

Legislative Journal

TUESDAY, APRIL 6, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 121

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

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

O Lord our Lord, how excellent is Thy name in all the earth. May we always hold Thee and Thy name in due reverence and veneration. As we share the bounties of the earth and all of the fruits thereof, we pray that Thou wilt constantly make us conscious that this is Thy world and all that is therein. As we use the sustenance of our world, we ask that Thou wilt consciously make us realize that we need to be good stewards of all that is here. As we enjoy the evidences of Thy goodness toward us, we humbly beseech Thee to work in and through us; so that we may bring forth in our own lives deeds which will reflect Thy truth and the extension of Thy kingdom in our world. This we ask to the honor and glory of Thy great name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, April 5, 1976, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. O'BRIEN and USTYNOSKI
HOUSE BILL No. 2311

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), changing service requirement and amount of pension.

Referred to Committee on Urban Affairs.

By Messrs. PYLES and HASAY **HOUSE BILL No. 2312**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from taxes on sales to Federally funded State-operated senior citizen organizations.

Referred to Committee on Finance.

By Messrs. MORRIS, SHELTON, DeMEDIO,
Mrs. KELLY and Mrs. Toll **HOUSE BILL No. 2313**

An Act amending "The Professional Nursing Law," approved May 22, 1951 (P. L. 317, No. 69), providing for qualifications for certain former military personnel.

Referred to Committee on Professional Licensure.

By Messrs. D. S. HAYES, BELLOMINI and HOPKINS
HOUSE BILL No. 2314

An Act requiring certain persons who do business in the Commonwealth to register with the Secretary of the Commonwealth and be subject to Pennsylvania taxes.

Referred to Committee on Finance.

By Mr. McCLATCHY **HOUSE BILL No. 2315**

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing a limited exemption from taxation of residential real property of persons sixty-five years of age or older and for reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemptions.

Referred to Committee on Finance.

By Messrs. McCLATCHY, PITTS, PANCOAST,
Mrs. FAWCETT and Mr. WEIDNER

HOUSE BILL No. 2316

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing a limited exemption from taxation of residential real property of persons sixty-five years of age or older and for reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemption.

Referred to Committee on Finance.

By Messrs. BENNETT, W. W. WILT, THOMAS,
HILL, SHUMAN, YAHNER, RENWICK and
M. P. MULLEN **HOUSE BILL No. 2317**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding the sale and use of equipment and supplies used in processing solid waste from the tax for education.

Referred to Committee on Finance.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS and
WEIDNER **HOUSE BILL No. 2318**

An Act amending the act of May 9, 1949 (P. L. 927, No. 261), entitled, as amended, "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, second A, third, fourth, fifth, sixth, seventh and eighth classes ***" changing fees.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and
WEIDNER **HOUSE BILL No. 2319**

An Act amending the "Lethal Weapons Training Act," approved October 10, 1974 (P. L. 705, No. 235), redefining the term "privately employed agents," and providing for the waiver of certain application fees.

Referred to Committee on Law and Justice.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and
WEIDNER **HOUSE BILL No. 2320**

An Act amending the act of August 22, 1961 (P. L. 1043, No. 475), entitled, as amended, "An act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth class; to provide the time of paying the same; and to repeal certain acts," extending provisions to include counties of the second class A, and further providing for fees.

Referred to Committee on Local Government.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. WARGO, ZELLER, DeMEDIO, McLANE,
SCHWEDER, WANSACZ, REED, COLE, McCUE,
GEESEY and WALSH

(Concurrent) **RESOLUTION No. 239**

The General Assembly directs the Secretary of General Services to fly the American flag over the Capitol twenty-four hours a day.

Referred to Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 1482

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing for an increase in the amount of interest assessed against unpaid taxes.

HOUSE BILL No. 1483

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for certain additions to tax and increasing the interest rate.

HOUSE BILL No. 1772

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Department of Public Welfare and the Governor, to convey to the Township of Newton 7.091 acres of land, more or less, situate in the Township of Newton, Lackawanna County, Commonwealth of Pennsylvania.

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

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 501

An Act requiring the installation of ramps at crosswalks under certain conditions.

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

The SPEAKER. The bill will appear on the calendar.

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate, April 5, 1976

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 10, 1976 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, May 3, 1976 unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 3, 1976 it reconvene on Monday, May 10, 1976.

