beren	Haskell	Miller, M. E., Jr.	Spencer
Bittle	Hayes, D. S.	Mochlmann	Stahl
Brandt	Hepford	Noye	Turner
Crawford	Hill	Perri	Ustynoski
Davies	Hopkins	Pitts	Vroon
Dietz	Hutchinson, W.	Pyles	Wagner
Dorr	Katz	Ryan	Weidner
Fawcett	Klingaman	Salvatore	Whelan
Foster, A.	Knepper	Scheaffer	Wilt, R. W.
Foster, W.	Lehr	Scirica	Wilt, W. W.
Geesey	Lynch	Seltzer	Worrlow
Grieco	McClatchy	Sirianni	Zearfoss
Gring	Mebus	Smith, E.	

NAYS—132

Abraham	Geisler	McGinnis	Rieger
Arthurs	George	McIntyre	Ritter
Bellomini	Giammarco	McLane	Ross
Bennett	Gillespie	Menhorn	Ruggiero
Berlin	Gleason	Milanovich	Saloom
Berson	Goodman	Milliron	Schmitt
Bonetto	Green	Miscevich	Schweder
Bradley	Greenfield	Morris	Shane
Brunner	Halverson	Mrkonic	Shelhamer
Burns	Hammock	Mullen, M. P.	Shelton
Butera	Hasay	Mullen	Shuman
Caputo	Hayes, S. E.	Musto	Shupnik
Cessar	Hutchinson, A.	Myers	Stapleton
Cimint	Irvis	Novak	Stout
Cohen	Itkin	O'Brien	Taddonio
Cole	Johnson, J.	O'Connell	Taylor
Cowell	Kelly, A. P.	O'Donnell	Toll
Cumberland	Kelly, J. B.	O'Keefe	Trelio
DeMedio	Kernick	Oliver	Valicenti
Deverter	Kistler	Pancoast	Walsh, T. P.
Dicarlo	Kolter	Parker, H. S.	Wansacz
Dininni	Kowalyszbyn	Perry	Wargo
Doyle	Kusse	Petrarca	Westerberg
Dreibelbis	LaMarca	Plevsky	Wilson
Erkensberger	Laudadio	Polite	Wojdak
Engelhart	Laughlin	Pratt	Wright
Fee	Lederer	Prendergast	Yahner
Fischer	Letterman	Rappaport	Yohn
Fisher	Levi	Ravenstahl	Zeller
Flaherty	Lincoln	Reed	Zwikel
Fryer	Manderino	Renninger	
Gallagher	Manmiller	Renwick	Fineman, Speaker
Gallen	McCall	Richardson	
Garzia	McCue		

NOT VOTING—9

Barber	Gillette	McGraw	Thomas
DiDonato	Gleason	Rhodes	Zord
Dombrowski			

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—182

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

NAYS—6

Dietz	Noye	Vroon	Weidner
Klingaman	Pitts		

NOT VOTING—8

Barber	Dombrowski	McGraw	Thomas
DiDonato	Gleason	Rhodes	Zord

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

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

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?

RECONSIDERATION OF VOTE ON
HOUSE BILL No. 1817

Mr. SALVATORE moved that the vote by which HOUSE BILL No. 1817, printer's No. 2873, was agreed to as amended on third consideration on Tuesday, March 23, 1976, be reconsidered.

Mr. WILSON 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?

RECONSIDERATION OF VOTE ON
SALVATORE AMENDMENTS TO
HOUSE BILL No. 1817

Mr. SALVATORE moved that the vote by which his amendments to House bill No. 1817 was defeated on Tuesday, March 23, 1976, be reconsidered.

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

Amend Sec. 1 (Sec. 1510), page 98, line 21, by striking out "may" where it appears the second time and inserting: shall

Amend Sec. 1 (Sec. 1510), page 98, line 23, by inserting after "address,": height, weight,

Amend Sec. 1 (Sec. 1510), page 98, line 27, by inserting after "ink.": The secretary shall establish requirements relating to the size and type of photographs as well as the time, place and manner of taking photographs and renewals thereof.

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

POINT OF ORDER

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

Mr. ZELLER. Mr. Speaker, I rise to a point of order. The SPEAKER. The gentleman will state it.

Mr. ZELLER. Mr. Speaker, 2 weeks ago, with all respect to Mr. Salvatore, and I do respect the gentleman, when I was on this floor 2 weeks ago, you were not the one who did it, but there happened to be an assistant sitting up there. His name was the Honorable Mr. Kelly. And I had spoken twice on an issue, and he said, no

more, that was it. As a matter of fact, he lowered the boom on me, and I thought he was wrong because it was on the same bill but not on the same item. It was a different item. Nevertheless with all respect to Mr. Salvatore, if we are going to play this game right down the road—and I realize you are in the Chair and you have the right to do what you want to do on this—but Mr. Salvatore, I know, had spoken more than twice on this issue, and what is good for the goose is good for the gander, and I am sure that Mr. Salvatore would agree to that. So I would like to have a ruling that if we are going to continue this way, then I would advise the assistants that they use the same leniency that you have done, which I compliment you on. But I would like to have a decision made here that we are going to allow this to happen with these so-called assistants that come up there and sit in your place.

Mr. KUSSE. Mr. Speaker, would it be in order to suggest a suspension of the rules?

The SPEAKER. What the Chair will endeavor to do is not be shackled by the rules of the House where the Chair can afford not to be shackled by the rules of the House. If I can extend every courtesy to any member in the House without unduly imposing on the membership of the House because of time constraints or otherwise, the Chair, unless pressed to the contrary by strict enforcement of the rules raised on a point of order, will allow a member to speak.

I would hope that we will extend to each other the courtesy of pursuing our points to the fullest, and I will proceed along that line unless, as I say, some member raises, on a point of order, the rules of the House and then I am constrained to follow the rules. So if there be no serious objection, we will let the gentleman proceed.

Mr. SALVATORE. Thank you, Mr. Speaker.

I am going to compliment the Speaker because you have always run this House with prudence.

The SPEAKER. I am still afraid of getting this jammed down my throat.

The gentleman may proceed.

Mr. SALVATORE. Mr. Speaker, on two times we have voted on an issue of whether or not to require a color photograph on a driver's license. And now what we are trying to do is get into the Guinness Book of World Records for the amount of times that this amendment has been voted on.

Both times the issue generated great debate and both times we were successful in amending the new Motor Vehicle Code. And the main reason that I have pushed so hard is that it was my belief that the police, both at the state and at the local level, would have been greatly assisted by having a color photograph on a driver's license.

We know there are many people who have their license revoked and suspended, and they were able to obtain someone else's driver's license and continue to drive. That is just one example of what is happening in Pennsylvania.

Now I could go on and on and cite reasons, such as businessmen being fleeced by cashing checks or your reluctance of going out to the local merchant when running short of cash and trying to cash a check and the fellow says, let us see your driver's license, and then he is reluctant to cash your check.

It would be a great aid to many, many people of the State of Pennsylvania, but I am going to pursue it on another angle. I am going to ask Mr. Bonetto if he will consent to interrogation?

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

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SALVATORE. Mr. Speaker, have you not stated that the purpose of recodifying the Vehicle Code is to bring Pennsylvania into conformity with the Uniform Vehicle Code?

Mr. BONETTO. That is correct.

Mr. SALVATORE. Did you not also state that if Pennsylvania does not conform with the Uniform Vehicle Code, we may lose up to \$30 million annually in Federal highway safety funds?

Mr. BONETTO. That is correct.

Mr. SALVATORE. Mr. Speaker, do you have a copy of the Uniform Vehicle Code with you?

Mr. BONETTO. No.

Mr. SALVATORE. I will provide you with a copy.

Mr. Speaker, would you please read paragraph 6-111 on page 10 of the supplement to the Uniform Vehicle Code, marked (a)?

Mr. BONETTO. (Reading:)

§ 6-111—Licenses issued to drivers

(a) The department shall upon payment of the required fee issue to every applicant qualifying therefor a driver's license indicating the type or general class of vehicles the licensee may drive, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a brief description, a color photograph of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. (REVISED, 1971.)

Mr. SALVATORE. Thank you, Mr. Speaker.

Now, Mr. Speaker, section 6-111 says that the license "shall" have a color photograph, not "may," does it not?

Mr. BONETTO. Ask the question again.

Mr. SALVATORE. I asked the question, Mr. Speaker, does section 6-111 say "shall" and not "may"?

Mr. BONETTO. Yes.

Mr. SALVATORE. Thank you.

I want to ask you another question. Yesterday you stated that there were 8 million licensed drivers in the State of Pennsylvania. Is that true?

Mr. BONETTO. I believe that the last figure was around 8.6 million.

Mr. SALVATORE. The figure that I have prepared by the Office of Highway Planning, Federal Highway Administration, for 1974, which was issued December of 1975, is 6,874,000. Would that be correct?

Mr. BONETTO. No. There are 8,600,000 licensees in Pennsylvania.

Mr. SALVATORE. Then the Federal Government is not up to date with its records.

Now, Mr. Speaker, I have no further questions for Mr. Bonetto. I just want to make a brief statement.

The SPEAKER. The gentleman is in order.

Mr. SALVATORE. Yesterday there was a claim that my amendment would cost \$8 million. Even if we use this figure as a correct figure—and I do not believe it is

a correct figure—I contend that my amendment is going to save the taxpayers \$22 million. If we do not pass this amendment, we will lose \$30 million because we are not in conformity with the Uniform Vehicle Code.

In addition, the \$8-million cost is a one-time cost. So, therefore, we are going to be losing \$30 million every succeeding year. If we are only going to conform to the sections of the Uniform Vehicle Code that the department chooses to conform with, we may as well not recodify the Vehicle Code at all, because we will stand to lose all the Federal highway safety funds.

If the Speaker is so inclined and it is the will of the House—and I am hoping it is not on a partisan basis today—that we vote on this piece of legislation, I contend to you that it will not cost us \$8 million to do this. If we did this and the Secretary did it on a 4-year basis, take 2 million drivers—assuming the 8-million-driver figure is correct—at 31 cents apiece, multiply 2,000,000 by 31 cents, because there is no equipment to be bought. The people bidding for these services will provide all the equipment, all the replacements, and the Commonwealth will not be in the photography business. I think we would probably have to use 20 additional people, one at every troop barracks or at the examination stations, to handle this. This is a simple operation, because all you do is press a button. But if we are going to have to add 20 more people, do so, and give them \$20,000 a year, and I will be the first one to apply for the job. That is another \$300,000. We are not talking about \$8 million; we are talking about less than \$1 million.

We have just taken \$3 from every taxpayer by increasing his fee from \$2 to \$5. I think that the taxpayers and the citizens of Pennsylvania are entitled to be protected with having their photograph on their driver's license, and it would make it a lot easier for the people of Pennsylvania to negotiate in many instances and in many business transactions.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, House bill No. 1817 does comply with the Federal code. In House bill No. 1817 we say that the Department of Transportation may, by regulation, issue an operator's card with a photograph. They may do that. We did not mandate the Department of Transportation to do it; we said "may." So that does comply with the Federal statute.

Number two, we, too, have found out some statistics this morning that are quite interesting. Yesterday and even at this very moment the former speaker mentioned the fact that it only cost 31 cents. He reduced it from 37 cents yesterday to 31 cents today. Our figures indicate that it would cost an additional 70 cents for every licensee in this state, without including the personnel to do the work and the initial installations that would be necessary to accommodate 8.6 million licensees.

I am saying to this General Assembly that cost is a problem and I am saying to you that within a short period of time there is a very good possibility that the Federal Government will come into the State of Pennsylvania and help in this particular situation. For that reason, I am asking this General Assembly to consider their vote very carefully and to vote "no" on this amendment.

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

Mr. SALVATORE. Mr. Speaker, I used the figure of 31 cents because I just took the figure of California. I have a list of 20-some states—32 cents, 31 cents, 31 cents, 35.8 cents, 35.4 cents, 29 cents, 60 cents, 35 cents—the 60 cents is Hawaii—37 cents, 28 cents, 43 cents. The more dense the population, the less the cost; in the more sparsely populated states, it costs more to do.

Number one, as per unit, I read the Uniform Code and I read the word "shall" not "may." Now I am saying to you that I hope that you people will consider that 39 other states have this present legislation already and I hope that you will make Pennsylvania the 40th.

I am not going to belabor the House with rhetoric, because I know all of you are anxious to go home and we have other important business on hand, but I would certainly appreciate your considering and voting your conscience. And do not be misled by that \$8-million figure, because it is not a true figure.

Thank you, Mr. Speaker.

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

Mr. LINCOLN. Mr. Speaker, I rise to oppose this amendment. I think one of the strongest arguments that Mr. Salvatore has used is for identification purposes. I think that we in this body should understand that that operator's license is not issued to you for any purpose other than proving that you have taken a test and proven your ability to operate a motor vehicle in Pennsylvania, and that is the express reason that you carry that operator's license with you.

The second thing is more of a philosophical nature. I think that we are celebrating a Bicentennial celebration, showing 200 years of freedom in this country, and we right now are one of the few countries in this world where we do not have to carry identification papers with us. I am fearful of this. I would suggest that every member think that over before he votes and vote "no."

On the question recurring,

Will the House agree to the amendments?

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

YEAS—80

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

NAYS—101

Abraham	Giammarco	Miller, M. E.	Saloom
Arthur	Gillespie	Miscevich	Scheaffer
Bellomini	Gleeson	Morris	Schmitt

Bennett	Goodman	Mrkonic	Schweder
Berlin	Green	Mullen, M. P.	Shane
Berson	Greenfield	Mullen	Shelhamer
Bonetto	Hannmock	Musto	Shelton
Bradley	Hutchinson, A.	Myers	Shuman
Caputo	Irvis	Novak	Shupnik
Cole	Itkin	O'Brien	Stapleton
Cowell	Johnson, J.	O'Donnell	Stout
DeMedio	Kernick	O'Keefe	Taylor
Dovle	Kolter	Oliver	Toll
Dreibelbis	Kowalyszyn	Perry	Trello
Eckensberger	LaMarca	Petrarca	Valicenti
Englehart	Laudadio	Plevsky	Walsh, T. P.
Fee	Laughlin	Pratt	Wansacz
Fischer	Lederer	Prendergast	Wargo
Flaherty	Letterman	Rappaport	Woldak
Foster, A.	Lincoln	Ravenstahl	Yahner
Fryer	Manderino	Renwick	Zeller
Gallagher	McCall	Richardson	Zwinkl
Garzia	McIntyre	Rieger	
Geesey	McLane	Ritter	Fineman,
Gefisler	Menhorn	Ross	Speaker
George	Milanovich	Ruggiero	

NOT VOTING—15

Barber	DiDonato	Kelly, A. P.	Rhodes
Brunner	Dombrowski	McGraw	Thomas
Cohen	Gillette	Milliron	Zord
Dicarlo	Gleason	Reed	

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MILLIRON. Mr. Speaker, I would like to be voted in the negative on the Salvatore amendments to House bill No. 1817.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

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

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

The SPEAKER. The gentleman will state it.

Mr. GREENFIELD. Mr. Speaker, I just want to determine, how was my vote recorded on Mr. Salvatore's amendment to House bill No. 1817, please?

The SPEAKER. In the negative.

Mr. GREENFIELD. Mr. Speaker, that was inadvertent, and I intended to vote in the positive, please.

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

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

Mr. SALVATORE. Mr. Speaker, would I be in order to offer another amendment?

The SPEAKER. Does the gentleman have the amendment ready?

Mr. SALVATORE. The amendment was distributed yesterday. It was distributed yesterday, and I assumed, Mr. Speaker, that after my amendment had passed on two different occasions, there would be no need for me to introduce that amendment.

Now I feel that I unjustly was defeated on a third

time, which should never happen, and I forget it; it is yesterday. But I think that I should have the right to offer this amendment at this time since this amendment was defeated.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there is no question about the gentleman's right to offer an amendment, but I suggested to this House yesterday, in no uncertain terms, that I would oppose any amendment—were it to come to the floor of the House by my brother—after yesterday. We have had more than adequate debate. I have refused to support amendments by Democrats who have come to me saying, I did not think of this yesterday and the day before; is it all right if I offer it? And I have said, "No." I am asking each one of you, Republicans and Democrats, to support that position.

We have now had enough debate. If we permit Mr. Salvatore to offer his amendment, to continue the debate because he thinks he was treated unfairly because he lost, then we have no rightful position to deny everybody else that privilege. And I ask Mr. Salvatore to remember that the orderly process of this House requires that we keep our word one to the other, and I ask him to cool down and pull his amendment offer back and let us proceed with the business of the day.

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

Mr. SALVATORE. Mr. Speaker, the majority leader stated that no amendments would be offered after a certain time. I offered my amendment yesterday. This amendment was offered yesterday. It was not called up yesterday. That is not my fault if my amendment was not called up yesterday. Everyone had a copy of that amendment on their desk yesterday.

RECONSIDERATION OF VOTE ON BRADLEY AMENDMENTS TO HOUSE BILL No. 1817

Mr. BONETTO moved that the vote by which the Bradley amendments, submitted by Mr. Bonetto, were agreed to on Monday, March 22, 1976, be reconsidered.

Mr. ARTHURS seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the amendments?

The clerk read the following amendments:

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 recurring,
Will the House agree to the amendments?

AMENDMENT WITHDRAWN

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

Mr. BONETTO. Mr. Speaker, I spoke with Mr. Bradley on his amendment. This was inadvertently submitted before as an agreed-to amendment, and we found out it was wrong, and he has agreed to have it removed.

The SPEAKER. Is the gentleman not going to offer his amendment? Is that correct?

Mr. BRADLEY. That is correct.

Mr. BONETTO. That is right.

The SPEAKER. The gentleman is not offering the amendment.

The Chair thanks the gentleman.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. SALVATORE. Mr. Speaker, I asked the Chair to rule. I offered the amendment yesterday. The amendment was distributed on the members' desks yesterday, and I conformed with the wishes of the majority leader by doing so.

The SPEAKER. Mr. Salvatore, the proposition you are posing to the Chair does not require a decision by the Chair. The Chair cannot preclude you from offering an amendment if you so desire today. The majority leader, in the interest of expediting the business of this House, has the right to take the position he has taken, not on the merits but rather on the procedural aspects of this situation.

Mr. SALVATORE. Fine. I would like to offer my amendment today then.

The SPEAKER. Does the gentleman have the amendment prepared?

Mr. SALVATORE. Yes; I do, Mr. Speaker.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1510), page 98, line 21 by striking out "may" where it appears the second time and inserting: shall

Amend Sec. 1 (Sec. 1510), page 98, line 23 by inserting after "address,": height, weight,

Amend Sec. 1 (Sec. 1510), page 98, line 27, by inserting after "ink.": The department shall establish requirements relating to the size and type of photographs as well as the time, place and manner of taking photographs and renewals thereof. The photographs shall be taken every four years, and the applicant shall pay to the department the sum of 50¢ in addition to any other fee, in order to defray the cost of the photograph.

On the question,

Will the House agree to the amendments?

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

Mr. SALVATORE. All we are doing, Mr. Speaker, with this amendment is adding that "The photographs shall be taken every four years, and the applicant shall pay to the department the sum of 50¢ in addition to any other fee, in order to defray the cost of the photograph."