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

On the question,

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

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT

The SPEAKER. The Chair has extended permission to Ms. Selma Perelman of Pennsylvania Television Network to shoot still photographs in the House chamber during today's session.

HOUSE BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 1482

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing for an increase in the amount of interest assessed against unpaid taxes.

HOUSE BILL No. 1483

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for certain additions to tax and increasing the interest rate.

HOUSE BILL No. 1772

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Department of Public Welfare and the Governor, to convey to the Township of Newton 7.091 acres of land, more or less, situate in the Township of Newton, Lackawanna County, Commonwealth of Pennsylvania.

Whereupon,

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

SENATE BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 355

An Act authorizing the Department of General Ser-

vices, 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.

SENATE BILL No. 1005

A Supplement to the act of (No.), entitled "Capital Budget Act for Fiscal Year 1975-1976, Public Improvement Project Itemization Supplement—Department of General Services," itemizing public improvement projects of the Department of Property and Supplies together with their estimated financial cost, authorizing the incurring of debt for the projects without approval of the electors to complete projects in the category of public improvements by acquisition of original furniture and equipment to be acquired by the Department of General Services, stating the estimated useful life of such projects and making an appropriation.

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 have no requests for leaves of absence.

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. Without objection, leaves are granted. (Mr. Davies came in later in this day's session.)

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. Only those members in their seats will be permitted to be recorded. Members will proceed to vote.

The roll was taken and was as follows:

YEAS—192

Abraham	George	McGinnis	Saloom
Anderson, J. H.	Giammarco	McGraw	Salvatore
Arthurs	Gillespie	McIntyre	Scheaffer
Barber	Gillette	McLane	Schmitt
Bellomini	Gleason	Mebus	Schweder
Bennett	Gleeson	Menhorn	Scirica
Beren	Goodman	Milanovich	Seltzer
Berlin	Green	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, E.
Brunner	Hammock	Mrkonic	Smith, L.
Burns	Hasay	Mullen, M. P.	Spencer
Butera	Haskell	Mullen	Stahl
Caputo	Hayes, D. S.	Musto	Stapleton
Cessar	Hayes, S. E.	Myers	Stout
Cimini	Hepford	Novak	Taddonio
Cohen	Hill	Noye	Taylor
Cole	Hopkins	O'Brien	Thomas
Cowell	Hutchinson, A.	O'Connell	Toil
Crawford	Hutchinson, W.	O'Donnell	Trello
Cumberland	Irviss	O'Keefe	Turner
Davies	Itkin	Oliver	Ustynoski
DeMedio	Johnson, J.	Pancoast	Valicenti
Deverter	Katz	Parker, H. S.	Vroon
DiCarlo	Kelly, A. P.	Perri	Wagner
DiDonato	Kernick	Perry	Walsh, T. P.
Dietz	Kistler	Petrarca	Wansacz
Dombrowski	Klingaman	Plevsky	Wargo
Dorr	Knepper	Pitts	Weidner
Doyle	Kolter	Polite	Westerberg
Dreibelbis	Kowalshyn	Pratt	Whelan

Eckensberger	Kusse	Prendergast	Wilson
Englehart	LaMarca	Pyles	Wilt, R. W.
Fawcett	Laudadio	Rappaport	Wilt, W. W.
Fee	Laughlin	Ravenstahl	Wojdak
Fischer	Lederer	Reed	Worrilow
Fisher	Lehr	Renninger	Wright
Flaherty	Letterman	Renwick	Yahner
Foster, A.	Levi	Rhodes	Yohn
Foster, W.	Lincoln	Richardson	Zearfoss
Fryer	Lynch	Rieger	Zeller
Gallagher	Manderino	Ritter	Zwinkl
Gallen	Manmiller	Ross	
Garzia	McCall	Ruggiero	Fineman, Speaker
Geesey	McClatchy	Ryan	
Geisler	McCue		

NOT VOTING—4

Dininni	Kelly, J. B.	Shelhamer	Zord
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The SPEAKER. One hundred ninety-two members having indicated their presence, a master roll is established.

LEGISLATIVE CITATIONS ADOPTED

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

Henry Callie, Easton Area High School, Easton, Pennsylvania 18042.

John J. Susko, 2505 East Ridgewood Court, New Castle, Pennsylvania 16101.