Now there has been a lot of talk that it is going to cost \$8 million. I am saying that the taxpayers and the citizens of Pennsylvania will have paid 12½ cents a year to be protected.

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

Mr. BONETTO. I oppose the amendment. Let us roll the bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I think I have been here long enough at this desk to have earned some sort of reputation, good or bad. I assumed until today that the members would take my word for what I had pledged and I have assumed until today that I could take the words of members.

I thought the pledge was quite clear, not clouded a bit. I regret to say this, but I am asking those members, Republican and Democrat, who perceive this office of mine as one which I am sworn to operate on the floor of the House, to vote in the negative, regardless of the substance of this amendment, so that we shall not again be faced with this confrontation. If that does not happen, then I shall not again attempt to pledge my word to the members of this House as to what may or may not occur on the floor, because such a pledge is useless.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I appreciate the comments of the majority leader and I understand what he is saying. However, I think that his remarks do not apply necessarily to the situation that is facing the House today.

This is a peculiar situation in that yesterday Mr. Salvatore's amendments were twice accepted by this House. It was at the end of the day that they were rejected, and the majority leader as well as the other members of the House were advised that they would be reoffered today. Had the amendment gone down yesterday in time and been reconsidered yesterday and knocked down again and we still had time, then at that time it was Mr. Salvatore's intent—and we knew it, because the earlier amendments had been put on the floor—to offer this amendment that he is now offering as a secondary or backup amendment.

So I do not think the situation is as Mr. Irvis states, that this is a situation where amendments are coming out of the blue when we all more or less agreed that there would be no further amendments offered today. I think this is the exception to the rule.

Mr. Irvis is absolutely correct. As the floor leader he should be able to guide the destiny of the House as far as its working day, and I would agree with him in 99 out of 100 cases. This, however, is a legitimate exception and I think one that deserves the full consideration of the House and not simply a negative vote because the majority leader's integrity, perhaps, is considered to be

in question. That is not the case at all. If I thought for a minute that that were the question or if that were the issue, I would vote against Mr. Salvatore, and right now I intend to vote with him.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have been in court many times and I admire the technique of courtroom tacticians. I have practiced those techniques myself. But I tell you that I disagree with Mr. Ryan. I try to keep my word, and my word to this House was and is that we would deal with all the amendments by the time we adjourned last night. I was prepared to stay here until we had done so. I believed we had. The only exception to that was Mr. Pratt's amendment, which has been withdrawn. There were no other exceptions, and I do not admit to any other exceptions today. I repeat that I ask for a negative vote on this amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Two sentences in conclusion: The motion to reconsider was signed at the time of adjournment, and, in fact, Mr. Irvis and I both knew that that motion to reconsider was being introduced at that time. So for that reason—I was about to say "Your Honor" because of the courtroom tactician—for that reason, Mr. Speaker, I respectfully disagree with Mr. Irvis and I think the members should vote on this on its merits and not on the basis that Mr. Irvis suggests.

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

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

YEAS—71

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Anderson, J. H. | Gring | Manmiller | Sirianni |
| Beren | Halverson | McClatchy | Smith, E. |
| Bittle | Hamilton, J. H. | McCue | Smith, L. |
| Brandt | Haskell | McGinnis | Spencer |
| Butera | Hayes, D. S. | Mebus | Stahl |
| Cessar | Hayes, S. E. | Miller, M. E. | Taddonio |
| Cimini | Hopford | Miller, M. E., Jr. | Turner |
| Crawford | Hill | Moehlmann | Ustynowski |
| Cumberland | Hutchinson, W. | Noye | Vroon |
| Davies | Katz | O'Connell | Wagner |
| Devorter | Kelly, J. E. | Pancoast | Westerberg |
| Dietz | Kistler | Perri | Whelan |
| Dorr | Klingaman | Pitts | Wilt, R. W. |
| Fawcett | Knepper | Polite | Wilt, W. W. |
| Fisher | Kusse | Renninger | WorriLOW |
| Foster, W. | Lehr | Ryan | Yohn |
| Gallen | Levi | Salvatore | Zearfoss |
| Grieco | Lynch | Scirca | |

NAYS—112

- | | | | |
|--------------|----------------|---------------|--------------|
| Abraham | Giammarco | Miscevich | Saloom |
| Arthurs | Gillespie | Morris | Scheaffer |
| Bellomini | Gleeson | Mrkonjc | Schmitt |
| Bennett | Goodman | Mullen, M. P. | Schweder |
| Berlin | Green | Mullen | Shane |
| Berson | Hammock | Musto | Shelhamer |
| Bonetto | Hasay | Myers | Shelton |
| Bradley | Hopkins | Novak | Shuman |
| Brunner | Hutchinson, A. | O'Brien | Shupnik |
| Burns | Irvin | O'Donnell | Stapleton |
| Caputo | Itkin | O'Keefe | Stout |
| Cole | Johnson, J. | Oliver | Taylor |
| Cowell | Kelly, A. P. | Parker, H. S. | Toll |
| DeMedio | Kernick | Perry | Trello |
| Dininni | Kolter | Petrarca | Valcenti |
| Doyle | Kowalshyn | Pievsky | Walsh, T. P. |
| Dreibelbis | LaMarca | Pratt | Wansacz |
| Eckensberger | Laudadio | Prendergast | Wargo |
| Engelhart | Laughlin | Pyles | Weidner |

- | | | | |
|------------|------------|------------|----------|
| Fee | Lederer | Rappaport | Wilson |
| Fischer | Letterman | Ravenstahl | Wojdak |
| Flaherty | Lincoln | Reed | Wright |
| Foster, A. | Manderino | Renwick | Yahner |
| Fryer | McCall | Richardson | Zeller |
| Gallagher | McIntyre | Rieger | Zwinkl |
| Garzia | McLane | Ritter | |
| Geesey | Menhorn | Ross | Fineman, |
| Geisler | Milanovich | Ruggiero | Speaker |
| George | Milliron | | |

NOT VOTING—13

- | | | | |
|----------|------------|------------|---------|
| Barber | Dombrowski | Greenfield | Seltzer |
| Cohen | Gillette | McGraw | Thomas |
| Dicarlo | Gleason | Rhodes | Zord |
| DiDonato | | | |

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

RECONSIDERATION OF VOTE ON BONETTO AMENDMENT TO HOUSE BILL No. 1817

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

Mr. BONETTO. I move that the vote by which the Bonetto amendment to House bill No. 1817 was agreed to be reconsidered.

The question is on the motion,
Will the House agree to the motion?
Motion was agreed to.

AMENDMENT WITHDRAWN

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

Mr. BONETTO. Mr. Speaker, I am withdrawing the following amendment which was previously agreed to and included in House bill No. 1817, printer's No. 2873:

Amend Sec. 1 (Sec. 1337), page 78, lines 27 through 29 by striking out "LICENSED BY THE" in line 27, all of line 28 and "OF THE DEPARTMENT OF STATE" in line 29

RECONSIDERATION OF VOTE ON ECKENSBERGER AMENDMENTS TO HOUSE BILL No. 1817

Mr. ECKENSBERGER moved that the vote by which his amendments to House bill No. 1817 were defeated on Tuesday, March 23, 1976, be reconsidered.

Mr. W. D. HUTCHINSON 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. ECKENSBERGER requested and obtained unanimous consent to reoffer the following amendments, which were reread:

Amend Sec. 1 (Sec. 1535), page 111, line 7, by striking out all of said line

Amend Sec. 1 (Sec. 3711), page 215, line 8 through 13, by striking out all of said lines

Amend Sec. 1 (Sec. 3712), page 215, line 14, by striking out "3712" and inserting: 3711

Amend Sec. 1 (Sec. 3713), page 215, line 28, by striking out "3713" and inserting: 3712

Amend Sec. 1 (Sec. 3714), page 216, line 16, by striking out "3714" and inserting: 3713

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

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

Mr. ECKENSBERGER. Mr. Speaker, yesterday this House considered this amendment on two separate occasions. During a more lucid interval, the House adopted the amendment, and then later in the day, when order and decorum and sanity seemed to be somewhat lacking, the House decided to change its mind on this amendment. So, therefore, this is not a new amendment, and we are reconsidering what we did yesterday.

Very briefly, the amendment would seek to delete a new crime, being that of careless driving. I believe that we should remove this section in House bill No. 1817 because we will retain the concept of reckless driving as an offense; there will still be civil liabilities attached to careless driving. To subject our citizens to being arrested for committing what I consider to be ordinary negligence would be unfair to our citizenry in the Commonwealth who operate their motor vehicles in good faith.

I find no need for the section. I hope that all of the members do recall the debate of yesterday. I am not going to try to go into all of those things now, but merely hope that all the members will support this amendment.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, this section of the code was recommended under the Uniform Vehicle Code and placed in House bill No. 1817.

It shall be the judgment and decision for the members of this House to make as to whether or not the careless driving section remains in the code or is removed. After 5 days of being battered and a little tired, I am not going to stand here today indicating one way or another and I am going to act according to your judgment.

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

Mr. GREENFIELD. Mr. Speaker, if we abide by what Mr. Eckensberger wants to do, we will be left in this code, for a violation of a minor offense—a lapse of judgment, an inadvertency which happens in many cases—with a reckless driving charge with an initial fine of \$200 and a second-offense fine anywhere from \$200 to \$1,000. I think it inappropriate that we put this kind of burden on the ordinary, careful, but sometime careless driver who may make a slight error in judgment. This is not the kind of situation where we are trying to protect against the willful or wanton or deliberate reckless driver who is jeopardizing someone's life, but one who makes a temporary or minor discrepancy. He would be placed with a \$200 fine and a serious charge of reckless driving.

I think the careless driving charge is appropriate and I think we ought to send this bill out of the House of Representatives with that kind of clause in it and not the one that Mr. Eckensberger is alluding to. The only one who might be benefited by that situation would be an individual who wants to seek counsel and wants to go to court to eliminate that reckless-driving charge. I am thinking of the ordinary citizen—you should be thinking of him, too—who is not the serious offender.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, I will not belabor the House because it is late. However, if this section goes in, a person can be held responsible, be fined, and I believe get 3 points for something called careless driving, which, as I said yesterday, was something that we decided in our wisdom when we were debating the no-fault bill that people could not determine, the triers of the fact.

With respect to Mr. Greenfield's argument, I think I am in Alice in Wonderland world. He is saying, in effect, that the way to protect a person against the charge of reckless driving is to insert another charge that is easier to prove. He is making an assumption that the people who try these things, the district justices and so on, are going to ignore the definition of reckless driving and willy-nilly find people guilty when there is no reckless driving.

The problem as I see it is that if you put careless driving in, there is no standard to guide them, and our citizens will be harassed. This amendment should be put into the bill.

Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, I think some of the points that I intended to make were made by Mr. Hutchinson. I think Mr. Eckensberger's and Mr. Hutchinson's point of view is entirely correct. I see no reason to introduce into the statutes of Pennsylvania a new concept in the violation of the Motor Vehicle Code wherein ordinary negligence, carelessness, can be the reason for a citation.

For every accident that would occur, there would be a criminal citation. I think that we should not do that. I think that Mr. Eckensberger, upon reflection of yesterday's vote, and many others have realized this, and I would ask for a vote sustaining the position of Mr. Eckensberger and pulling out the designation of careless driver as a violation of the Vehicle Code.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Thank you, Mr. Speaker.

One further point here: Think of the average driver. He does not know what careless driving is. He knows he cannot speed; that is enumerated. He knows he cannot run a stop sign; that is enumerated. He knows if he runs a red light—he cannot violate that. Every single violation in there, he knows that he cannot do.

Now when you say you cannot driver carelessly, we are not setting forth any standards, and I ask you to consider that. If he violates one of the standards set forth—stop sign, red light, speeding—the code provides for that.

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

Mr. GREENFIELD. Mr. Speaker, I notice that every-one who has spoken in favor of Mr. Eckensberger—with no disparaging remarks intended to the profession—is an attorney.

Mr. Speaker, I refer to the average citizen. I have seen many cases of minor violations of the nature that

we are speaking of here today, and the charge is reckless driving. The police are doing that today on the minor cases, and that is what you are going to have, and that is what is going to be subject to a \$200 fine.

I ask you to think not as an attorney but as a state Representative for the people of this Commonwealth and to protect the ordinary citizen against the minor violations and not see him strapped with a reckless driving charge and a \$200 fine and a \$1,000 fine. I ask you to oppose that amendment.

Thank you.

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

Mr. M. E. MILLER. Mr. Speaker, I rise to join the gentleman, Mr. Greenfield, and I do so out of my background as a newspaperman, and that background is this: Any number of times I have spoken to traffic officers and they have had an accident investigation of this type: Someone is tuning a radio, and for a split second they are careless and they strike a vehicle; or a baby's rattle slides across the seat of a car and they lose control; or books have slid across the seat of a car and someone has lost control.

Several times under the former code the officers brought a charge of reckless driving, which was thrown out because there was not any willful violation. The point I am making is, we ought to have in the code some kind of differentiation between the extreme penalty for reckless driving and for the driver who for a minute or a split second may have been inattentive.

I first proposed a careless driving statute in this House in 1967, and it never got anywhere. I was pleased to see it in this code and I urge that we support Mr. Greenfield's position.

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

Mr. HALVERSON. Mr. Speaker, I rise in support of the amendment. I think it is a very worthwhile amendment, and I am not an attorney. If you want to see revenues raised for the State of Pennsylvania, leave the careless driving thing in the bill and it will bring enough money in to patch all the potholes in Pennsylvania, believe me. I ask for an affirmative vote on the amendment.

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. McCue.

Mr. McCUE. Mr. Speaker, I rise to provide some legal aid for Mr. Greenfield.

The code, I feel, has made an important change in providing for the crime of reckless driving as a misdemeanor. This is intended to properly punish those persons who willfully or wantonly drive to endanger the safety of others and to endanger property of others.

Many times the present reckless driving has been used as a catchall or as a harassment. I feel that the summary offense of careless driving is a needed innovation so that we can differentiate between those relatively harmless lapses of due care as opposed to the intentional ways of driving to hurt others. I therefore would recommend that we do not support this amendment and we retain the code the way it has been prepared.

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

Mr. SCIRICA. Mr. Speaker, I cannot think of any other area in the law where ordinary negligence carries with it a criminal penalty. We should leave this as a civil matter and I think it is important that we support Mr. Eckensberger's amendment.

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

The yeas and nays were required by Messrs. ECKENSBERGER and W. D. HUTCHINSON and were as follows:

YEAS—115

Abraham	Grieco	Mebus	Shehamer
Bellomini	Gring	Menhorn	Shelton
Bennett	Halverson	Miscevich	Shuman
Berlin	Hamilton, J. H.	Moehlmann	Smith, E.
Berson	Haskell	Morris	Smith, L.
Bittle	Hayes, D. S.	Mrkonic	Spencer
Brandt	Hepford	Mullen, M. P.	Stahl
Brunner	Hill	Mullen	Stapleton
Butera	Hutchinson, A.	Myers	Taylor
Caputo	Hutchinson, W.	O'Brien	Toll
Cimini	Irvis	O'Donnell	Trelo
Cohen	Itkin	O'Keefe	Turner
Cumberland	Johnson, J.	Oliver	Ustynoski
Davies	Kelly, A. P.	Parker, H. S.	Valicenti
DeMedio	Kelly, J. B.	Perry	Vroon
Dorr	Kernick	Petrarca	Wagner
Doyle	Kistler	Poltte	Walsh, T. P.
Eckensberger	Knepfer	Pratt	Wansacz
Englehart	Kusse	Rappaport	Wargo
Fawcett	LaMarca	Ravenstahl	Weidner
Fee	Laudadio	Renninger	Whelan
Fisher	Laughlin	Rieger	Wilson
Flaherty	Levi	Ross	Wilt, R. W.
Fryer	Lincoln	Ryan	Wojdak
Gallagher	Lynch	Saloom	Zearfoss
Garzia	Manderino	Schweder	Zeller
Geisler	McGinnis	Scirica	
Giammarco	McIntyre	Seltzer	Fineman,
Gillespie	McLane	Shane	Speaker
Goodman			

NAYS—70

Anderson, J. H.	Geesey	McCue	Richardson
Arthurs	George	Milanovich	Ritter
Beren	Gleeson	Miller, M. E.	Ruggiero
Bonetto	Green	Miller, M. E., Jr.	Salvatore
Bradley	Greenfield	Milliron	Scheaffer
Burns	Hasay	Musto	Schmitt
Cessar	Hayes, S. E.	Novak	Shupnik
Cole	Hopkins	Noye	Sirianni
Cowell	Katz	O'Connell	Stout
Crawford	Klingaman	Pancoast	Taddonio
Deverter	Kolter	Perri	Westerberg
Dietz	Kowalshyn	Pievsky	Wilt, W. W.
Dininni	Lederer	Pitts	Worrlow
Dreibelbis	Lehr	Prendergast	Wright
Fischer	Letterman	Pyles	Yahner
Foster, A.	Manmiller	Reed	Yohn
Foster, W.	McCall	Renwick	Zwilk
Gallen	McClatchy		

NOT VOTING—11

Barber	Dombrowski	Hammock	Thomas
Dicarlo	Gillette	McGraw	Zord
DiDonato	Gleason	Rhodes	

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

PARLIAMENTARY INQUIRY

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

Mr. COWELL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COWELL. Mr. Speaker, immediately prior to the Eckensberger amendment, the House agreed to reconsider the Bonetto amendment, and then Mr. Bonetto withdrew

the amendment. I was just hoping that either Mr. Bonetto or the Chair could tell us specifically which Bonetto amendment was taken out of the code now.

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

Mr. BONETTO. It removes the section involving the certification, I think, of—

The SPEAKER. Is that the amendment that reads, "Amend Sec. 1 (Sec. 1337), . . . by striking out 'LICENS-ED BY THE' in line 27, all of line 28 and 'OF THE DEPARTMENT OF STATE' in line 29"?

Mr. BONETTO. Right. It is the miscellaneous section of the bill.

Mr. COWELL. Thank you very much.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

Mr. RITTER. Mr. Speaker, I can hear the rumblings and I realize that some of the members do not want to listen, but some of us, including Mr. Bonetto, have spent a great deal of time and effort on this bill. I have some rather strong feelings and I respectfully request permission to have these remarks mentioned on the floor today.

I want to say at the outset that, as I said, I have strong feelings, but I want to indicate that I do not question the motives or the integrity of any member or members of this august body. And to the degree that my remarks may be interpreted otherwise, I hereby apologize.

But this bill, Mr. Speaker, in its present form does many things. It provides amnesty to everyone who has points recorded against him for previous violations of the present law. The slate will be wiped clean of all points, regardless of whether they number 1, 2, 10, 15, or more. And in my judgment, that is wrong. Everything will be forgiven, and the bad driver will get the breaks.

The bill says also to local policemen across this state that we do not trust you with the latest equipment and techniques for apprehending those who will break this law, while at the same time we say you should spend your time catching the real criminal. Is someone who commits petty theft or aggravated assault any more a criminal than someone who drives his car at an excessive rate of speed on our city streets and hits and cripples an innocent person? Certainly radar, in and of itself, will not guarantee that people will not speed, but it would sure help to stop some, if not most, of it.

This bill says to those same local police whom we are already hindering that we will impose additional burdens on you by requiring you to place on the ticket you will give the violator the correct number of points that will be issued if the violator pleads guilty or is found guilty.

On top of that, Mr. Speaker, the bill says that all policemen must assist an out-of-state violator by allowing him to pay the fine and costs on the spot, if you will—kind of like curbstone justice. He must also carry with him a supply of stamped, addressed envelopes for all of the magistrates' districts through which his patrol will take

him. And while the bill does say that the out-of-state motorist may pay the fine and costs by cash, it also says by personal or other check, credit card, et cetera, and I wonder how the policemen will be able to handle that.

This bill will effectively destroy driver education in this Commonwealth. With virtually little incentive for our school districts to provide driver education for our kids, it follows that most, if not all, of the school districts will cut out the program in the name of economy. How many of those young people whom we are so anxious to please today do you think will be grateful to us when insurance companies eliminate the discount for driver education?

This bill gives the Secretary of Transportation almost unlimited and unchecked power to issue rules and regulations that will affect the daily operation of our constituents' motor vehicles as well as the operation of both the Bureau of Motor Vehicles and Traffic Safety. Passage of this bill will simply add more fuel to the fire that is rapidly consuming us all, and that is the undeniable fact that we are becoming a government by regulation and not a government by law.

This bill, in my judgment, does not represent the best that we can do, and that is unfortunate because we can and should do better. As much as I have been involved with this bill, I know that we can do better, but we did not. As one who has served as a traffic court magistrate for several years and one whose office has handled, filled out and notarized learners' permits, certificates of titles, duplicates, et cetera, by the thousands over the years, I know this bill can be improved, but we chose not to do so. As one who worked with police officers and listened to their problems, I know this bill should be changed, but we will not do it. And, Mr. Speaker, that bothers me.

Mr. Speaker, House bill No. 1817 does have some good provisions in it, but, in my judgment, the bad provisions still remaining in the bill plus the good provisions which were removed make it impossible for me to support the bill, and I intend to vote in the negative.

Thank you, Mr. Speaker.

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

Mr. BONETTO. On behalf of the Transportation Committee on both sides of the aisle and our staffs—Roger Nick, Tommy Usiadek and Mike Deckman, and many more, Ed Morris and Ed Richer, we have completed for the first time in 50 years the recodification of the Vehicle Code.

I can safely say that this code in the last 5 days was practically written right here in this House. The majority of the members through amendments debated, participated. I think we have a good code. And I am going to make it awfully short: Let us roll this bill and give it to the Senate where it belongs. That is the best way we can show that we have done our job. Thank you very much.

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

Mr. BEREN. Mr. Speaker, I, too, concur with the remarks of Mr. Bonetto. I would like to point out that under last term's chairman, Mr. Westerberg, and this term's chairman, Mr. Bonetto, a great deal of work has gone into the Vehicle Code by these individuals, by the House Transportation Committee and, as he pointed out, by the House as a whole.

I think that the good in the bill outweighs the bad. I agree with him; let us move it over to the Senate and see what they do with it, and let us revise our Motor Vehicle Code. I vote "aye."

On the question recurring,
Shall the bill pass finally?

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

YEAS—166

- | | | | |
|-----------------|-----------------|--------------------|------------------|
| Abraham | Gillespie | Manmiller | Saloom |
| Anderson, J. H. | Gillette | McCall | Salvatore |
| Arthurs | Gleeson | McClatchy | Scheaffer |
| Bellommi | Goodman | McCue | Schmitt |
| Bennett | Green | McGinnis | Schweder |
| Beren | Greenfield | McIntyre | Scfrica |
| Berlin | Grleco | McLane | Seltzer |
| Berson | Gring | Mebus | Shane |
| Bittle | Halverson | Menhorn | Shelhamer |
| Bonetto | Hamilton, J. H. | Milanoitch | Shelton |
| Bradley | Hammock | Miller, M. E. | Shupnik |
| Brandt | Hasay | Miller, M. E., Jr. | Sirianni |
| Brunner | Haskell | Milliron | Smith, E. |
| Burns | Hayes, D. S. | Miscevich | Smith, L. |
| Butera | Hepford | Moehlmann | Spencer |
| Caputo | Hill | Morris | Stapleton |
| Cessar | Hopkins | Mrkonic | Stout |
| Cimini | Hutchinson, A. | Mullen, M. P. | Taddonio |
| Cohen | Hutchinson, W. | Mullen | Taylor |
| Cole | Itkin | Musto | Toll |
| Cowell | Irvic | Myers | Trello |
| Crawford | Johnson, J. | Novak | Turner |
| Cumberland | Katz | Noye | Ustynoski |
| DeMedio | Kelly, A. P. | O'Brien | Valicenti |
| Dicarlo | Kelly, J. B. | O'Connell | Vroon |
| Dorr | Kernick | O'Donnell | Wagner |
| Doyle | Kistler | O'Keefe | Walsh, T. P. |
| Dreibelbis | Klingaman | Oliver | Wansacz |
| Eckensberger | Knepper | Parker, H. S. | Westerberg |
| Englehart | Kolter | Perri | Whelan |
| Fawcett | Kowalishyn | Petrarca | Wilson |
| Fee | Kusse | Ptevscky | Wilt, R. W. |
| Fisher | LaMarca | Pratt | Wilt, W. W. |
| Flaherty | Laudadio | Prendergast | Wojdak |
| Foster, A. | Laughlin | Rappaport | Worriow |
| Foster, W. | Lederer | Ravenstahl | Wright |
| Fryer | Lehr | Reed | Yahner |
| Gallagher | Letterman | Renninger | Yohn |
| Garzia | Levi | Rieger | Zeller |
| Geisler | Lincoln | Ross | |
| George | Lynch | Ruggiero | |
| Giammarco | Mandertno | Ryan | Fineman, Speaker |

NAYS—22

- | | | | |
|----------|--------------|------------|----------|
| Davies | Geesey | Pyles | Stahl |
| Deverter | Hayes, S. E. | Renwick | Wargo |
| Dietz | Pancoast | Richardson | Weldner |
| Binanni | Perry | Ritter | Zearfoss |
| Fischer | Pitts | Shuman | Zwickl |
| Gallen | Polite | | |

NOT VOTING—8

- | | | | |
|----------|------------|--------|--------|
| Barber | Dombrowski | McGraw | Thomas |
| DeDonato | Gleason | Rhodes | Zard |

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

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

REPORTS OF COMMITTEES

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

Mr. BEREN. Mr. Speaker, would you go back to the reports of committees for one moment please?

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

from Montgomery, Mr. Beren, who reports the following bills which the clerk will read.

Mr. BEREN. Thank you.

BILLS REPORTED FROM COMMITTEES

HOUSE BILL No. 1579 (Amended) By Mr. PERRY

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), increasing the compensation of election officers.

Reported from Committee on State Government.

HOUSE BILL No. 2188 By Mr. BEREN

A Supplement to the act of (No.), entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing a transportation assistance project to be acquired or constructed by The Pennsylvania Transportation Assistance Authority together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project, stating the estimated useful life of the project, and making an appropriation.

Reported from Committee on Transportation.

LIQUOR CONTROL BOARD BILL ON THIRD CONSIDERATION

Agreeable to order,
The House resumed consideration of House bill No. 567, printer's No. 2322, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), temporarily changing a fee.

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

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

Amend Title, page 1, line 17, by removing the period after "fee" and inserting: and providing for the renewal of special permits under certain circumstances.

Amend Sec. 1, page 1, line 22, by inserting after "amended": and a subsection is added

Amend Bill, page 2, by inserting after line 6:
(c.1) If the special event is cancelled because of inclement weather, the board shall, upon the receipt of an affidavit of the applicant stating the reason for the cancellation, renew the permit, without any additional fee.
* * *

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

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

Mr. ZELLER. Mr. Speaker, I should restate that on the special permits for those who hold licenses for liquor and beer, and so forth, these clubs that want to have a weekend for a special-day permit, presently under the law if they are rained out or something happens, a storm, that they cannot hold that special event, they do not receive their money back nor do they get a chance for another day. That is it.

All we are doing with this amendment is saying: If a special event is cancelled because of inclement weather, the board shall, upon the receipt of an affidavit of the applicant stating the reason for the cancellation, renew the permit, without any additional fee.

That is all we are asking and I know our side of the

aisle has agreed as far as the leader and as far as the sponsor, and I would hope that everyone else would, too. Thank you.

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?
Bill as amended was agreed to.

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

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

YEAS—138

Abraham	Gillette	Milliron	Scirica
Arthurs	Goodman	Miscevich	Shane
Bellomini	Green	Morris	Shelton
Bennett	Grieco	Mrkonie	Shuman
Beren	Hasay	Mullen	Shupnik
Berlin	Haskell	Mullen, M. P.	Spencer
Berson	Hayes, D. S.	Musto	Stahl
Bonetto	Hayes, S. E.	Myers	Stapleton
Bradley	Hutchinson, A.	Novak	Stout
Brunner	Hutchinson, W.	O'Brien	Taddonio
Burns	Irvis	O'Connell	Taylor
Butera	Johnson, J.	O'Donnell	Toll
Caputo	Kelly, A. P.	O'Keefe	Trello
Cessar	Kelly, J. B.	Oliver	Turner
Cimini	Klingaman	Pancoast	Ustynoski
Cohen	Knepper	Parker, H. S.	Valcenti
Cowell	Kolter	Perry	Wagner
Cumberland	Kowalshyn	Petrarca	Walsh, T. P.
DeMedio	Kusse	Polite	Wansacz
Deverter	Laudadio	Pratt	Wargo
Dorr	Laughlin	Prendergast	Weidner
Doyle	Levi	Rappaport	Whelan
Eckensberger	Lincoln	Ravenstahl	Wilson
Fawcett	Manderino	Reed	Wilt, W. W.
Fee	Manmiller	Renninger	Wojdak
Fisher	McCall	Renwick	Worrilow
Flaherty	McCue	Richardson	Wright
Gallagher	McGinnis	Rieger	Yahner
Gallen	McIntyre	Ritter	Yohn
Garzia	McLane	Ross	Zearfoss
Geesey	Mebus	Ruggiero	Zeller
Geisler	Menhorn	Ryan	Zwick
George	Milanovich	Saloom	
Giammarco	Miller, M. E.	Schmitt	Fineman,
Gillespie	Miller, M. E., Jr.	Schweder	Speaker

NAYS—43

Anderson, J. H.	Fryer	Kistler	Salvatore
Bittle	Gleeson	LaMarca	Scheaffer
Brandt	Gring	Lehr	Seltzer
Cole	Halverson	Letterman	Shelhamer
Crawford	Hamilton, J. H.	McClatchy	Sirianni
Dietz	Hepford	Moehlmann	Smith, E.
Dininni	Hill	Noye	Smith, L.
Dreibelbis	Hopkins	Perri	Vroon
Fischer	Itkin	Pievsky	Westerberg
Foster, A.	Katz	Pitts	Wilt, R. W.
Foster, W.	Kernick	Pyles	

NOT VOTING—15

Barber	Dombrowski	Hammock	Rhodes
Davies	Englehart	Lederer	Thomas
Dicarlo	Gleason	Lynch	Zord
DiDonato	Greenfield	McGraw	

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

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

TAX BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 2124, printer's No. 2753, entitled:

An Act amending the act of August 5, 1932 (Sp. Sess. P. L. 45, No. 45), entitled, as amended, "An act empowering cities of the first class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes for general revenue purposes; ***" further providing for the rate of taxation on certain individuals.

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

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

Mr. VROON. Mr. Speaker, before the clerk reads the amendments, I want to say that they have not been circulated yet, I am sorry to say. I thought they were, but I just found out that they were not. Sorry.

The SPEAKER. I think it is most unfortunate that the members do not come prepared to have their amendments properly considered by the House.

It is an imposition on the time of the balance of the members of this House not to be ready when their bill is called, not to have had your amendments distributed, not to have had the proper number of amendments submitted, not to have had your name identifying the amendments, all of which has taken place over this entire week. It only delays the proceedings of this House.

Mr. VROON. Mr. Speaker, I just want to make it clear. I gave these out for distribution over an hour ago. I do not think I can be blamed for being unprepared.

The SPEAKER. Does the gentleman, Mr. O'Connell, have amendments?

Mr. O'CONNELL. Yes, Mr. Speaker, I have a comment. I take exception to that remark about the members being unprepared. I will tell you, the operation of this House in the past week has been horrible.

The operation this past week and in the past weeks has been horrible.

It is almost impossible for any members to keep up with this particular situation.

We were given a list of bills that were going to be considered this afternoon to caucus on this morning. These members cannot keep up with it. It is absolutely impossible for them to prepare themselves the way this thing is being carried out and functioning.

Now I do not think that the members deserve that criticism. I think it reflects upon the leadership.

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

Mr. ZEARFOSS. Mr. Speaker, I have two amendments that I have here on my desk. The copies are up there and have been there for about 45 minutes waiting for distribution. The amendments were drafted on March 9. I have had them since that time. I was not aware until this morning that this bill was being called up today. I do not think that is my fault either.

Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Wilson, now have his amendments?

The gentleman offers the following amendment which the clerk will read.

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

Mr. RAPPAPORT. Mr. Speaker, I would be grateful if the gentleman could send me a copy of his amendment.

The SPEAKER. Will the gentleman, Mr. Wilson, please make available a copy of the amendment to the gentleman, Mr. Rappaport?

Mr. WILSON. I gave you eight and one-half copies, sir. I only have one left myself. They are on the desks.

The SPEAKER. Were your amendments distributed?

Mr. WILSON. Yes, sir, yesterday.

The SPEAKER. Are there no copies of the amendment on your desk?

Mr. WILSON. It is only a technical change, Mr. Speaker.

The SPEAKER. The gentleman has only sent six copies of the amendment to the desk.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 1), page 2, line 3, by striking out "3 1/3%" and inserting: 3 5/16% in 1976, 2 5/16% in 1977, 1 5/16% in 1978, and 1% in 1979 and thereafter.

On the question,

Will the House agree to the amendment?

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

Mr. WILSON. Mr. Speaker, House bill No. 2124, I believe is an attempt to justify a situation particularly in the suburban area around Philadelphia. However I think the designers of the bill perhaps made an error.

First of all, they want to freeze the Philadelphia wage tax at its current level. However they increased it to 3 1/3 percent.

My amendment would do the following: It would hold the level of taxation on nonresidents. It would hold the level of the wage tax in Philadelphia to nonresidents in 1976 to its current level—3 5/16 percent. Next year there would be a deduction of 1 percent, or the level would be then 2 5/16 percent. In the year 1978, it would be 1 5/16 percent, and then it would stabilize at 1 percent in 1979 and thereafter.

I understand the Philadelphia dilemma. I understand their financial problem, at least as it is perpetrated in the press. However, the argument that the lawmakers from Philadelphia would give us is that these people who are working in Philadelphia who are from Bucks, Chester and Montgomery Counties, obtain services from the city of Philadelphia. Well, perhaps that is true. But if a person is working in the city of Philadelphia for 8 hours a day—let us suggest that at the best, they are spending about 9 hours in the city of Philadelphia. That is about one-third of the time. Right now the total revenue from the wage tax, as I get it from the fiscal note which I believe is on your desk, indicates that the total revenue is \$308,990,000; and the residents' share is estimated at \$216,293,000, and the nonresidents are picking up \$92,697,000.

I would suggest, without putting Philadelphia into a financial tailspin worse than they are in now, that a plan such as this, which shows the fiscal responsibility of the nonresident, shows his responsibility to be about 1 per-

cent of the tax levied. Actually, that would bring down to the city of Philadelphia \$27,984,000 in revenue from that 1 percent.

I think this is fair. I think the municipal services that are rendered to the nonresident who is working in the city of Philadelphia is entitled to such payment but no more than 1 percent.

Mr. Speaker, I hope that the people here in this House recognize this perhaps provincial problem. Nowhere else in the Commonwealth of Pennsylvania, no other municipality can levy a tax without a limit. Everybody else's wage tax is limited to 1 percent. It is also limited to an offset where you reside. If the 1 percent is levied in your residency, your hometown, you pay it there. You do not pay it where you work. The worst that they could do in that case is charge you an occupation privilege tax of \$10.

I suggest that this particular situation in the city of the first class of which we only have that one—Philadelphia—needs to be rectified and this amendment would so rectify it. I move the adoption of the amendment, Mr. Speaker.

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

Mr. DOYLE. Mr. Speaker, I will try to limit my remarks because I think we have a long debate ahead of us. But on this amendment I urge a "no" vote. And the reason I do so is quite simple. The bill as it stands now is not a bill to penalize Philadelphia. It would not take away from Philadelphia anything that it now has or will be able to receive by nonresidents.

It is my position and those of my colleagues that the suburban residents of Philadelphia should pay their fair share. We believe that fair share has been reached at the present rate of 3 5/16 percent. And we are quite willing to pay that.

I think that if this amendment is adopted it would be loving the bill to death. I think that really if there was any compassion for Philadelphia, and we have, we should defeat the amendment.

There have been many times in my 5 years as a House member that the city of Philadelphia and the school districts of Philadelphia through the city have come to us and asked for special consideration because of their problems, and I have given my vote and my voice when they had those special problems.

We are now in this bill, House bill No. 2124, saying that we are willing to pay our fair share in this instance and give you what you need, but then be fair to us. I therefore would urge a "no" vote on the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I disagree with my colleague from Delaware County, Mr. Doyle, and agree with Mr. Wilson. The nonresident wage tax that is imposed on the working community of Delaware, Chester, Montgomery and Bucks Counties, that part of the working community that works in Philadelphia, supports the city of Philadelphia to the tune of about 30 percent of its total budget, I am told.

Now under Mr. Wilson's amendments, if we reduce it from the 3 5/16 percent down eventually to the 1 percent, which is all that can be levied in the other areas of Penn-

sylvania, we still end up picking up approximately 10 percent of the total bill of Philadelphia. And that seems to me to be equitable. We do not send our children to their schools. We do use their police protection, their fire protection. I suppose the other municipal services that are offered, we do benefit from them, those of us who work in Philadelphia from our community.

But I think paying 30 percent of their total bill is unreasonable. And for that reason I would suggest that Mr. Wilson's amendments make sense. They do not cut it right from the 35/16 percent to 1 percent, but rather they level it off over a period of several years so that Philadelphia will have time to make an adjustment.

Mr. Doyle makes reference to the special concessions that we give the city of Philadelphia by grants at large because we recognize their problems. Maybe if Philadelphia has problems—and indeed it does have financial problems—and because it is the largest city in the Commonwealth of Pennsylvania, it is a burden that should be shared by the entire state and not by the suburban communities primarily. Maybe if Mr. Doyle thinks that these problems should be solved by grants, he is willing to come up with state money. I am not so sure that I am, but I know the one thing that I am not ready to do, and that is, sacrifice more than a fair share of the money of the working community of the suburban counties for the support of Philadelphia, particularly in light of the fact of what took place in Philadelphia here a week or two ago when they were holding the hearings, when members of both parties who were attending those hearings could not get a straight answer as to why they were in the fiscal dilemma they are in.

We hear complaints from both Republican and Democratic members of that committee that they could not get straight answers, and if they will not give us straight answers, why should we go on the blind and support them in any way more than a fair share. And in my judgment, reducing it to the 10 percent of their overall budget is plenty of support and more probably than we owe.