Pastors and Parishioners of Christ the King Roman Catholic Church, Melrose Avenue, Ambridge, Pennsylvania 15003.

Mrs. Gust "Peg" Sanfilippo, R. D. 5, New Castle, Pennsylvania 16101.

Levittown Fire Company Number 2, Bristol Township Fifth Fire District, P.O. Box 342, Levittown, Pennsylvania 19058.

George A. Farrell, Jr., 5007 "C" Street, Philadelphia, Pennsylvania 19120.

SS Peter and Paul Ukrainian Catholic Church, Bridgeport, Pennsylvania 19405.

Mr. and Mrs. Anthony Galloni, Sr., Charleroi, Pennsylvania.

John A. Bryson, 121 Barbara Drive, Springfield, Pennsylvania 19064.

Mr. and Mrs. Paul LeClair, Fallowfield Township, Charleroi, Pennsylvania.

Farrell High School 1975-76 Boys Basketball Team, Farrell High School, Roemer Boulevard, Farrell, Pennsylvania 16121.

Kennedy Christian High School 1975-76 Girls Basketball Team, Kennedy Christian High School, Shenango Valley Freeway, Sharon, Pennsylvania 16146.

Leroy S. Wismer, Cowpath and Reliance Roads, Souderton, Pennsylvania 18964.

Mr. Ellwood "Gauge" Andrews, 134 South Eleventh Street, Easton, Pennsylvania 18042.

Mr. Clifford "Babe" Michler, 1004 Washington Street, Easton, Pennsylvania 18042.

Jerry Rodriguez, Saucon Valley Senior High School, Hellertown, Pennsylvania 18055.

Anne Danzak Hasentab, 36 South Second Street, Halifax, Pennsylvania 17032.

George Malik, 5248 Westford Road, Philadelphia, Pennsylvania 19120.

The Wrestling Team, Saucon Valley Senior High School, Hellertown, Pennsylvania 18055.

Leo E. Sutliff Family, c/o Gregory L. Sutliff Enterprises, Inc., 13th and Paxton Streets, Harrisburg, Pennsylvania 17104.

Community General Osteopathic Hospital, 4300 Londonderry Road, Harrisburg, Pennsylvania 17109.

Mr. and Mrs. Floyd Nellett, Fulmer Road, Spring Mount, Pennsylvania 19478.

Jim Zenz, Saucon Valley Senior High School, Hellertown, Pennsylvania 18055.

Sullivan County High School Basketball Team, Sullivan County High School, Laporte, Pennsylvania 18626.

Bob Weaver, Easton Area High School, Easton, Pennsylvania 18042.

Rick Rodriguez, Saucon Valley Senior High School, Hellertown, Pennsylvania 18055.

Brian Jongsma, 4312 Lakeview Road, Harrisburg, Pennsylvania 17109.

Michael Oakland, 2161 Carol Drive, Harrisburg, Pennsylvania 17112.

Father Brian Patrick Conrad, 2200 North Fifth Street, Harrisburg, Pennsylvania 17110.

Charles Barbush, 601 South Cameron Street, Harrisburg, Pennsylvania 17104.

Daniel K. Bayer, Jr., 1505 Woodcrest Circle, Harrisburg, Pennsylvania 17109.

The Jackson Family, 2737 North Second Street, Harrisburg, Pennsylvania 17110.

The Linden, 226 North Second Street, Harrisburg, Pennsylvania 17101.

Julius L. McCoy, 2201 Bellevue Road, Harrisburg, Pennsylvania 17104.

Alcoholism Services, Inc., 1919 North Front Street, Harrisburg, Pennsylvania 17102.

Bruce A. Garver.

Gregory L. Sutliff, 13th and Paxton Streets, Harrisburg, Pennsylvania 17104.

Mrs. Alma Bass, 41 Walnut Street, Carlisle, Pennsylvania 17013.

Bethel Park High School Girls' Swim Team, Bethel Park High School, 301 Church Road, Bethel Park, Pennsylvania 15102.

Louis N. Shratter, 113 Stanton Terrace, Pittsburgh, Pennsylvania 15201.

Sister Francine Nolan R.S.M., St. Vincent Elementary School, 605 Lloyd Avenue, Latrobe, Pennsylvania 15650.