Thank you, Mr. Speaker.

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

Mr. GILLESPIE. Mr. Speaker, I will be brief. I am here to stand now to oppose the Wilson amendment. And I am kind of surprised at Mr. Ryan, with all of his longevity that he has up here and knowing the political breakup of this House. His trying to get a piece of legislation through with Wilson's amendment in it is being naive from my point of view.

Thank you.

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

Mr. RYAN. Mr. Speaker, maybe one of the reasons I have been up here as long as I have been up here is because I have watched out for the people of Delaware County.

And I will add another thing, if you are talking about the prospects of this bill that has been introduced, House bill No. 2124: I think to a great extent that this bill is a sham; it is not going to go anywhere in the Senate. Where the vote is going to count, in my judgment, is when the Cianfrani Philadelphia tax package gets over here in the House and then we amend that baby, and

when that one is amended and we put caps on it for the nonresident taxpayers and if the Philadelphia group need that interim tax money now, that is where these amendments are going to count.

This amendment that is being offered today will go through this House, hopefully. It should become law, but it will not become law, in my judgment. The Senate will not touch this one. But let us send them something. Let us send the people of Pennsylvania and the people of our community an idea of how we really think and how we feel about the way Philadelphia is running their fiscal matters.

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

Mr. WRIGHT. Mr. Speaker, I had originally planned to introduce an amendment to the Sterling Act, which I have been trying to introduce for a number of years, to limit the rate of tax on suburbanites to one-half of the Philadelphia rate. But I have been impressed with the argument that we should be fair to the city of Philadelphia and I suggest that Mr. Wilson's amendment meets that test of fairness.

Number one, it does not—and I repeat, it does not—reduce that rate drastically overnight. It would take a period of four years to get it down to the level of one percent. And suburbanites are willing to share the burden with the city of Philadelphia for such time that they can get their house in order. I would further point out that the result of one percent in the amendment is the exact same rate that every other place in Pennsylvania is permitted to charge. So those who live outside the city are willing to assume the same share that their own communities would charge upon them.

I would further point out that some fairness is needed for the suburban communities. Most of you in the suburban Philadelphia area know that the recent decisions on the aid ratios to our school systems have caused drastic reductions in aid to our schools and we in suburban areas need some help. And I plead for that help to help us balance the increased millage that we are going to have to charge in our school systems this coming year.

Mr. Wilson's amendment meets the test of fairness, and I suggest that everybody in this House support that amendment.

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

Mr. BERLIN. Mr. Speaker, I would like to bring the conversation and the debate down to a much cooler and less volatile degree. I rise in opposition to the Wilson amendment although I am a strong supporter in the objective. And the reason I am opposed to his amendment is because I believe the rationale on which he built the formula is not quite appropriate to the problem that we face. We are concerned with being fair to the city, all cities, in the Commonwealth that have a wage tax. In this case it is the city of Philadelphia. What we are saying is that those of us in the suburban counties who do have a residence and who work in that city, those residents ought to pay their fair share of the cost of providing added municipal services. But no one knows exactly what the fair share is, and, indeed, it is almost impossible to determine exactly what the costs of those municipal services are per se.

It is reasonable to assume, however, that the added

cost, the growth of the added cost, because of the residential movement in during the daytime is not an arithmetic growth; it is an expeditious growth. There is a degree of inefficiency that we have to pay for during the daytime hours in trying to provide municipal services. The Wilson amendment offers a reduction in arithmetic terms and that is not fair. The cost to the city of Philadelphia is higher than it ought to be because of the movement in and out by the nonresidents. And I believe that we ought to arrive at some number that we feel is fair. I do not believe that 1 percent or 1 5/16 percent is the appropriate number and I ask that this amendment be rejected.

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

Mr. WILSON. I would like one more word, if I may.

Mr. Speaker, I listen with interest to the perhaps political side of the issue. It seems to me that I thought everybody from the suburban area supported some sort of a concept to make this equitable. I thought everybody from the suburban area kind of thought that perhaps Philadelphia needed a message. I thought perhaps that this particular proposal had a reasonable approach to sending this message to Philadelphia. Some of these speakers spoke of "fair share." They also suggested that they did not know what the fair share was. I am offering what I think is a fair share. My people who go to work in the city of Philadelphia and pay 3 5/16 percent tax out of their wages do not get to vote to see whether they want to light I-95, they did not get to vote to see whether they want to buy a tunnel between the Penn Central and Reading Railroads, they did not get to vote to subsidize the Veterans Stadium, the Dell, and all these things, and I think that the fair share, in my opinion, is 1 percent and I think we ought to approve this measure. We ought to send a message to Philadelphia that that is it. That is all we are going to send.

We send block grants down there; we send our tax dollars down there when we work there, and we get little or nothing in return except higher taxes in Bucks County and all the rest of the suburban counties. I move that we adopt the amendment, Mr. Speaker, and I thank you.

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

Mr. RENNINGER. I rise in support of the Wilson amendment. I think that this has been a perennial problem and we are going to have to address it sometime and we might as well get at it now.

One of the most serious things that we deal with on a day-to-day basis as legislators is trying to explain to our people the rationale of this tax as it applies to us and the city and what happens in the city, and all we hear about is the city's financial problems but we have no real voice in them. This is a very difficult thing for us to try to work with our people on, and I think it is high time that we approach this problem a little bit more fairly. I think there are always arguments as to who gets the sales tax when a lot of it comes from our people and it is credited to Philadelphia in its distributions, and there is just a whole, myriad list of arguments there that all of us have seen who have been most intimately associated with this difficult problem.

Mr. Speaker, I rise in support of this amendment. I

think the House should pass it, and then I think people will start to talk. Thank you very much.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, on the subject generally and hopefully without emotion, there is one aspect of this entire situation which perhaps members of the House, particularly those who are not from the southeastern part of the state, are not aware of. I will use my community as an example because it is probably most appropriate.

I live in Norristown which is a community of four square miles with 40,000 people, 10,000 people per square mile, a density very much like that of the city of Philadelphia. That kind of a density, of course, generates the same kinds of problems, fiscal and otherwise, as the people experience in the city of Philadelphia. The Borough of Norristown is presently, I believe, \$40 per resident in the red, which is also very much equivalent to the deficit which presently appears in the city of Philadelphia budget.

There is one difference however because of the nature of the law regarding the Sterling Act with the people in Norristown, who find themselves much in the same situation as the people of Philadelphia regarding their tax collections. If a resident of Norristown works in the city of Philadelphia, he pays the city wage tax. In Norristown there is a 1 percent wage tax. That same resident of Norristown does not—and I repeat does not—pay the 1 percent wage tax where he lives. He only pays the 3 5/16 tax on his wages levied by the city of Philadelphia. Now that means this: that here is an individual who lives in a community with identical problems to those experienced in the city of Philadelphia, who does not support by law the services which he receives in his own community but who does support the services that his neighbors receive in the adjoining community some 15 miles to the east of his. And that is because his Philadelphia wage tax is offset against his Norristown wage tax. The Philadelphia tax being 3 5/16 percent, his local tax being 1 percent, that leaves him a net of zero local tax.

Furthermore, the citizen who lives in Norristown, in effect, is having his neighbors support the residents of the city of Philadelphia because of the fact that he is not contributing his fair share locally, which, in turn, raises the burden of the other people who live in Norristown. It really is not equitable and something has to be done. I do not know whether this is the vehicle. I do know that today we will be casting at least a symbolic vote as to the feeling of the majority of this House one way or the other on the general question which I expect will be addressed later on in this session.

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

Mr. DOYLE. Mr. Speaker, regardless of the mental gymnastics that the minority leader has gone through to arrive at the conclusion that this is a symbolic vote, the fact remains that Philadelphia now imposes the tax on nonresidents and this amendment would clearly deny that tax revenue to the city in the next four years and thereafter. Now I do not think we are ostriches and I think we can see what the clear implications of this amendment would do. It seems strange that those who are up here arguing against this amendment are Demo-

crats from the suburban counties, and those who are arguing for it are Republicans. I think that the bill as it stands now is a fair bill; it is an equitable bill; and I think that the passage of this amendment would defeat it. And I noticed the board before the Speaker took the roll call or asked for another vote on it and Mr. Wilson asked to speak again on it, and I think that is symbolic too. And I think we should stay that way and I think if we are really serious about this matter, really serious, and not just want a symbolic vote or as in the terms of Mr. Ryan, "a charade," then I think we should vote the amendment down and then vote "yes" on the bill.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think the gentleman's choice of words are very inappropriate. I went through no mental gymnastics. I stated facts and I compared two communities which are comparable and they are quite different from a lot of the other suburban communities. My community is not unlike a neighborhood of Philadelphia. Those people have the same problems. There is a police ratio which is high. There is municipal overburden, which perhaps some of the other communities do not have. I stated facts and I tried to show without emotion that these people who live in my community are in very desperate financial shape. They do not have the muscle that Philadelphia has to come to Harrisburg and get bailed out. They are at the maximum of their permitted millage, the maximum of their permitted wage tax. They have a problem which is serious and must be addressed. I do not know whether this is the vehicle is what I said, but I do know that whether it is or whether it is not, there will be a symbolic vote today as to how the majority of this House feels on this particular question. It was no mental gymnastics. I did not make up facts; I gave you facts.

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

Mr. DOYLE. The minority leader did not listen carefully. I said, "mental gymnastics arriving at the conclusion." I do not dispute your facts; I agree with the facts. It is your conclusion that is in error.

I come from the same kind of district, but the people in my district are willing now and will be to pay the present rate.

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

Mr. BURNS. Mr. Speaker, I just have to go along with what the minority leader said not because I sit on this side of the aisle but because I have a township that is exactly as he describes the situation in Norristown. The situation is exactly the same in the township of Bensalem and we are in a situation now where our people are on the verge of revolt because our school districts are not getting the moneys back from the state. They cannot come to the state and get bailed out every time that our aid ratio drops. Our taxing communities cannot have anything else to tax. They had to go to the 1 percent income tax, and my people are looking at half of the township paying and the other half not because they are paying it into Philadelphia.

Now I contend to you that it is not fair, it is not done anyplace else in Pennsylvania, and I contend to you that

the people are not satisfied with what you are telling them, Mr. Doyle; at least they are not satisfied in Bucks County.

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

Mr. RYAN. Mr. Speaker, I cannot put into words just how strongly I disagree with the conclusion reached by Mr. Doyle that the people of his district in Delaware County are satisfied paying the 35/16 percent wage tax in Philadelphia while they are living in Delaware County. That is incredible. It is preposterous, and I dare say that I will finance a poll in your district, Mr. Doyle, and see if what you say is accurate. I cannot believe that is true, because I once represented your district prior to reapportionment and I know that it was not true then. I cannot believe those people are any more ready to pay taxes to Philadelphia today than they were 10 years ago when I represented that area.

And the other part of it, the charade part of it, is that you know and I know that this bill has trouble over in the Senate. The only way it becomes law is when it is tacked onto a bill that the Governor has got to sign.

If you are speaking for your community in Delaware County saying that they are willing to pay it and they are satisfied to pay it, boy, you restrict those remarks to that district because it surely does not apply to mine.

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

Mr. DOYLE. Well, I will try not to prolong the debate, but maybe that is why Mr. Ryan no longer represents my district and maybe that is why—

Mr. RYAN. The Supreme Court did that.

Mr. DOYLE. —there are five Democrats now in the House from Delaware County.

As you said you looked after the interests of your people as I am doing here today. And I am looking after them because this bill is not a charade to me. This bill is not symbolic to me. This bill, if we stay together, we can get. And as far as your saying it is in trouble in the Senate, this week, yesterday, Mr. Ryan, this very same bill passed the Senate by a vote of 36, I believe it was.

Mr. RYAN. Mr. Speaker, if I may?

The SPEAKER. Well, we are now beyond the rule of two, now just relax everybody.

Does the gentleman want to speak again?

Mr. RYAN. Yes, Mr. Speaker.

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

Mr. RYAN. Mr. Speaker, I am going to suggest that the appropriate thing to do would be to bring that Senate bill out and let us give the Governor a chance to take a look at it in its final passed form, and in fact I hope my secretary or some staff member is listening to me and will make a note on the calendar—if it does not come out of committee, I am going to suggest that those of you from the southeast who are interested in this problem sign a discharge resolution with me and we will get a good look at that Senate bill.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—81

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

NAYS—104

Abraham	Gleason	Milliron	Ross
Arthurs	Goodman	Miscevich	Ruggiero
Bellomini	Green	Morris	Saloom
Bennett	Greenfield	Mrkonic	Salvatore
Berlin	Hamilton, J. H.	Mullen, M. P.	Schmitt
Berson	Hammock	Mullen	Schweder
Bonetto	Hutchinson, A.	Musto	Shane
Bradley	Irvia	Myers	Shelhamer
Brunner	Itkin	Novak	Shelton
Caputo	Johnson, J.	O'Brien	Shupnik
Cohen	Katz	O'Donnell	Stapleton
Cole	Kelly, A. P.	O'Keefe	Stout
Cowell	Kernick	Oliver	Taylor
DeMedio	Kolter	Perri	Toll
Doyle	Kowalyszyn	Perry	Trello
Dreibelbis	LaMarca	Petrarca	Valicenti
Eckensberger	Laudadio	Pievsky	Walsh, T. P.
Englehart	Laughlin	Pratt	Wansacz
Fee	Lederer	Prendergast	Wargo
Flaherty	Letterman	Rappaport	Weidner
Fryer	Lincoln	Ravenstahl	Westerberg
Gallagher	Manderino	Reed	Whelan
Garzia	McCall	Reed	Wilson
Geisler	McIntyre	Renwick	Wilt, R. W.
George	McLane	Rieger	Wilt, W. W.
Grammarco	Menhorn	Ritter	Worriow
Gillespie	Milanovich		Wright
			Yahnner
			Yohn
			Zearfoss
			Zeller
			Zwickl

NOT VOTING—11

Barber	Dombrowski	McGraw	Thomas
Dicarlo	Gillette	Rhodes	Zord
DiDonato	Gleason	Shuman	

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 on third consideration?

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

Amend Sec. 1 (Sec. 1), page 2, line 3 by striking out "3 1/3%" and inserting: 3 5/16%.

On the question,

Will the House agree to the amendment?

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

Mr. DOYLE. Mr. Speaker, the bill now is pegged at the rate of 3 1/3 percent which is the cap, the limit, the maximum. This amendment would take the maximum down to 3 5/16 percent, which is the present rate. By the adoption of this amendment, it will conform in all respects with the Senate bill and also with the tax package from Philadelphia which was also passed by the Senate.

Thank you, Mr. Speaker.

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

Mr. WILSON. The gentleman and I would concur on that. Somebody did not know their facts when they drew up the bill and they have it higher than it is. I would agree with the amendment and urge that everybody vote in the affirmative.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—144

Abraham	Gallagher	McCall	Schweder
Anderson, J. H.	Gallen	McClatchy	Scritca
Arthurs	Garzia	McCue	Seltzer
Bellomini	Geesey	McGinnis	Shane
Bennett	Geisler	McLane	Shelhamer
Beren	George	Mebus	Shuman
Berlin	Grammarco	Milanovich	Shupnik
Bittle	Gillespie	Miller, M. E.	Sirianni
Bradley	Goodman	Miller, M. E., Jr.	Smith, E.
Brandt	Grieco	Milliron	Smith, L.
Brunner	Gring	Moehlmann	Spencer
Burns	Halverson	Morris	Stahl
Butera	Hasay	Mrkonic	Stapleton
Caputo	Haskell	Musto	Taddonio
Cessar	Hayes, D. S.	Novak	Trello
Cimini	Hayes, S. E.	Noye	Turner
Cole	Hepford	O'Brien	Ustynoski
Cowell	Hill	O'Connell	Valicenti
Crawford	Hopkins	O'Keefe	Vroon
Cumberland	Hutchinson, A.	Pancoast	Wagner
Davies	Hutchinson, W.	Parker, H. S.	Walsh, T. P.
Deverter	Itkin	Petrarca	Wansacz
Dietz	Kelly, J. B.	Pitts	Wargo
Dininni	Kernick	Polite	Weidner
Dorr	Kistler	Pratt	Westerberg
Doyle	Klingaman	Prendergast	Whelan
Dreibelbis	Kolter	Pyles	Wilson
Eckensberger	Kowalyszyn	Reed	Wilt, R. W.
Fawcett	Kusse	Renninger	Wilt, W. W.
Fee	Laudadio	Renwick	Worriow
Fischer	Laughlin	Ritter	Wright
Fisher	Lehr	Ruggiero	Yahnner
Flaherty	Letterman	Ryan	Yohn
Foster, A.	Levi	Saloom	Zearfoss
Foster, W.	Lynch	Scheaffer	Zeller
Fryer	Manmiller	Schmitt	Zwickl

NAYS—41

Berson	Katz	Mullen	Ross
Bonetto	Kelly, A. P.	Myers	Salvatore
Cohen	Knepper	O'Donnell	Shelton
DeMedio	LaMarca	Oliver	Stout
Englehart	Lederer	Perri	Taylor
Gleason	Lincoln	Perry	Toll
Greenfield	Manderino	Pievsky	Wojdak
Hamilton, J. H.	McIntyre	Rappaport	
Hammock	Menhorn	Ravenstahl	Fineman,
Irvia	Miscevich	Richardson	Speaker
Johnson, J.	Mullen, M. P.	Rieger	

NOT VOTING—11

Barber	Dombrowski	Green	Thomas
Dicarlo	Gillette	McGraw	Zord
DiDonato	Gleason	Rhodes	

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

On the question,

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

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

Amend Title, page 1, line 10, by removing the period after "individuals" and inserting: and providing for a credit against such tax.

Amend Sec. 1 (Sec. 1), page 2, line 3, by striking out

"3 1/3%," and inserting: 3%. A credit against any such wage tax imposed pursuant to this act shall be given for any wage tax of up to 1% paid by such nonresident in his county of residence.

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

AMENDMENTS DIVIDED

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

Mr. VROON. Mr. Speaker, this amendment is on the same subject matter, and there is a slight change that now must be made in the amendment because we just changed the rate to 3 5/16 percent. So this amendment changes it back from 3 5/16 percent to put a ceiling of 3 percent on it. Would it be in order to consider that?

Mr. Speaker, now I would also like to get your permission to divide the amendment, please.

The SPEAKER. Where does the gentleman desire to divide the amendment?

Mr. VROON. To divide the amendment, one dealing with the rate and the other one dealing with the credit.

The SPEAKER. The amendment will be so divided.

Mr. VROON. Very good. On the first part of the amendment having to do with the rate, we had a lot of rhetoric in the House. I do not intend to belabor the point but only to bring out a few very salient facts from another point of view. This is Bicentennial year, and if you recall your history like I do, you will recall that there was a Boston Tea Party waged some time ago on a very important subject of taxation without representation. This wage tax in Philadelphia is exactly that. It is taxation without representation. The suburbanites who pay this tax have absolutely no voice in the government; they have no vote in Philadelphia; they have no opportunity to exercise any kind of influence whatsoever as to fiscal responsibility in the government of Philadelphia. From that point of view, it is grossly unfair in the first place.

Now we realize that this has been going on for some time. We have all recognized it. I was one of those who for many years paid 3 5/16 percent without any quarrel, grudgingly, yes, nevertheless realizing that I never had any voice whatsoever in the city of Philadelphia's fiscal affairs. Then I also realized that all of a sudden my school taxes started going up.

My area is the kind of an area that is not like Philadelphia; it is not like Mr. Butera's or Mr. Burns. My area is a middle-income class area. My people in this area are being hurt in every possible way from this tax setup. My people are feeling the pinch, from going down to Philadelphia and paying 3 5/16 percent in the first place and getting nothing for it and then having to pay a very heavy increase year after year in the school tax, because his subsidy is so much lower; it is at a minimum. So he is paying that. Then in the third place, he is paying more than his share of income tax to the State of Pennsylvania because he is in that middle-income group. As we all know, it is the middle-income group that is getting hit right on the chin time after time after time.

So I am suggesting here that it is time to give a little bit of relief. I know that it is asking a lot to have a drastic cut in this tax, but I am suggesting that if we could put a cap of 3 percent on this, we would be giving

our beleaguered middle-income taxpayers in the suburbs a very much needed break.

Now in addition to everything else, we are being beset on by our senior taxpayers because our school district taxes are being levied on property. And our senior citizens are telling us day after day, this is getting to be such an impressive tax that we are going to have to move out of our area as much as we hate to do that. So the time is going to come sooner or later when we are going to have to wage taxes on wages too.

Now I am asking a slight consideration for the benefit of my commuters. Seventy percent or more of my taxpayers in my area go to Philadelphia for a living. One hundred percent of these people have gone on record as saying, please help us, help us at least to get some kind of a limit set on how much money we are going to have to pay into the city of Philadelphia.

So my request here today is, let us take it easy. Let us get a gentle break, only a small break. Let us freeze this at 3 percent.

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

Mr. DOYLE. Mr. Speaker, this again places me in the unenviable position of possibly seeming like I am arguing against the interests of the people who live in my district. But such is not the case if we are realistic about it. No matter how much I am in sympathy with Mr. Vroon, and perhaps if the situation had not developed the way it has—but the tax rate is 3 5/16 now—and had we had the limitation of Act 511, the Sterling Act, we would not be in this position. But such are not the facts, and I would urge a "nay" vote.

The second part of Mr. Vroon's amendment here—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. VROON. Mr. Speaker, I call upon Mr. Doyle to refrain from commenting on the second part of the amendment until we discuss that. We have divided the question, and I have not introduced the second half of this amendment yet.

The SPEAKER. The gentleman, Mr. Doyle, will proceed.

Mr. DOYLE. I will withhold my remarks as to that. I thought that he struck that. The 3 1/3 is what he struck. I did not understand that he divided the question, and the gentleman is correct. If he is going to offer it in stages, I will argue it in stages. I nevertheless urge a "nay" vote.

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

Mr. WILSON. Mr. Speaker, will the gentleman, Mr. Vroon, submit to a brief interrogation?

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

Mr. VROON. I shall.

Mr. WILSON. Do you have a fiscal note or is there a fiscal impact? Do you have an estimate of dollars on this?

Mr. VROON. No. I did not see any on yours either, Mr. Wilson.

Mr. WILSON. No, my point is as to how much. The gentleman, Mr. Doyle, had spoken about fair share, and my estimate of your amendment, if I am correct, keeping your lid at 3 percent instead of what the bill now says, 3 5/16 percent, my estimate of \$3,798,419 is an estimate of the dollar loss to the city of Philadelphia. I wondered if you had agreed with that figure?

Mr. VROON. Three billion?

Mr. WILSON. Three million.

Mr. VROON. Three million. That sounds like it is quite accurate because the reduction is very small. It is almost negligible, but it puts a cap on at an even rate.

Mr. WILSON. Mr. Speaker, I rise if I may in support of the Vroon amendment. My estimate here is \$3,798,419 and I cannot see where the city of Philadelphia cannot afford to give that up as a level payment instead of 3 5/16. I think that is a fair share. I prefer my amendment but I think this is a fair share if we cannot get the other one.

The SPEAKER. Mr. Vroon?

Mr. VROON. I have no further statement.

On the question,

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

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

YEAS—77

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

NAYS—102

Abraham	Goodman	Milliron	Ross
Bellomini	Green	Miscevich	Ruggiero
Bennett	Greenfield	Morris	Saloom
Berlin	Hamilton, J. H.	Mrkonje	Salvatore
Berson	Hammock	Mullen, M. P.	Schmitt
Bonetto	Hutchinson, A.	Mullen	Schweder
Bradley	Irvin	Musto	Shane
Brunner	Itkin	Myers	Shelhamer
Caputo	Johnson, J.	Novak	Shelton
Cohen	Katz	O'Brien	Shupnik
Cole	Kelly, A. P.	O'Donnell	Stapleton
Cowell	Kernick	O'Keefe	Stout
DeMedio	Kolter	Oliver	Taylor
Doyle	Kowalshyn	Perri	Toil
Dreibelbis	LaMarca	Perry	Trelio
Eckensberger	Laudadio	Petrarca	Vallcenti
Engelhart	Laughlin	Pievsky	Walsh, T. P.
Flaherty	Lederer	Pratt	Wansacz
Fryer	Lefterman	Prendergast	Wargo
Gailagher	Lincoln	Rappaport	Wojdak
Garzia	Manderino	Ravenstahl	Yahner
Geisler	McCall	Reed	Zeller
George	McIntyre	Renwick	Zwikel
Giammarco	McLane	Richardson	
Gillespie	Menhorn	Rieger	Fineman, Speaker
Gleeson	Milanovich	Ritter	

NOT VOTING—17

Arthur	Dombrowski	McGraw	Thomas
Barber	Fee	Miller, M. E.	Ustynoski
Dicarlo	Cleason	Rhodes	Wilt, R. W.
DiDonato	Gillette	Shuman	Zord
Dininni			

So the question was determined in the negative and Part I of the Vroon amendments was not agreed to.

On the question,

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

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

Mr. VROON. Mr. Speaker, may I now proceed to introduce the second part of my amendment?

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

Mr. VROON. I mentioned the fact, Mr. Speaker, that our taxpayers in suburbia will soon be faced with the necessity for coming up with some alternate form of taxation to the school property tax. Without a doubt, we are going to have to start levying taxes on wages in suburbia. Many of them have started to do that already. Most of our suburban areas do not do it yet. The pressure is mounting. If we get very many more—and we will—substantial increases in tax burdens, we are going to have to go to this form of taxation.

Now this second part of the amendment calls for a credit. It calls for a credit of 1 percent for any taxes that will be paid on wages in the county of residence, which means to any municipality within the county of residence. I think this is looking forward to the future. Right now it will not apply much and it will not be very much of a loss at all at the current time to the city of Philadelphia. But in the future I think it is only fair to give our people in suburbia this break that he can offset 1 percent of any wage tax that he has to pay at home against the wage tax levied by the city of Philadelphia.

In all fairness, in all equity, considering the fact that we are paying a good part of Philadelphia's burden, I am asking for a favorable vote on this part of the amendment.

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

Mr. DOYLE. Mr. Speaker, not only do I agree with most of the content of what Mr. Vroon has said, but back in 1973 I argued on the floor of this House to do the exact same thing.

But I just state to Mr. Vroon that he is going about it in the wrong manner. Yesterday we introduced legislation to do just what he wishes to do now. It is House bill No. 2260. I would invite Mr. Vroon to join in sponsorship of that. I think that to encumber this bill with this amendment would seriously cripple it, and it is for that reason that I am asking for a "no" vote.

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

Mr. VROON. Mr. Speaker, I think because this is such an important matter to suburban taxpayers, this is the time and this is the place to go on record as saying that we must have some credit in the future for any wage taxes that we pay at home. We cannot afford to keep on going like this. I have to insist that this is the time and

I am asking for a favorable vote because my taxpayers are hurting. Please support this amendment.

On the question recurring,

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

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

YEAS—74

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

NAYS—99

Bellomini	Green	Miscevich	Ross
Bennett	Greenfield	Morris	Saloom
Berlin	Hamilton, J. H.	Mrkonic	Salvatore
Berson	Hammock	Mullen, M. P.	Schmitt
Bradley	Hutchinson, A.	Mullen	Schweder
Brunner	Irvls	Musto	Shane
Caputo	Itkin	Myers	Shelhamer
Cohen	Johnson, J.	Novak	Shelton
Cole	Katz	O'Brien	Shupnik
Cowell	Kelly, A. P.	O'Donnell	Stapleton
DeMedio	Kernick	O'Keefe	Stout
Doyle	Kolter	Oliver	Taylor
Dreibelbis	Kowalshyn	Perri	Toll
Eckensberger	LaMarca	Perry	Trello
Engelhart	Laudadio	Petrarca	Valicenti
Flaherty	Laughlin	Plevsky	Walsh, T. P.
Fryer	Lederer	Pratt	Wansacz
Gallagher	Letterman	Prendergast	Wargo
Garzia	Lincoln	Rappaport	Wojdak
Geister	Manderino	Ravenstahl	Yahner
George	McCall	Reed	Zeller
Giammarco	McIntyre	Renwick	Zwinkl
Gillespie	McLane	Richardson	
Gillette	Milanovich	Rieger	Fineman, Speaker
Gleason	Milliron	Ritter	
Goodman			

NOT VOTING—23

Abraham	Dininni	Menhorn	Smith, E.
Arthurs	Dombrowski	Miller, M. E.	Thomas
Barber	Fee	Miller, M. E., Jr.	Ustynoski
Bonetto	Gleason	Rhodes	Wilt, R. W.
Dicarlo	Haskell	Ruggiero	Zord
DiDonato	McGraw	Shuman	

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

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1), page 2, line 3 by removing the period after "3 1/3%" and inserting: or 50% of the rate of taxation on the wages of residents, whichever is lower.

On the question,

Will the House agree to the amendment?

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

Mr. ZEARFOSS. Mr. Speaker, rather than go over the same ground that has been gone over before, I will just say the reason for the amendment is the same as the reason for all the other amendments that were proposed. All I will do is explain what the amendment does and let you decide whether you want to vote for it or not.

I am first offering the amendment that has been circulated as number 1, which says that the amount paid by a nonresident in Philadelphia would be no more than 50 percent of the rate paid by residents, plus the cap that is now in the bill of 35/16 percent. In other words, it will be whichever is lower—50 percent of the rate that Philadelphians pay to the city on wage tax or 35/16.

Now the reason for it obviously is that nonresidents working in Philadelphia do not get the same benefits of the city's services, and my judgment is that 50 percent is a fair figure and could be justified on the basis of the time spent in the city and the other services that are received from the city. However, if 50 percent seems too low for some of you, perhaps when we come to the second amendment, you will be able to vote for that, which is for 75 percent.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALEN. Mr. Speaker, I rise in support of the Zearfoss amendment. Berks County is not really known as a bedroom county as are Chester and Bucks, et cetera. However, Mr. Speaker, there are literally thousands of residents of Berks, Northampton, Lehigh and Lancaster Counties who are subject to the Philadelphia wage tax. Mr. Speaker, I ask the members of this House from those counties to support this amendment.

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

Mr. DOYLE. Mr. Speaker, again, for me and my colleagues, this is a very sexy amendment to have to vote against. It is very inviting indeed. But, Mr. Speaker, I believe that if we are serious about doing something in providing relief for the constituents who live in suburban Philadelphia and work in Philadelphia, then we vote it down and go with the major piece of legislation which we have before us. We have never been this close before, and I ask your support to defeat the amendment and then pass the bill.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—74

Anderson, J. H.	Gallen	Lynch	Seltzer
Beren	Geesey	Manmiller	Sirianni
Bittle	Grieco	McClatchy	Smith, L.
Brandt	Gring	McCue	Spencer
Burns	Halverson	McGinnis	Stahl
Butera	Hasay	Mebus	Taddonio
Cessar	Hayes, D. S.	Moehlmann	Turner
Cimini	Hayes, S. E.	Noye	Vroon
Crawford	Hepford	O'Connell	Wagner
Cumberland	Hill	Pancoast	Weidner
Davies	Hopkins	Parker, H. S.	Westerberg
Deverter	Hutchinson, W.	Pitts	Whelan
Dietz	Kelly, J. B.	Polite	Wilson
Dorr	Kistler	Pyles	Wilt, W. W.
Fawcett	Klingaman	Renninger	Worrlow
Fischer	Knepper	Ryan	Wright

Fisher Foster, A. Foster, W.	Kusse Lehr Levi	Scheaffer Scirica	Yohn Zearfoss
NAYS—103			
Abraham Bellomini Bennett Berlin Berson Bonetto Bradley Brunner Caputo Cohen Cole Cowell DeMedio Doyle Dreibelbis Eckensberger Englehart Flaherty Fryer Gallagher Garzia Geisler George Giammarco Gillespie Gillette Gleason	Goodman Green Greenfield Hamilton, J. H. Hammock Hutchinson, A. Irvis Itkin Johnson, J. Katz Kelly, A. P. Kernick Kolter Kowalyszyn LaMarca Laudadio Laughlin Lederer Letterman Lincoln Manderino McCall McIntyre McLane Menhorn Milanovich	Milliron Miscovich Morris Mrkonc Mullen, M. P. Mullen Musto Myers Novak O'Brien O'Donnell O'Keefe Oliver Perri Perry Petrarca Pievsky Pratt Prendergast Rappaport Ravenstahl Reed Renwick Richardson Rieger Ritter	Ross Ruggiero Saloom Salvatore Schmitt Schweder Shane Shelhamer Shelton Shupnik Stapleton Stout Taylor Toil Treilo Valicenti Walsh, T. P. Wansacz Wargo Wojdak Yahner Zeller Zwikel Fineman, Speaker

NOT VOTING—19

Arthurs Barber Dicarlo DiDonato Dininni	Dombrowski Fee Gleason Haskell McGraw	Miller, M. E. Miller, M. E., Jr. Rhodes Shuman Smith, E.	Thomas Ustynoski Wilt, R. W. Zord
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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. ZEARFOSS requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 1), page 2, line 3 by removing the period after "3 1/3%" and inserting: or 75% of the rate of taxation on the wages of residents, whichever is lower.

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

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

Mr. ZEARFOSS. Mr. Speaker, this is the same as the prior amendment, except that the maximum rate would be 75 percent of the rate paid by residents of the city of Philadelphia. For those of you who thought that 50 percent was too big a bite and unfair, here is an opportunity to again state that you recognize that the non-residents working in Philadelphia do not get the same services that a resident does and, therefore, should not pay the same taxes.

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

Mr. DOYLE. For the same reasons, Mr. Speaker, I would urge a "no" vote.

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

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

YEAS—74			
Anderson, J. H. Beren Bittle Brandt Burns Butera Cessar Cimini Crawford Cumberland Davies Deverter Dietz Dorr Fawcett Fischer Fisher Foster, A. Foster, W.	Gallen Geesey Griceo Gring Halverson Hasay Hayes, D. S. Hayes, S. E. Hepford Hill Hopkins Hutchinson, W. Kelly, J. B. Kistler Klingaman Knepper Kusse Lehr Levi	Lynch Manmiller McClatchy McCue McGinnis Mebus Moehlmann Noye O'Connell Pancoast Parker, H. S. Pitts Polite Pyles Renninger Ryan Scheaffer Scirica	Saltzer Sirianni Smith, L. Spencer Stahl Taddonio Turner Vroon Wagner Weidner Westerberg Whelan Wilson Wilt, W. W. Worriow Wright Yohn Zearfoss

NAYS—103

Abraham Bellomini Bennett Berlin Berson Bonetto Bradley Brunner Caputo Cohen Cole Cowell DeMedio Doyle Dreibelbis Eckensberger Englehart Flaherty Fryer Gallagher Garzia Geisler George Giammarco Gillespie Gillette Gleason	Goodman Green Greenfield Hamilton, J. H. Hammock Hutchinson, A. Irvis Itkin Johnson, J. Katz Kelly, A. P. Kernick Kolter Kowalyszyn LaMarca Laudadio Laughlin Lederer Letterman Lincoln Manderino McCall McIntyre McLane Menhorn Milanovich	Milliron Miscovich Morris Mrkonc Mullen, M. P. Mullen Musto Myers Novak O'Brien O'Donnell O'Keefe Oliver Perri Perry Petrarca Pievsky Pratt Prendergast Rappaport Ravenstahl Reed Renwick Richardson Rieger Ritter	Rosa Ruggiero Saloom Salvatore Schmitt Schweder Shane Shelhamer Shelton Shupnik Stapleton Stout Taylor Toil Treilo Valicenti Walsh, T. P. Wansacz Wargo Wojdak Yahner Zeller Zwikel Fineman, Speaker
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NOT VOTING—19

Arthurs Barber Dicarlo DiDonato Dininni	Dombrowski Fee Gleason Haskell McGraw	Miller, M. E. Miller, M. E., Jr. Rhodes Shuman Smith, E.	Thomas Ustynoski Wilt, R. W. Zord
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So the question was determined in the negative and the amendment was not agreed to.

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

Bill as amended was agreed to.

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

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

Mr. DOYLE. Mr. Speaker, I mentioned earlier in the debate on the amendments the words of "fair share." I believe it can be established through the city itself that nonresidents pay approximately 30 percent of the wage tax which the city of Philadelphia garners as revenue. Thirty percent of the wage tax in the 1973-74 fiscal year, the total of which was \$303 million, amounts to \$91 million that the suburban residents pay to Philadelphia.

The total cost of the entire police protection in the city amounts to \$153 million, so that the suburban resi-

dents pay approximately 60 percent of what it takes to fund the entire police department.

If you equate it in terms of fire protection, the suburban residents pay more than double the entire cost of the fire protection in Philadelphia.

I say "fair share" and I can bring that down to the fiscal year 1975-76. The total revenue was \$302,400,000. The cost of affording the police protection in Philadelphia was approximately \$130,000. Therefore, suburban residents paid approximately 70 percent of the total cost of the police department. As far as fire protection is concerned, they pay almost 200 percent of the entire cost of funding the Philadelphia Fire Department.

I think it is about time that suburban Philadelphia residents are treated the same as residents of other cities in other parts of the United States. Checking the largest 21 cities in the United States, from New York down to Columbus, Ohio, eight of those cities impose a wage tax and six of those cities impose a tax of a lesser amount on their nonresidents. In addition to that, Flint, Michigan, Grand Rapids, Michigan, and Louisville, Kentucky, also impose wage taxes in their cities and impose a smaller wage tax on nonresidents.

The claim that you will hear, I am sure, that by the passage of this bill the residents will flee the city to take up residence in the suburban counties just will not hold water. It is fallacious. It is nothing more than an argument, because it has not happened in the other cities.

As far as the Pennsylvania cities are concerned, by a quick check around, we find that every city, except Oil City, in Pennsylvania imposes a wage tax of some sort. In every city, except Philadelphia, those people who are nonresidents, who work in the city but live somewhere else where a 1-percent wage tax is imposed, are granted credit for that 1 percent that they pay. But not so in the city of Philadelphia and the suburban communities. We are the only ones in Pennsylvania who are treated differently.

The city of Scranton just passed, in their home rule charter, a wage tax of 2 percent for the city and 1 percent for the school districts. Now that is on residents. But if you were a nonresident working in Scranton, you do not pay any tax if you pay a wage tax in your home municipality. A nonresident who does not pay any wage tax in his home municipality would pay the 1 percent of the Scranton wage tax.