Mrs. F. Karl Witherow, 348 Arbor Way, State College, Pennsylvania 16801.

The Northamptontowne Militia, Old Lehigh County Courthouse, 501 Hamilton Street, Allentown, Pennsylvania 18104.

Mr. and Mrs. Arthur Searer, R. D. 7, New Castle, Pennsylvania 16101.

Paul Sheers, Sheriff of Schuylkill County, 230 Fisher Avenue, Coaldale, Pennsylvania 18218.

Mr. and Mrs. Amos M. Mowrer, R. D. 1, Columbia, Pennsylvania 17512.

Raymond P. McGinnis, 1501 Dewey Avenue, Williamsport, Pennsylvania 17701.

Mr. and Mrs. Joseph Clark, 23 Bonsall Avenue, Aldan, Pennsylvania 19018.

Fogelsville Volunteer Fire Company Number One, 100 Lime Street, Fogelsville, Pennsylvania 18051.

Paul H. Shiring, 1313 Leishman Avenue, New Kensington, Pennsylvania 15068.

Ernest Kerstetter, 779 Erford Road, Camp Hill, Pennsylvania 17011.

Paul D. Slayton, 965 G. Street, Meadville, Pennsylvania 16335.

Mon-Yough Chamber of Commerce, 307 Union Bank Building, McKeesport, Pennsylvania 15132.

The Brookhaven Blue Basketball Team, Brookhaven, Pennsylvania.

Mr. and Mrs. George E. Gore, Jennerstown, Pennsylvania 15547.

Clara Rossman, Clifton Heights, Pennsylvania.

Victor A. Dinzeo, Stevendale Drive, Pittsburgh, Pennsylvania 15221.

Mrs. Patricia Fallon, 112 McAlister Drive, Penn Hills, Pennsylvania 15235.

Mr. and Mrs. Lewis E. Heiser, Jr., 23 Ridge Street, Lansdale, Pennsylvania 19446.

Mr. and Mrs. Joseph Clark, 23 Bonsall Avenue, Aldan, Pennsylvania 19018.

Frank Rabits, 905 Ruskin Drive, Altoona, Pennsylvania 16602.

Scott Jeweller, 4321 Valleyview Road, Harrisburg, Pennsylvania.

David Scott, Three East Ridge Avenue, Greenville, Pennsylvania 16125.

Mr. and Mrs. Edgar E. Landis, 549 Atlantic Avenue, York, Pennsylvania 17404.

Mr. and Mrs. John Kann, Lutheran Home, 750 Kelly Drive, York, Pennsylvania 17404.

Joseph J. Bannon, 153 West Ruscomb Street, Philadelphia, Pennsylvania 19120.

Mr. and Mrs. Percy Samuel Lutz, 523 Second Avenue, Altoona, Pennsylvania 16602.

Mr. and Mrs. Richard D. Zellers, 530 East Oak Street, Palmyra, Pennsylvania 17078.

Mr. and Mrs. John Nace, 36 East Eighth Avenue, York, Pennsylvania 17404.

Mr. and Mrs. Stewart Duke, Railroad, Pennsylvania 17355.

Scott Yachere, R. D. 2, Friedens, Pennsylvania 15541.

Mr. Charles "Masters" Mustinski, Duryea, Pennsylvania. Zionsville Bible Fellowship Church, Zionsville, Pennsylvania 18092.

St. Joseph's Church, 239 South Hickory Street, Mt. Carmel, Pennsylvania 17851.

Reverend Ernest Wismer Bean, Zionsville, Pennsylvania 18092.

Betty I. Via, R. D. 1, Grantville, Pennsylvania 17028.

Philip J. Waters, Bristol Borough, Pennsylvania 19007.

Jean Bell Shane.

Trevose Marching Unit.

Mr. and Mrs. Joseph Clark, 23 Bonsall Avenue, Aldan, Pennsylvania 19018.

RULES SUSPENDED TO ADD AND DELETE SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House of Representatives suspend its rules to permit additions and deletions of sponsors on the following bills:

Additions:

House bill No. 131—Mr. Green;

House bill No. 400—Mr. Green;

House bill No. 686—Mr. Reed;

House bill No. 729—Mr. Green;

House bill No. 770—Mr. Green;

House bill No. 894—Mr. Green;
 House bill No. 1020—Mr. Mrkonjic;
 House bill No. 1262—Mr. Green;
 House bill No. 1375—Mr. Green;
 House bill No. 1579—Mr. Green;
 House bill No. 1643—Messrs. Green and Pratt; and
 House bill No. 1714—Mr. Renninger.