In every place in Pennsylvania, the nonresident is treated differently from the nonresidents of the communities surrounding Philadelphia. Very briefly and very basically, I think it is about time we were treated the same as the rest of Pennsylvania. I would urge a "yes" vote on the bill.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, that was a wonderful, wonderful, wonderful argument, and I agree with him wholeheartedly. It was also a superexercise of elastic logic. Every argument that he gave just now was given by one of us a little while ago when amendments were offered. We talked about 70 percent of the police funding and 200 percent of the fire protection.

He wants to be treated the same, yet he voted and urged everyone to vote against amendments which would have done this earlier. He points out that in all these

cities in the United States, nonresidents pay less than the residents. Yet when given the opportunity to vote that way, he has an argument that goes in a different direction and says, that is not quite right; we are simply going to put a cap on this one. But unless Philadelphia raises their wage tax, that cap keeps us equal. All it does is keep us equal the way the Doyle amendment is written now. He is presupposing that city council and the mayor will raise the wage tax, which I suppose they probably will, maybe not until July when they get the opportunity to do it but maybe they will do it sooner.

He gives the same argument—and I agree 100 percent with Mr. Doyle; he has come to his senses with his argument—that our friends, Mr. Butera and Mr. Burns gave, that we should get a credit in our local cities and in our local governments against the Philadelphia wage tax. Mr. Doyle gave a tremendous argument for his bill. I agree with him 100 percent. I simply fail to understand what happened when the amendments were offered.

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

Mr. RICHARDSON. Mr. Speaker, may I interrogate Mr. Doyle for a moment?

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

Mr. DOYLE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, on House bill No. 2124, the question has been raised as to whether or not the city council of the city of the first class should render a city wage tax against nonresidents. What I am raising today is, how did the figure 3.13 come to reality?

Mr. DOYLE. Are you asking how did we get to the point we are now?

Mr. RICHARDSON. How did you get to 3.13 percent?

Mr. DOYLE. The Sterling Act allows the city of Philadelphia to impose a wage tax but does not set the rate. So Philadelphia imposes a tax on everybody, residents and nonresidents alike, and they can just keep going up.

This bill would not prohibit Philadelphia from imposing an increase of the wage tax at all. All that this bill would do would just say that they cannot increase it on nonresidents over what it is now.

Mr. RICHARDSON. The reason I raise the question, Mr. Speaker, is because I do not know how you could say that in light of the fact that there was an Urban Affairs Subcommittee which met and held 4 days of hearings in the city of Philadelphia. At that time it was not clear as to what the fiscal problems were in the city of Philadelphia, therefore there was really no conclusion as to whether or not the increase that was proposed should be proposed or not.

I am just wondering, Mr. Speaker, whether or not you recognize that there is a probable constitutional question here, and I would like to get your comments on this.

Mr. DOYLE. Well, I do not believe there is a constitutional question. I think your question is in two parts: One, what the city of Philadelphia will do or not do. I really do not know except for what I read in the newspaper and from the results of Mr. Rappaport's hearings. All I am saying by this legislation is that if they do raise the wage tax, they simply cannot raise it on non-

residents. It will not take anything away from the present Philadelphia revenues.

Secondly, as far as the constitutionality is concerned, I do not believe there is a problem. We have done our research. In similar cities in the United States with similar state constitutions, it was found that there is no constitutional problem, and I am referring specifically to the State of Michigan and the State of Kentucky. One state has an almost identical constitution as does Pennsylvania, and the other state has a very similar constitution. In both states, cities within those states impose a different rate of tax on residents and nonresidents.

Mr. RICHARDSON. Thank you very much.

Mr. Speaker, I raised those questions with Mr. Doyle just to try to get to some points: One, I feel that we are sitting here in the House today dealing with a situation that we really do not have any responsibility in doing, particularly as it relates to nonresidents.

I have a different view of this whole particular question that I feel the members of this House should certainly be aware of before they vote.

We held 4 days of hearings, and I personally feel that moving on House bill No. 2124 without having all the information before us is a little redundant. We came to the members of this House and also the leadership to discuss how we could get the rest of the information that is needed in order to finish a thorough investigation of the problem. We were refused that right through a piece of legislation, which was a resolution giving subpoena power to the subcommittee of the Urban Affairs Committee to deal with this problem. It was turned down.

As a result of that, we are faced with the political game of quid pro quo, playing games with the people or citizens of the Commonwealth. I personally believe that it is a game plan that is being used against some members who are playing a part in it. The people back home are going to be watching us very carefully, and those who are involved in a struggle or who have some opponent in their own district in this election better be very careful.

The thing is that the citizens of the city of Philadelphia, with this wage tax that is being discussed, must be clear in understanding that the Rizzo administration in the city of Philadelphia has not come forth. We requested that he come before the committee; he refused to do so.

This deals specifically with the fact that if we are going to give any powers to anybody to do anything, whether it be for nonresidents or residents, we should have all of the information before us. That information has been denied us over and over again, and I cannot sit here and keep quiet and allow any member or anyone else to coerce, threaten, intimidate me or anybody else while this situation is before us.

I see mass numbers of people moving on Harrisburg, coming to the halls of this House, snatching our legislators off the floor and asking them how they stand on this particular tax question. If we get beyond ourselves to the point that we do not feel that this is an important issue, then we are just fooling ourselves.

I have asked the Speaker of this House if he would deal with the particular question of how we want to deal with the problem in the city of Philadelphia surrounding this tax question. It cannot be something that can be played with. The lives of the people of the city and

their survival is the most important thing, I feel, at this present time.

If I am going to represent a district and I am going to be a part of representing the entire state, then I feel that I have a mandate and a responsibility to come to this House and tell it exactly like it is.

Some individuals feel that it is a football game and a game plan that we are following out and just trying to turn people on. I am saying to you today that we are faced with one of the most crucial issues, along with the other tax bills that are coming out of the Senate, we will ever be faced with which is going to force individuals to take stands they do not want to take. The thing is, we must decide today as to where we go.

Personally, I do not believe that as citizens and as oppressed legislators we should stand here in this House and tell you that it is fair for us not to tax those individuals who live out of the city and come in and work in the city and utilize the same services that we utilize. I believe that they should pay their equal share. The thing is that in order to get to an equal share, we must understand what the city is doing with its own fiscal responsibilities.

Why is it that we can give them a blank check and tell them to go ahead and fix up whatever the problem is and then turn around in the next fiscal period and give them another blank check to do whatever it is they want?

I believe we are moving to the time when we have to stand up and be counted. The time is now for us to stand up and be counted and to decide whether or not we are going to allow other individuals, whether they be in the leadership or membership or whatever, to tell us what to do, move us around, and threaten us. I am not going to be intimidated, nor am I scared of anybody. I think the time has come for us to put the issue on the floor like it is.

Since those hearings, the chairman of the Subcommittee on Urban Affairs has not called a meeting to deal with the problems of the tax question since we have been back here. I believe that that is a fault, saying to me that we have to wait on what the bosses are going to tell us before we deal. That is incorrect. The time has come for us to look at where we are as individuals and not to be dictated to by any other powers but our own. We will be judged by our own initiative. We will be judged by those who are our peers and those who are watching us. We are supposed to be the leaders of our communities, and leaders must lead. It cannot be a situation where we get away from this.

I am emotional, yes. I am making it very clear that I am upset about the fact that we are not trying to get to the bottom core and the root cause of the issues that are facing us on this tax question. If we are men and women of this House who say we represent our constituencies and are concerned, let us have all the facts, not a part of them; let us have all of them and then we can intelligently make a decision about where we go on this tax question once and for all.

MOTION TO TABLE

Mr. RICHARDSON. Mr. Speaker, I would like to move at this time that we table House bill No. 2124 until such time as we can bring all the information to the members of this body so that we can make an intelligent decision and then vote on that issue.

The SPEAKER. The gentleman, Mr. Richardson, moves that House bill No. 2124 be tabled.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I can associate myself with many of the remarks made by my colleague from Philadelphia, Mr. Richardson. I would like, however, to make several observations on the motion to table.

We did have 4 days, really 5 days, of hearings in Philadelphia; we were there 2 evenings. Many of the members of this House, not only the members of the committee, were present at those hearings. We literally heard from anybody who took the trouble to come down—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Is the motion to table debatable?

The SPEAKER. The motion to table is not debatable.

Mr. RAPPAPORT. Mr. Speaker, I thank the gentleman, and I intend to vote in favor of the motion to table.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

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

Mr. PANCOAST. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PANCOAST. Mr. Speaker, all of the arguments that were being presented by the gentleman from Philadelphia were actually not concerned with House bill No. 2124; they were concerned with a bill which is not even before this chamber, and then the motion was made to table House bill No. 2124. I was giving him the privilege of going on and speaking with respect to what he had to say because it was interesting, as Mr. Rappaport just pointed out. But how do you relate a motion to table with an argument which was really being presented to another piece of legislation that is not even in our hands as yet?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I would urge a "no" vote on this.

On the question recurring,

Will the House agree to the motion?

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

YEAS—67

Bennett	Irvig	Mullen	Saloom
Berson	Itkin	Musto	Schmitt
Bonetto	Johnson, J.	Novak	Schweder
Bradley	Katz	O'Brien	Shane
Brunner	Kelly, A. P.	O'Donnell	Shupnik
Caputo	Kolter	O'Keefe	Stout
Cohen	Kowalysbyn	Ferri	Taylor
DeMedto	LaMarca	Perry	Toll
Engelhart	Laudadio	Petrarca	Trello

Flaherty	Letterman	Plevsky	Walsh, T. P.
Geisler	Lincoln	Rappaport	Wansacz
George	Manderino	Ravenstahl	Wargo
Giammarco	McLane	Reed	Wojdak
Gleeson	Milanovich	Renwick	Yahner
Greenfield	Miscevich	Richardson	
Hamilton, J. H.	Mrkonic	Ritter	Fineman,
Hammock	Mullen, M. P.	Ross	Speaker
Hopkins			

NAYS—108

Abraham	Gallen	Manmiller	Scheaffer
Anderson, J. H.	Garzia	McCall	Scirica
Bellomini	Geesey	McClatchy	Seltzer
Beren	Gillespie	McCue	Shelhamer
Berlin	Goodman	McGinnis	Shelton
Brandt	Green	McIntyre	Sirianni
Burns	Grieco	Mebus	Smith, E.
Butera	Gring	Menhorn	Smith, L.
Cessar	Halverson	Milliron	Spencer
Cimmi	Hasay	Moehlmann	Stahl
Cole	Hayes, D. S.	Morris	Stapleton
Cowell	Hayes, S. E.	Myers	Taddonio
Crawford	Hepford	Noye	Turner
Cumberland	Hill	O'Connell	Valicenti
Davies	Hutchinson, A.	Oliver	Vron
Deverter	Hutchinson, W.	Pancoast	Wagner
Dietz	Kelly, J. B.	Parker, H. S.	Weidner
Dorr	Kernick	Pitts	Westerberg
Doyle	Kistler	Pollite	Whelan
Dreibelbis	Klingaman	Pratt	Wilson
Eckensberger	Knepper	Prendergast	Wilt, W. W.
Fawcett	Kusse	Pyles	Worrlow
Fischer	Laughlin	Renninger	Wright
Foster, A.	Lederer	Rieger	Yohn
Foster, W.	Lehr	Ruggiero	Zearfoss
Fryer	Levi	Ryan	Zeller
Gallagher	Lynch	Salvatore	Zwick

NOT VOTING—21

Arthurs	Dombrowski	Haskell	Shuman
Barber	Fee	McGraw	Thomas
Bittle	Fisher	Miller, M. E.	Ustynoski
Dicarlo	Gillette	Miller, M. E., Jr.	Wilt, R. W.
DiDonato	Gleason	Rhodes	Zord
Dininni			

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

On the question recurring,

Shall the bill pass finally?

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

Mr. M. P. MULLEN. Mr. Speaker, I am only going to be brief, because I have gone through this battle many, many times.

I really want to address my remarks not to those who live in Philadelphia or to those in the suburban counties, because both of those groups have already made up their minds what they are going to do, but I want to address my remarks to the Representatives from the rest of the state because this is a very important issue. It may seem insignificant to those of you from the other parts of the state, but it is awfully important to Philadelphia and to you indirectly, because if we set a precedent and this particular bill becomes law, it is going to create very, very serious problems for Philadelphia and indirectly for the rest of the state for this reason: If you have a differential on a wage tax, common sense is going to tell you—and you must remember that a wage tax is a tax on gross earnings—that anyone in his right mind who makes a substantial salary—and those who make the substantial salaries live in the suburbs—is going to move out to the suburbs.

Take my legislative district or the district that I represented last session. Almost 90 percent of the people in those districts have already moved to the suburbs for one

reason or another. But if you are going to adopt this bill and set a precedent today for a wage differential, you are going to have more working people from Philadelphia moving out to the suburban counties, which we can ill-afford. If they do that, you are just going to erode our tax base to a point where we are not going to be able to continue to have a stable city government. Eventually what is going to happen to Philadelphia is what happened to New York City—the problem is going to be thrown into the lap of the legislature.

I do not think that is the proper way of handling this thing. For those of you who have no vital interest in this issue—both Republicans and Democrats who do not live in the suburban counties—you ought to seriously consider what you are doing here today. Certainly it appears obvious that the suburban legislators have tremendous power here today. They may very well win, and this may become law. If it does, you are all going to live to regret it, because just look what happened to Philadelphia in the last couple of years. We have lost, in population, between 150,000 and 200,000 people. Our population in Philadelphia today is down to 1,800,000.

Now most of those people have moved out to the suburban counties, and there is a continual flow from Philadelphia every year. As I said before, everyone in my old legislative district who could afford to do so has already moved.

If you are going to have a wage differential and you are going to encourage the people who work for a living in Northeast Philadelphia, for example, to move out to Bucks County and those we have left in Southwest Philadelphia to move out to Chester, Montgomery and Delaware Counties, you are not going to have anybody to pay taxes in the city of Philadelphia. We have almost 340,000 people on public assistance; we have about 200,000 senior citizens who are living on social security and small pensions. They cannot move. They just cannot afford it. So common sense is going to tell you that if you have a tax differential, you are going to encourage this to happen.

So really, I tell you that you ought to give this very, very serious consideration. This is a very important bill, not because it is of great importance today but because it may set a precedent. I do not know if it is constitutional or not. That will have to be tested in the courts. Probably it is unconstitutional. But if the courts do find it to be constitutional and it becomes law, it is going to set a precedent that you are all going to live to regret. If Philadelphia goes down, it does not go down because it is part of Pennsylvania; it goes down because the tax base will be eroded and the legislature in Pennsylvania will have to take over and pick up the burden. Give this very serious consideration. I am not going to have any influence on the suburban legislators, but I sure hope you fellows from the other areas of the state realize the implications and try to help us.

I am not going to deny that the argument being advanced by the suburban legislators is not a solid argument. It is a solid argument. But we are faced with realities; we are faced with facts. What alternative are we going to follow? Are we going to use their logic and destroy the tax base in Philadelphia or are we going to do the sensible thing and let Philadelphia keep that inequity, I guess they would call it, but at the same time be able to exist as a separate entity that would not have to call upon the rest of the state for support? We do not

want the rest of the state to support Philadelphia. But if Philadelphia goes down, what else are you going to do? You are going to have to support us.

Thank you.

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

Mr. MEBUS. Mr. Speaker, I would like to address myself to the observations just made by Mr. Mullen.

In great measure, what he said has happened in Philadelphia has, indeed, happened. And I believe that the cause of that is the inequity that exists with the wage tax.

More and more, Philadelphia's job market consists not of manufacturing jobs but rather of service-related jobs. The job opportunities in the general Philadelphia area are far more in the service industries today than any other industry. Many of those service industries which used to maintain offices in the city of Philadelphia no longer do so. They can move and move easily to the suburbs and have. As a result, the people who lived in Philadelphia found, when their offices were moved to the suburbs, that they could escape the Philadelphia wage tax by moving there themselves. So therefore you have lost these wage earners who used to live in Philadelphia, Chestnut Hill, the Northeast, and what have you. You no longer have any opportunity to obtain any taxes from them whatsoever.

The inequity that exists has been grossly detrimental to the city of Philadelphia and will continue to get worse unless something of this nature is established so that people do not regret the fact that they hold a job that is in the city, thereby encouraging their employers to move and they themselves subsequently.

Therefore, I do support this bill. Although it is not exactly what I would like it to be, at least it recognizes that there are inequities that must be addressed. I therefore favor the bill and would hope that everybody would vote for it.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I was particularly intrigued by the remarks of the minority leader concerning Norristown. He was quite correct that Norristown is one of those little Philadelphia's that the majority whip is fond of referring to. Other communities, such as Conshohocken in Montgomery County and probably others that I am not aware of—perhaps Bridgeport—fall into the same classification.

The solution for those communities as well as Philadelphia is, of course, a regionalization of services. There is no reason why there should be 50-some police forces in Montgomery County with Norristown bearing the burden of running a county seat for the entire county. There is no question but that there should be one police force for the whole county so as to spread that burden. The same is true of the other suburban counties.

Just as Montgomery County is a region, Philadelphia is part of the region known as the Delaware Valley or Southeastern Pennsylvania. We have made some holding steps in the direction of regional responsibility, such as SEPTA, and it is as much our fault as the fault of the suburbs that perhaps that experiment is not working as well as it should. But I say to my suburban friends that they cannot separate themselves from the city. The major commerce and industry is based on our port and

the entire region lives from it. I might further say that I have a very important commercial center for the entire region not 200 yards from my district office, because, ladies and gentlemen of the suburbs, that is where your constituents come to buy heroin. The wholesale market for the entire region is near my district office. If you have a drug problem in your high schools, do not try and separate yourself from Philadelphia. That is where it is coming from. If you do not help us solve those problems, you are going to have them, and you do have them.

Let me go one step further. At these hearings we found that Philadelphia suffers from the same ills as every other major northeastern city. We have less population now than we had in 1930. But we have another important function for the suburbs. We provide the bedroom suburbs—and the very over-crowded bedroom suburbs—with the substandard housing for their low-income workers who work in the factories that are your tax ratables.

Some morning take a commuter train from Philadelphia out to the suburbs instead of the other way, and I assure you the complexion is far different on the way out at 8 a.m. than it is on the way in. Within a very few years, there will be more people living in Philadelphia and working in the suburbs than living in the suburbs and working in the city.

To give an answer to my friend, Mr. Vroom, nobody forces your constituents to work in Philadelphia, nobody drags you across the county line by the scruff of the neck. It is your voluntary choice to come and work in Philadelphia. And you must pay for that privilege, just as people who live in Camden and live in the State of Delaware pay for the privilege of working in Philadelphia. You are no different.

I would fully expect that if I worked in Montgomery County that I would have to pay a tax to support the services there, and I think that is fair and equitable. But at this point with Philadelphia facing the problem that it does face, this is like a whale shark taking flesh from an injured fish. That is what we are.

On Thursday, July 1, the city of Philadelphia must borrow between \$40 million and \$50 million in the financial markets. That is the first day of the fiscal year. If we do not have access to the financial markets on Thursday, July 1, we do not make our payroll on Friday, July 2. That is where we are at.

You can cast blame. Maybe some of the blame is justified. But that is where we are at.

May I point out to you what happened in New York? When New York City defaulted, Yonkers came within 20 minutes of defaulting literally—a suburban community, a Norristown, if you will. The city of Buffalo was in very bad shape. The State of New York, the State of New York, has barely averted default on four different occasions. The most recent one being last week. The State of New York has to go to the market to borrow over \$1 1/3 billion in the next month to provide subsidies to their school districts. It is doubtful they will be able to do it. The same can happen here.

If you take away from us this revenue, you are going to kill us. At that point, many of the people in my city are going to say, why should we tax ourselves to death? They live from us; let them help us; and if the alternative is default, the alternative is default.

Mr. Speaker, I would urge a "no" vote on this bill.

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

Mr. BERLIN. Mr. Speaker, I regret deeply that I left my crying towel at home, but there are some thoughts that have to be expressed with regard to the comments by Mr. Rappaport and Mr. Mullen.

In the first place, the alleged exodus that is about to take place from the city of Philadelphia, should there be a differential in the wage tax, is simply not going to happen. That die is already cast. Those who remain in the city will not be lured outside into the suburbs simply to escape the wage tax basically because there are additional costs that will be incurred simply by traveling back and forth and moving into the suburbs.

With respect to Mr. Rappaport's remarks, the issue here is very simple. The suburbanite who works in the city is required to pay his fair share for the municipal services that he incurs as a result of that opportunity. To tax him beyond that is to create a privilege tax, and that is exactly what the excess taxation is. We are imposing upon the suburbanite a tax because he has a privilege for working in Philadelphia.

I am opposed to that. We recognize that we do not know exactly what the precise costs are. So we have not attempted to bandy about odd numbers. We are willing to concede that the present level is a reasonable one. What we want is to have that kept at the appropriate level.

With respect to the other arguments, I find it a little bit inconceivable why the suburbanite is held responsible for whatever financial manipulations were conducted by the city that resulted in a monumental deficit. I believe there are other ways of dealing with that. We, in Harrisburg, have dealt with that in the past. As I pointed out about 4 months ago to the majority whip, when we passed House bill No. 1333, the per capita amount going into the cities of Philadelphia and Pittsburgh was \$7.62, while the remainder of the state received 99 cents. Yet I voted for it as well as everyone else because we recognized that there are a number of other problems associated with the city that have to be dealt with at the state level.

We do feel, however, that the excess ought to be dealt with in Harrisburg and ought not to be burdened on the backs of the suburbanites who work in Philadelphia. I urge a positive vote on this bill.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, just quickly. I did not realize that Mr. Rappaport was a fisherman when he made reference to the killer whale lurking in the area and tearing the flesh from the city of Philadelphia. I think he misstated his fishing problem. The killer whale has been lurking up and down Cobbs Creek, nibbling on Mr. Doyle's constituents and taking bites out of the pocket-books of the Delaware County residents for too many years. I think it is about time that we nail that whale.

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

Mr. COHEN. Mr. Speaker, I want to totally associate myself with the remarks of Mr. Rappaport and Mr. Mullen. The city basically is losing people at a very rapid clip. Mr. Mullen's statement of 150,000 to 200,000 population loss is true. It is true for the last 5 years. Over the last 10 years Philadelphia has lost about 300,000 people.

Many people in my district and in many other districts throughout the city will take any excuse to leave Philadelphia. The price of suburban real estate is probably the number one dinner table topic in my district. This will only aggravate the flow; this will only create a higher demand for taxes among the people remaining in Philadelphia for personal reasons. It will shift the tax burden in two ways: The people within the city will pay more, and the suburban tax burden will be picked up by the rest of you in other counties throughout the state.

By voting for this amendment, you are voting for higher state taxes for yourselves. I would think that it would be strongly in the interest of non-Philadelphia and non-suburbanite legislators to vote against this bill.

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

Mr. RUGGIERO. Mr. Speaker, it is a rare occasion when I feel so much in sympathy with the cause of Philadelphians. It is a very extraordinary day when I feel compelled to take the microphone to speak on their behalf. But I have sat in this Legislature for nearly 10 years, and I have been here when Philadelphians have knocked on this legislative door for money and when many people believed that they had also come to burglarize our legislative House. I believe that every rural legislator by voting against this bill and giving Philadelphia a free hand economically will help to save us from that happening over and over again and in greater and greater amounts. Thank you.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, many times the members have heard me rise on matters that I called matters that affected little Philadelphia's and little Pittsburgh's all across the state.

I can understand the minority leader—Mr. Butera, Mr. Ryan. I can understand Mr. Doyle's position and his colleagues from Delaware County. I can understand the position of all the gentlemen in the bedroom counties. But I would like to speak to those of you here who are not from Philadelphia and not from the bedroom counties just for a few moments. There are certain things I am sure of when we speak about this bill today. There are some things I am not sure of, but I would like to give you some observations as I see them.

One, this is a problem of paying for the municipal services in the city of Philadelphia. Two, the wage earners in the city of Philadelphia are the only ones who will be affected by this tax, whether they live in Philadelphia or whether they live in the bedroom counties. Three, in the bedroom counties up to this point they have been paying a 35/16 percent tax. They have been paying that. They have felt that that was somewhere near their fair share of the problem which they helped to create because their jobs are in Philadelphia; they travel there every day; they participate in the necessity for the municipal services being provided.

Now they are coming to us and saying, fine, that was our fair share, but we do not want to pay anymore. We do not care if that budget in Philadelphia goes up with inflation, we do not want to pay anymore dollars than we are paying in the past. I think that is wrong.

I think if you would devise a formula that had some relationship to the number of employes in the bedroom counties who were working in Philadelphia, some rela-

tionship between that number of employes, the number of dollars they earned and the cost of the municipal services in Philadelphia, we may go along with you.

But for you to come to us, the rest of the legislature, and say, please put a cap on what we pay in the bedroom counties at a time when you know that the taxes are going to go up for the people of Philadelphia to pay the bill for those services that are provided not only for the people of Philadelphia but to the people, in some measure, in the bedroom counties, I think is wrong.

There is one thing more that I am sure of. I am sure that if the people who are in the middle of the problem, who form part of the problem down there, who are receiving these municipal services that have to be paid for, do not solve the problem there, and if that house of cards, as somebody described it in earlier debate today on another bill, ever collapses, I know who is going to pay the bill: all of the people of Pennsylvania. And there is one thing I am sure of, that the people in Westmoreland County and those little Pittsburgh's and Philadelphia's that are having their same municipal problems, their same problems of taxation, I am sure that they do not now participate in the benefits and advantages of whatever municipal services are being granted down in the southeastern part of the State. I am sure of that.

I am so sure of that, that they do not want to pay for it and they should not pay for whatever is being granted down there. I think that the problem should be left to that area for that area to solve.

If they want our help in the bedroom counties because they are being unfairly taxed, then they ought to come up to us and say to us, we want to be fairly taxed. But what you are asking us to do is to put a cap on what you pay regardless of what that budget is in Philly.

I suggest to you again something fairer would be, if you paid 30 percent or 23 percent or whatever percentage you have paid of the budget in Philadelphia because you are part of those services being provided. If you paid that amount in a percentage figure over the past 10 years, it is probably fairer for you to continue to pay that percentage of that budget in the future. And that is not what you are asking for. You are asking to pay no more than "X" percentage in wage tax.

Again, I say to the members of this House who do not come from Philadelphia and do not come from the bedroom counties that the people in your counties—Westmoreland, Fayette, Washington, Allegheny, Beaver, Mifflin, Somerset—you are going to pay the bill for the problem that is down there because they will be up here for bloc grants for municipal overburden, for additional school subsidies over and above what we get because the problem cannot be solved down there where the services are being provided.

I urge every member of the House, in his own interest and in the interest of his constituencies who do not belong in Philadelphia or in those bedroom counties down there, to vote the interest of your constituency by not permitting this cap to be placed on the tax there.

Placing that cap on the tax in the bedroom counties simply means that the deficit in the Philadelphia budget will be solved here in Harrisburg with dollars that ought to be providing services to my people in Westmoreland County. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, I am not from Philadelphia and I am not from a bedroom county, and I am puzzled. I listened to the last speaker and I heard him talk about the problems of the caps. I listened to the debate on the amendments. I listened to amendments that were proposed to set percentages in varying amounts, that we could disagree on the percentage, but in varying amounts it would provide some kind of a credit, some kind of a relation to services.

I watched the lights on the board and I watched the red lights over on the Democratic side of the board. They were all up there against those amendments which would have provided some kind of a reasonable relation and some kind of a percentage. Now, after having those amendments go down, I hear from the floor of this House that we are doing wrong by voting a cap.

But there is a larger issue here than Democrat or Republican. The real issue and the real thing that has me disturbed today is that that kind of argument epitomizes what I think is wrong with our government and why people have no respect for it. It epitomizes the fact that when a proposal is made, a vote goes one way that does not solve it, and then something else comes up and then somebody says, we do not want to do it that way.

It epitomizes it in another sense that here we are dealing with a House bill when we are trying to attack the suburban problem when there is a Senate bill sitting in committee. And if we really wanted to solve this problem, as I believe it was stated earlier, we could deal with another bill and get the thing underway.

Mr. Speaker, the last thing that this government can stand and this democracy can stand is continued posturing. That includes the posturing of people who run for election and say when they are running for election, I have never passed a tax increase, and then find 6 months later they are in this kind of a fiscal situation. That is posturing. That is why people are not voting. That is why mail registration is not the answer. The answer is less of this talking out of both sides of our mouth and more attacking the real problem.

Yes, I am concerned about Philadelphia because I realize what happens to Philadelphia does affect my people in Schuylkill County. I realize that it affects people throughout the Commonwealth of Pennsylvania. But I think we here have got to address ourselves to the problem and really try to solve it.

That includes not just putting a cap on a wage tax. It includes not just giving Philadelphia interim power for more money or having them come here for bloc grants. It includes, if we are going to do that, putting some kind of effective control and effort to prevent the situation from happening again.

It is not enough just to come here and ask for more money. We have got to address these problems realistically and, Mr. Speaker, we are not doing it with this kind of action that we have here today.

I will vote for this, as I think Mr. Butera said, a symbolic gesture; a symbolic gesture to Philadelphia that there is a problem and that they have got to set their house in order. But I think really we had better get down to solving the basic problems of this government or we are going to lose any respect that we have from the people. Thank you.

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

Mr. DOYLE. Mr. Speaker, just briefly, some of the things that have been said I want to answer at length, but I will not. I will try to address my remarks succinctly to what I think is the major issue which Mr. Manderino and Mr. Hutchinson brought up. Please bear with me.

What is the real problem, and how are we to get at it? Can we, not only in suburban Philadelphia but throughout the state, do anything with Philadelphia and make them accountable for their budgets?

The gentleman from Philadelphia, Mr. Richardson, earlier spoke, and his anger was apparent. But it was not against this bill; it was against headlines—"Patronage Machine Grinds Out Jobs In Philadelphia." That is what we do not want to pay for; not a fair share of the responsible cost of government. That is what we are asking for today, simply that and no more, and this is a good way to get that message across. And it is not symbolic. If it passes, it will mean something, and that whale will have teeth in it. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—82

Anderson, J. H.	Gallagher	Lynch	Pyles
Beren	Gallen	Manmiller	Renninger
Berlin	Garzia	McCall	Ryan
Bradley	Geesey	McClatchy	Scheaffer
Brandt	Gillespie	McCue	Seirica
Burns	Goodman	McGinnis	Smith, E.
Butera	Green	Mebus	Smith, L.
Cessar	Gring	Menhorn	Stapleton
Crawford	Halverson	Milanovitch	Vallcenti
Cumberland	Hasay	Miller, M. E.	Vroon
Davies	Hayes, S. E.	Milliron	Wagner
Deverter	Hepford	Morris	Weldner
Dietz	Hill	Nove	Whelan
Dorr	Hopkins	O'Connell	Wilson
Doyle	Hutchinson, W.	O'Keefe	Wilt, W. W.
Dreibelbis	Kelly, J. B.	Pancoast	Worrlow
Fawcett	Kistler	Parker, H. S.	Wright
Fischer	Klingaman	Pitts	Yohn
Foster, A.	Kusse	Polite	Zearfoss
Foster, W.	Laughlin	Pratt	Zeller
Fryer	Lehr		

NAYS—95

Abraham	Irvis	Musto	Seltzer
Bellomina	Itkin	Myers	Shane
Bennett	Johnson, J.	Novak	Shelhamer
Berson	Katz	O'Brien	Shelton
Bonetto	Kelly, A. P.	O'Donnell	Shupnik
Brunner	Kernick	Oliver	Sirinnani
Caputo	Knepper	Perri	Spencer
Cimini	Kolter	Perry	Stahl
Cohen	Kowalvshyn	Petrarca	Stout
Cole	LaMarca	Plevsky	Taddonio
Cowell	Laudadio	Prendergast	Taylor
DeMedio	Lederer	Rappaport	Toll
Eckensberger	Letterman	Ravenstahl	Trello
Englehart	Levi	Reed	Turner
Flaherty	Lincoln	Renwick	Walsh, T. P.
Gelsler	Manderino	Richardson	Wansacz
George	McIntyre	Rieger	Wargo
Giammarco	McLane	Ritter	Westerberg
Gleeson	Miller, M. E., Jr.	Ross	Wojdak
Greenfield	Miscevich	Ruggiero	Yahner
Greco	Moehlmann	Saloom	Zwickl
Hamilton, J. H.	Mrkonje	Salvatore	
Hammock	Mullen, M. P.	Schmitt	Fineman,
Hayes, D. S.	Mullen	Schweder	Speaker
Hutchinson, A.			

NOT VOTING—19

Arthurs	Dininni	Gleason	Thomas
Barber	Dombrowaki	Haskell	Ustynowski
Bittle	Fee	McGraw	Wilt, R. W.
Dicarlo	Fisher	Rhodes	Zord
DiDonato	Gillette	Shuman	

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

URBAN AFFAIRS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

On the question,

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

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

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

Mr. O'DONNELL. Mr. Speaker, may I interrogate Mr. Rappaport?

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. O'DONNELL. Mr. Speaker, would you explain to the House what the legal significance of the last section of this bill is, beginning on the bottom of page 4 and continuing over to page 5?

Mr. RAPPAPORT. Excuse me, Mr. Speaker; I cannot hear a word you are saying.

The SPEAKER. Will the gentleman repeat his question?

Mr. O'DONNELL. Mr. Speaker, would you explain to the House what the legal significance is of the language beginning on the bottom of page 4, line 29, and extending to page 5?

Mr. RAPPAPORT. Mr. Speaker, I do not have a copy of the bill in front of me. If the gentleman could read the language to me—I am rather familiar with the bill—I will know what he is talking about.

Mr. O'DONNELL. Can anybody supply Mr. Rappaport with a copy of the bill?

Mr. RAPPAPORT. Mr. Speaker, is the gentleman referring to page 4, line 29?

Mr. O'DONNELL. Yes.

Mr. RAPPAPORT. Mr. Speaker, I think the gentleman is as well qualified as I am to interpret language of a bill.

Mr. O'DONNELL. Mr. Speaker, will the gentleman consent to interrogation?

Mr. RAPPAPORT. I am about to answer the question, if the gentleman will permit me to proceed.

I was remarking, Mr. Speaker, that the gentleman is as well qualified as I am to interpret legal language. However, since he feels himself somewhat baffled by this language and by the fiscal problems of the city, perhaps I can enlighten the House.

The city of Philadelphia issues two types of bonds. One

type is the general obligation bond; the other is a revenue bond.

The revenue bonds are tied directly to those operations of the city which are self-sustaining; to wit, our water and sewer system and some aspects of our airport operation. For the benefit of my suburban friends, our water and sewer system provides those services to, I believe, 20 municipalities in the suburbs who pay for that service. All of the revenues from the water and sewer rents go into a special fund and are segregated for the purpose of paying off any bonds that are issued for water and sewer purposes and to pay the operating costs of the water and sewer system.

This bill provides for the borrowing of \$15 million to provide front money for Bicentennial purposes. It is to provide an exception to the hard-and-fast rule that long-term money can only be used for long-term projects, capital projects, and has the provision for the future that bonds can be issued only for the length of time which is the life of that particular capital asset.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. O'DONNELL. Well, Mr. Rappaport, I am sure, will have an opportunity to address himself to the merits of the bill. At the moment, I would ask that Mr. Rappaport address himself to the merits of the question which is: To explain to the House the legal significance of the language beginning on line 29, page 4.

The SPEAKER. The gentleman is responding as he sees fit to respond. We are not in a court of law. You have posed a question to the gentleman. He has an opportunity and a right to answer it in any fashion that he sees appropriate.

The gentleman will proceed.

Mr. RAPPAPORT. What the provision requests in this bill is to breach that rule that bond proceeds can only be used for capital projects. We wish to breach it only for this \$15 million. And since this is a general obligation bond, we want to make clear that this permission does not extend to revenue bonds that are issued by the city, because this would impair the marketability of those revenue bonds.

At the present time because of the fiscal problems of the city, the revenue bonds enjoy a lower rate of interest than the general obligation bonds of the city. It is not our intention to impair the marketability of those revenue bonds.

That, Mr. Speaker, is the reason for the language starting on line 29 which seems to puzzle Mr. O'Donnell.

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

Mr. O'DONNELL. Mr. Speaker, since these are general obligation bonds and not revenue bonds, where are the funds going to come from to repay the principal?

Mr. RAPPAPORT. We hope from the special taxes that hopefully will be enacted to tax the hotel rooms of the people coming for the Bicentennial, and if those funds are not sufficient or if that tax package does not pass—and many of us have a lot of problems in voting for it—it will come from the general revenues of the city of

Philadelphia to which both the gentleman, Mr. O'Donnell, and I contribute quite a bit of money.

Mr. O'DONNELL. Mr. Speaker, you have indicated two sources. One is taxes that do not exist, and the other is the general fund, which I would like to ask you about now because in the course of your hearings, I believe it was indicated that that general fund was just about as nonexistent as the taxes you refer to. Is the city of Philadelphia in a deficit position or are they in a position to repay the principal on these bonds?

Mr. RAPPAPORT. Mr. Speaker, the city of Philadelphia is, indeed, in deep fiscal trouble.

I would say to the gentleman, the general fund is not nonexistent. This year it brought in over \$711 million. So I would not consider that to be nonexistent.

The problem, Mr. Speaker, is that because of our bad financial situation, we do not have the front money for Bicentennial purposes, and we need that money desperately.

On the first weekend in July, the President of the United States and the Queen of England are going to be in Philadelphia. During the first week of August, we are going to have a worldwide Eucharistic Congress. When that similar congress was held 4 years ago in Sidney, Australia, which is not exactly a world crossroads, I understand over 2 million people came to that Eucharistic Congress. We will probably have as many or more visitors in Philadelphia during that week. We must have this additional money to provide the emergency services that are required.

Now if the gentleman wants to raise the issue as to whether these bonds can be marketed, I would join the gentleman's skepticism. But we must at least have the authority to market them. If we cannot sell them, we cannot sell them. But I would suggest to the gentleman that whether these bonds are marketable is a matter for the investors and not for this House.

Mr. O'DONNELL. Mr. Speaker, you indicated that the authorization for the bonds might be useful even if the bonds themselves were never offered or sold. Could you indicate to the House to what use that authorization might be put?