Deletions:

House bill No. 1982—Mr. Zwikl.

On the question,

Will the House agree to the motion?

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

YEAS—180

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

NAYS—3

McCue	Wilson	Zearfoss
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NOT VOTING—13

Dinnini	LaMarca	O'Donnell	Toll
Hammock	Laudadio	Perry	Wansacz
Kelly, J. B.	McGraw	Shelhamer	Zord
Kistler			

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

CALENDAR

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2071, printer's No. 2676, entitled:

Amending the act of December 22, 1959 (P. L. 1978, No. 728), entitled, as amended, "An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of harness racing plants subject to local option; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations," further providing for distribution of funds and changing the maximum amount of funds that may be distributed to any one project.

On the question,

Will the House agree to the bill on third consideration? Mr. MANDERINO requested and obtained unanimous consent to offer the following amendments, which were read:

- Amend Sec. 1 (Sec. 16), page 2, line 4, by striking out "if no other State funds are involved,"
- Amend Sec. 1 (Sec. 16), page 2, line 26, by inserting brackets before and after "and"
- Amend Sec. 1 (Sec. 16), page 2, line 27, by removing the period after "development" and inserting: ; and (6) Does not involve other State funds.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the amendment that I proposed to House bill No. 2071 is a housekeeping amendment:

- Amend Sec. 1 (Sec. 16), page 2, line 4, by striking out "if no other State funds are involved," and inserting at line 28 "(6) Does not involve other State funds."

The Budget Office indicated that the place where we had put the prohibition of matching state funds with state funds was in the wrong place. They asked us to move it, and that is the purpose of this amendment. I would urge the adoption of the amendment.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

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

- Amend Sec. 1 (Sec. 16), page 2, line 6, by inserting brackets before and after "ten thousand" and inserting immediately thereafter: twelve thousand

On the question,

Will the House agree to the amendment?

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

Mr. A. K. HUTCHINSON. Mr. Speaker, the amendment that I am about to introduce is to change boroughs from 10,000 to 12,000. A few years back we changed the townships from 10,000 people to 12,000, and my amendment is doing the same thing to boroughs:

- Amend Sec. 1 (Sec. 16), page 2, line 6, by inserting

brackets before and after "ten thousand" and inserting immediately thereafter twelve thousand.

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?

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

YEAS—185

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

NAYS—2

Gring HHH

NOT VOTING—9

Dininni	Kistler	Laudadio	Shelhamer
Hutchinson, W.	LaMarca	McGraw	Zord
Kelly, J. B.			

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.

BILL ON SECOND CONSIDERATION

Agreeable to order,
The House proceeded to second consideration of House bill No. 2117, printer's No. 3006, entitled:

An Act authorizing the indebtedness, with the approval of the electors, of ten million dollars for loans to volunteer fire companies, volunteer ambulance services and volunteer rescue squads*** and any other accessory equipment necessary for the proper performance of such organizations' duties.

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

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

Amend Sec. 11, page 12, line 18, by inserting after "Proceeds.—": (a)

Amend Sec. 11, page 13, line 3, by striking out "SINKING"

Amend Sec. 19, page 16, line 18, by striking out "may" and inserting: is able to

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

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the amendment that I proposed is an amendment to the bill which implements the \$10-million loan fund for volunteer firemen equipment, et cetera:

Amend Sec. 11, page 12, line 18, by inserting after "Proceeds.—": (a)

On page 13 of the bill there is a change being made at line 3. Presently the language reads: "All earnings received from the investment or deposit of such funds shall be paid into the State Treasury to the credit of the Volunteer Fire Companies Loan Sinking Fund." We are removing the word "SINKING." Any proceeds will be going into the Volunteer Fire Companies Loan Fund:

Amend Sec. 11, page 13, line 3, by striking out "SINKING"

Another section of the amendment is on page 16 at line 18. Presently the language reads that "the sum of \$10 million or as much thereof as may be borrowed by temporary financing," and we are changing the word "may" to "is able to." To make it clear, that is not a discretionary matter that the bonds must be floated, if we are able to float the bonds. The amendment reads:

Amend Sec. 19, page 16, line 18, by striking out "may" and inserting: is able to

That is the extent of the amendment, and I would ask adoption of the amendment.