Mr. RAPPAPORT. None.

Mr. O'DONNELL. I am sorry, Mr. Speaker. Did you indicate in your earlier remarks that an authorization for these bonds might be useful to the city even if the bonds themselves are never sold?

Mr. RAPPAPORT. I did not say that at all, Mr. Speaker. The gentleman is misquoting me, I am sure inadvertently.

Mr. O'DONNELL. I am sorry. In that case, let me ask you this question: What is the debt service on these bonds?

Mr. RAPPAPORT. The debt service is directly dependent upon the rate of interest that we will have to pay on it.

Mr. O'DONNELL. What rate of interest do you think we are going to have to pay on it?

Mr. RAPPAPORT. I am sorry, I am not a fiscal man and I really do not know.

Mr. O'DONNELL. Can you give us a rough estimate of what the cost to the taxpayers of Philadelphia will be for the debt service?

Mr. RAPPAPORT. No, I cannot.

Mr. O'DONNELL. Mr. Speaker, have you been following the fiscal problems of the city in the newspapers?

Mr. RAPPAPORT. I was asked a question, Mr. Speaker, I would like to respond to it.

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

Mr. RAPPAPORT. I would remind the gentleman that most of articles in newspapers are based on information that was obtained from me and from the hearings that we ran in Philadelphia. No, I do not obtain my information from the newspapers on the city's fiscal problems. I have obtained it from the bond prospectuses, the reports issued by the city comptroller and what little information the city provided at our hearings. Unfortunately, to agree with Mr. Richardson, it was far too little. But the picture that we have painted from the city comptroller was enough of a picture for me to know that we are in rather bad trouble. But I also know that we are going to have millions of visitors in our city this summer and we are going to have to do something about that.

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

Mr. O'DONNELL. On the bill, Mr. Speaker.

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

Mr. O'DONNELL. I would urge the members of the House to vote against this bill. Frequently we have heard pleas before this House to save Philadelphia. I would like at this point to make a distinction in your activities between saving a governmental policy or even a governmental administration and saving the people of Philadelphia.

As wildly enthusiastic as my constituents are about the Queen of England coming to our city, I assure you they are even more excited about the prospect of paying back \$15 million when they do not have dollar one to begin with.

The debt service on these bonds, as I think everybody knows, is going to go somewhere between 7 percent and 9 percent. You are talking about approximately \$1 million a year that we do not have.

Mr. Rappaport pointed out that these are not revenue bonds. They are not revenue bonds because they are not an investment in a celebration which is going to generate money which will pay off the bonds. They are instead general obligation bonds, the obligations of the people of Philadelphia.

We are in a terrible fiscal mess as Mr. Rappaport indicates, and the way that is apparently proposed as a way out of that mess is to borrow more money. Now you are not going to do the citizens of Philadelphia any favors by giving, quote, Philadelphia this authority. We do not need authority to borrow more money for the Queen of England or anybody else because we just cannot pay it back.

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

Mr. SELTZER. Mr. Speaker, I had a great speech but after listening to Mr. O'Donnell, I am just going to shut up. Amen. Vote no.

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

Mr. SHELHAMER. Mr. Speaker, may I interrogate the gentleman, Mr. Rappaport?

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, if I understand the situation, you are going to borrow the money for the Bicentennial, and although the money that this business from the Bicentennial will generate, you are not going to pay the bonds back until a subsequent number of years later. Is that correct, Mr. Speaker?

Mr. RAPPAPORT. Mr. Speaker, I would assume and would hope that the city would try and pay back these bonds almost immediately if there is enough money generated from the Bicentennial. Yes.

Mr. SHELHAMER. Okay. Now let us assume that the city finds itself for some unfortunate reason unable to pay for the bonds. Does my vote today here, if I vote in the affirmative to have this bill pass, if I cast my vote in that fashion, does it in any way obligate the Commonwealth to pick up that bond issue if Philadelphia is unable to pay for that bond issue?

Mr. RAPPAPORT. Mr. Speaker, I understand the gentleman's problem, and my answer would be "no."

Mr. SHELHAMER. In no way does the Commonwealth become indebted to pay for those bonds?

Mr. RAPPAPORT. No. These are the city of Philadelphia bonds.

Mr. SHELHAMER. Thank you.

Mr. RAPPAPORT. Mr. Speaker, if I could make one additional point: The reason we have to have bonds is that we cannot wait until July 1, the first day of the new fiscal year to borrow this money. We could borrow it then on tax anticipation notes, hopefully. The problem is, we have to have this money before July 1. The people are going to start coming before then. We have to plan; we have to let contracts; we have to buy equipment. Things have to be done and obligations have to be entered into long before July 1. That is the reason why they must be issued as bonds and not tax anticipation notes.

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

Mr. WILSON. Mr. Speaker, I am reading this bill on page 4, line 9. It says: ". . . the sum of \$15,000,000, for the purpose of planning, promoting, and conducting the celebration of the bicentennial anniversary of the founding of the United States of America, including permanent or temporary improvements, without regard to the nature of the expenditures as capital or current expenses and without regard to the useful life of any permanent or temporary improvements. . . ."

I listened to Mr. Manderino and I listened to Mr. Mullen in the previous debate tell everybody, excluding those from Philadelphia and excluding those from the suburban Philadelphia area, that you better watch out, because if you vote the wrong way on that previous measure, you might have to pick up the tab. Now here we are, we are going to approve the borrowing of \$15 million for a party in the city of Philadelphia. I think that this is ridiculous. We ought to vote this down. This is just why they are in trouble. Their poor school boards get whipped to death. They vote all kinds of money on covers for interstate highways, tunnels that really do not go anywhere, and things of that nature that are just absolutely ridiculous. I say we should vote this down.

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

Mr. RICHARDSON. Mr. Speaker, I rise to oppose House bill No. 2093 and I just want to let the members know that from our community it seems to me that the Bicentennial has become a big issue. But it seems to me that it is an issue that needs to be looked at in its true perspective. We are not celebrating anything and that giving the city a blank check again is just another indication that we have a responsibility towards leadership of this state. We have an opportunity again as once in your lap, I would advise the members of this House to vote "no."

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

Mr. L. E. SMITH. I would like to ask Mr. Rappaport a couple questions.

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. L. E. SMITH. Mr. Speaker, I am wondering if the people who are concerned with borrowing this money have approached the Philadelphia banks?

Mr. RAPPAPORT. I would say to the gentleman, with some degree of personal knowledge, that the finance director of the city of Philadelphia is in daily contact with every one of the major banks in the city concerning the city's fiscal problems.

Mr. L. E. SMITH. I understand that, but I mean for this particular project, do you know if the banks in Philadelphia have been approached?

Mr. RAPPAPORT. Here is the problem, Mr. Speaker: The only way the banks can provide it is for tax anticipation notes. Tax anticipation notes must be repaid within the same fiscal year. Our new fiscal year starts July 1. If we borrow the money now, we have to repay it June 30. We cannot.

On the question recurring,
Shall the bill pass finally?

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

YEAS—76

- | | | | |
|-----------------|--------------|---------------|-----------|
| Anderson, J. H. | Irvis | Mullen, M. P. | Ruggiero |
| Bellomini | Johnson, J. | Mullen | Salvatore |
| Bennett | Katz | Myers | Schmitt |
| Berlin | Kelly, A. P. | Novak | Schweder |
| Bonetto | Knepper | O'Brien | Shane |
| Brunner | Kolter | Oliver | Shelhamer |
| Butera | Kowalyszyn | Parker, H. S. | Shelton |
| Caputo | LaMarca | Perri | Shupnik |
| Cowell | Laudadio | Perry | Stahl |
| DeMedio | Laughlin | Petrarca | Stout |
| Eckensberger | Lederer | Pievsky | Wargo |
| Engelhart | Letterman | Pratt | Whelan |
| Geisler | Lincoln | Prendergast | Wojdak |
| George | Lynch | Rappaport | Worrlow |
| Giammarco | Manderino | Ravenstahl | Yahner |
| Gleeson | McIntyre | Renwick | Zwickl |
| Green | McLane | Rieger | |
| Greenfield | Mebus | Ritter | Fineman, |
| Hamilton, J. H. | Menhorn | Ross | Speaker |
| Hutchinson, A. | Milanovich | | |

NAYS—99

- | | | | |
|---------|---------|--------------------|-----------|
| Abraham | Gallen | McClatchy | Seltzer |
| Beren | Garzia | McCue | Sirlanni |
| Eerson | Geesey | McGinnis | Smith, E. |
| Bradley | Goodman | Miller, M. E. | Smith, L. |
| Brandt | Grieco | Miller, M. E., Jr. | Spencer |
| Burns | Gring | Milliron | Stapleton |

Cessar	Halverson	Miscevich	Taddonio
Cimini	Hammock	Moehlmann	Taylor
Cohen	Hasay	Morris	Toll
Cole	Hayes, D. S.	Mrkonic	Trello
Crawford	Hayes, S. E.	Musto	Turner
Cumberland	Hepford	Noye	Valicenti
Davies	Hill	O'Connell	Vroon
Deverter	Hopkins	O'Donnell	Wagner
Dietz	Hutchinson, W.	O'Keefe	Walsh, T. P.
Dorr	Itkin	Pancoast	Wansacz
Doyle	Kelly, J. B.	Pitts	Weidner
Dreibelbis	Kernick	Polite	Westerberg
Fawcett	Kistler	Pyies	Wilson
Fischer	Klingaman	Reed	Witt, W. W.
Flaherty	Kusse	Renninger	Wright
Foster, A.	Lehr	Richardson	Yohn
Foster, W.	Levi	Saloom	Zearfoss
Fryer	Manmiller	Scheaffer	Zeller
Gallagher	McCall	Scirica	

NOT VOTING—21

Arthurs	Dombrowski	Gleason	Shuman
Barber	Fee	Haskell	Thomas
Bittle	Fisher	McGraw	Ustynowski
Dicarlo	Gillespie	Rhodes	Wilt, R. W.
DiDonato	Gillette	Ryan	Zord
Dinani			

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. GILLESPIE. Mr. Speaker, my switch is apparently inoperative. May I be recorded in the negative on House bill No. 2093?

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have checked the rest of the calendar and I do not see anything in which time is of the essence. The members have been held now longer than we planned. So if you will pass over the remaining bills on that list, we will pick them up next week.

BILLS AND DISCHARGE RESOLUTION NOT CALLED UP

The SPEAKER. Remaining bills and discharge resolution on today's calendar are not called up.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. MYERS, LEDERER, BERSON, GREENFIELD, GREEN, RIEGER, PIEVSKY, BENNETT, RAPPAPORT, DiCARLO, Mrs. KELLY, Mrs. TOLL, Messrs. KATZ, GIAMMARCO, ROSS, COHEN, MILLIRON, McINTYRE, OLIVER, JOHNSON, HAMMOCK, RICHARDSON, DOYLE, LINCOLN, LETTERMAN, PETRARCA and SHELTON **HOUSE BILL No. 2265**

An Act relating to the rights of grandparents to visit or have temporary custody of their grandchildren in certain cases.

Referred to Committee on Judiciary.

By Messrs. GALLAGHER, BEREN, BERLIN, MORRIS, BRANDT, CIMINI, BURNS, WRIGHT, SCHMITT, MRKONIC, FLAHERTY, CAPUTO and GEISLER **HOUSE BILL No. 2266**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain compatible offices.

Referred to Committee on State Government.

By Messrs. McCALL, ZWIKL, SCHWEDER, ZELLER, COLE, SHUMAN, WALSH, GOODMAN, O'BRIEN and LINCOLN **HOUSE BILL No. 2267**

An Act designating the official star in quilt design of the Commonwealth of Pennsylvania and describing the same.

Referred to Committee on State Government.

By Messrs. KATZ, SALVATORE, HAMILTON, Mrs. TOLL, Messrs. GIAMMARCO and PERRI

HOUSE BILL No. 2268

An Act amending the act of June 30, 1975 (No. 8-A), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, ***" increasing the appropriations to the Department of Public Welfare for the administration of the "Mental Health and Mental Retardation Act of 1966," for mental health and mental retardation community services and for interim care.

Referred to Committee on Appropriations.

By Messrs. ZWIKL, McCALL, BENNETT, SHUMAN, TAYLOR and LINCOLN **HOUSE BILL No. 2269**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing for a six-month registration period for motorcycles.

Referred to Committee on Transportation.

By Messrs. ZWIKL, MORRIS, SCHWEDER, REED, WRIGHT and BURNS **HOUSE BILL No. 2270**

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further authorizing county commissioners to make grants or appropriations to historical societies.

Referred to Committee on Local Government.

By Messrs. BERSON, HAMMOCK, SCIRICA, W. D. HUTCHINSON and STAPLETON

HOUSE BILL No. 2271

An Act relating to the issuance of licenses, certificates, registrations or permits to allow certain persons with criminal records to engage in trades, occupations or professions.

Referred to Committee on Professional Licensure.

By Mr. PRATT **HOUSE BILL No. 2272**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain compatible offices.

Referred to Committee on State Government.

BILL REPORTED FROM COMMITTEE

HOUSE BILL No. 2065 (Amended) By Mr. SCHMITT

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

ing a conversion privilege in certain group accident and sickness policies and notification of certain employe organizations in the event of termination of group accident and sickness insurance contracts.

Reported from Committee on Consumer Protection.

PERMISSION TO ADDRESS HOUSE

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, I know a lot of the members are leaving now, but I would like to recite this short litany and then I would like to have it placed upon the record.

As the House record shows, last fall, 1975, I made a complaint to this House as to an article that appeared in the Philadelphia Daily newspaper as to their stating: "A certain legislator was in effect the delivery boy for some \$5,000 to the political coffers of a certain campaign committee in 1974 due to a supposedly G.S.A. contract."

I feel that I followed the proper procedures governing this House in filing a complaint with the Ethics Committee, and that both the majority and minority chairmen of the Ethics Committee assured the membership that they would honor my action and report their findings to this House. I can provide copies of the documents proving this point.

I have heard through the House grapevine that the chairman of the Ethics Committee did, in some fashion, conduct an investigation and reached a conclusion. However, in defiance of our intent in creating the Ethics Committee and in violation of the chairman's own promise to report to this House, the chairman has apparently tried to ignore whatever it was he found and stalls in what appears to be a hope that we lose interest and forget about it. It might go away.

Because the press had reported that a certain "legislator" took \$5,000—in whatever manner it was handled, and I do not know that—in return for favors rendered, supposedly, I made the simple point that, unless we determine whether or not this was true, and, if true, who got the \$5,000, all the legislators, House or Senate, both parties, you or I or whoever, everyone has been stigmatized.

Not being a lawyer-type legislator, I am not knowledgeable, you or I or whoever, everyone has been stigmatized. Ethics Committee, which holds a moral responsibility to us, can get away with what appears to be a cover-up.

Therefore, I will attempt to get some answers next week on this floor and also will attempt to make certain that we all get to vote on some of the rulings and lawyer-opinions relating to this problem.

It would be better for all of us here in this House if the Ethics Committee just kept its word and had a report in our boxes by next Monday morning. I just do not know how we can keep looking our citizens in the eye as we pass laws and regulations that they must live by and we apparently are cutting corners.

I want this question and desire for what is right placed upon the record. The Ethics Committee chairman and its committee members, leaders on both sides, Parliamentarian and chief counsel to both parties will receive a copy of this plea.

I thank you very much.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 2093

Mr. WOJDAK moved that the vote by which HOUSE BILL No. 2093, printer's No. 2700, was defeated on final passage on this day be reconsidered.

Mr. IRVIS seconded the motion.

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

On the question recurring,
Shall the bill pass finally?

HOUSE BILL No. 2093 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. WOJDAK moved that HOUSE BILL No. 2093, printer's No. 2700, be placed on the final passage postponed calendar.

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

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

Mr. RAPPAPORT. Mr. Speaker, I was up in my office trying to go home when I heard my good friend from Emmaus talking about me. I understand, although I did not hear all of his remarks, that he spoke about an article that had appeared in the Philadelphia Inquirer some months ago. It apparently got the gentleman perturbed.

Mr. Speaker, the gentleman made a request to the Committee on Ethics. I would say to the gentleman that the committee considered it and that the committee determined to take no action at this time.

I might say to the gentleman, from some knowledge outside my position as chairman of the committee, information that I learned from other sources, that the gentleman in question refused to plead guilty to the crime of bribery and that the special prosecutor nol-prossed that bill, that bill of indictment. Therefore, there is no outstanding allegation that any legislator, be he incumbent or past member, House member or Senator, ever received any money from that gentleman who was referred to in the newspaper.

I might further say to the gentleman that it is my personal view that it is not the job of the Ethics Committee to investigate criminal charges. In the event a prosecutor brings criminal charges against a present or past member of this House, the prosecutor should go to court and prove his case. After a conviction, I am sure that this House will take appropriate action, as it did in the Sweeney case.

Since the person who was the cause of this newspaper article has now, in a sense, recanted his statement that he bribed somebody, I would think that the matter is closed.

Thank you, Mr. Speaker.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Just in response to Mr. Rappaport—and I appreciate his coming back and making his remarks—as far as we know I have to take your word for it as to what you told me. I am not questioning you. I just say that we will, from my feelings about the matter, take the advice that

you have given me right now as to your findings and we will take this under advisement, and we will look into whether or not this is a fact. We will be back and report. Thank you.

LEGISLATION TO BE INTRODUCED

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

Mr. DAVIES. Mr. Speaker, today I am introducing legislation on the taser or stun gun. This legislation will define the taser or stun gun as an offensive weapon, as well as a deadly weapon, under the criminal statutes of the Commonwealth.

In addition to defining this weapon, the bill will limit the sale, distribution and possession of the weapon as well. The exception, of course, is the use by police and people of that area of responsibility of law enforcement as well as the armed forces will be excepted.

Recently in Bucks County in a double murder of an elderly couple, this weapon was used as a possible instrument of torture in a robbery that accompanied the murder in the commission of the crime.

We need action on this legislation to prohibit the criminal element from using this device which increases the potential of added crime in the Commonwealth. I would urge my colleagues to join me in sponsoring this legislation.

Thank you, Mr. Speaker.

WELCOMES

The SPEAKER. The Chair is also very pleased to wel-

come Stephen Ritter, the son of one of our House members, the Mr. James Ritter. He is home on leave from Taiwan and is on his way to Moody Air Force Base in Georgia.

There is also another family guest present, the father of Representative Milliron, Mr. John Milliron, Sr.

The Chair is pleased to welcome a group of 35 students from the Simon Gratz High School in Philadelphia, who are taking a practical politics course.

They are here today accompanied by their teacher, Miss Marcella Jones, and they are the guests of the gentleman from Philadelphia, Mr. Hammock.

The Chair is pleased to welcome a group of 40 4th grade students from North Street Elementary School, Waynesboro, Franklin County, Pennsylvania. The students are here today with their teacher, Mr. Woodrow Kadel, and they are the guests of the gentleman from Franklin, Mr. Shuman.

The Chair is pleased to welcome to the hall of the House the wife and mother-in-law of the gentleman, Mr. O'Donnell.

ADJOURNMENT

Mr. McLANE moved that this House do now adjourn until Monday, March 29, 1976, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 5:22 p.m., e.s.t.) the House adjourned.