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

Mr. CESSAR. Mr. Speaker, will the gentleman, Mr. Manderino, stand for interrogation?

The SPEAKER. Will the gentleman consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. CESSAR. Mr. Speaker, in the last portion of your amendment on page 16, are you saying that if we cannot borrow \$10 million, we would only borrow what would be available in the bond market?

Mr. MANDERINO. Mr. Speaker, I am saying that the way the bill read it said that the sum of \$10 million or as much thereof as "may be" borrowed. That was the language of the bill. And I was afraid that that word "may" would leave the administration with discretion as to whether they would borrow or not. I have changed the word "may" to "is able to" borrow.

Mr. CESSAR. In other words, you feel then that your amendment would tighten it up that the administration must borrow the \$10 million?

Mr. MANDERINO. That is my intention, and I think the language will do that.

Mr. CESSAR. Thank you, Mr. Speaker. I support the amendment.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have been spoken to now by two members who are concerned now about this bill because they say they have amendments to offer. I would point out to them that this bill is only on second consideration. It will go to third consideration and will be held there for additional amendments; that is all. For those members who are not prepared to offer their amendments today, we will take it up again on third consideration. You may then offer your amendments thereto.

The SPEAKER. Are there any further amendments to be offered at this time? The Chair sees none.

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

Ordered, that the bill as amended be prepared for third consideration.

SENATE MESSAGE

**AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 568

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.

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

The SPEAKER. The bill will appear on the calendar.

SUPPLEMENTAL CALENDAR

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

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 568

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.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, lines 1 through 7, by striking out all of said lines and inserting in lieu thereof the following:

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.

Amend Bill, page 1, lines 16 through 22, by striking out all of said lines; page 2, lines 1 through 8, by striking out all of said lines and inserting in lieu thereof the following:

Section 1. This Act shall be known and may be cited as the "General Appropriation Act of 1976."

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive, Legislative and Judicial Departments of the Commonwealth for the payment of the salaries, wages or other compensation and travel expenses of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1976 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1976.

**I. Executive Department
To the Governor**

For the salaries, wages and all necessary expenses for the following purposes and activities, including the maintenance of the Executive Mansion, the expense of entertainment of official guests and members of the General Assembly and the Judiciary, participation in the Governor's Conference, the expenses of the Executive Board, and for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent or otherwise serve the Commonwealth:

Administration of the Office of the Governor	\$ 1,962,000
For the administration and operation of the Office for Human Resources	151,000
For the administration and operation of the Office of Administration	3,704,000
For the administration of the Office of State Planning and Development	1,086,000
For the administration and operation of the Office of the Budget	1,440,000
For the salaries, wages and all necessary expenses for the proper administration of the Human Relations Commission program ..	3,683,000
For the conduct of the work of the Pennsylvania Council on the Arts, requisitions to be signed by the Governor	1,798,000

For the administration and operation of the Pennsylvania Commission for Women	130,000	to be performed by the Loan and Transfer Agent	80,000
For the salaries, wages and all necessary expenses for the proper administration of the Governor's Energy Council	291,000	Payment of legal fees, publication of advertisements, costs of engraving and other expenses incurred in issuing of tax anticipation notes	100,000
For the payment to the Office of State Planning and Development for payment to the Delaware Valley Regional Planning Commission under terms and conditions as determined by the Office of State Planning and Development	75,000	For the payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued	1,619,000
To the Lieutenant Governor		For the payment into the Project 70 Land Acquisition Sinking Fund to meet the principal and interest requirements on notes and bonds issued	5,586,000
For the salaries, wages and all necessary expenses for the proper conduct of the Office of the Lieutenant Governor, including payment of expenses of the residence at the Edward Martin Military Reservation	250,000	For the payment into the Land and Water Development Sinking Fund to meet the interest and sinking fund requirements of notes and bonds issued and to be issued	23,943,000
To the Department of the Auditor General		For the payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds issued and notes and bonds to be issued	87,776,000
For the salaries, wages and all necessary expenses for the proper conduct of the following activities:		For the payment into the proper fund to meet the principal and interest requirements on notes and bonds to be issued for payment of the Vietnam Veterans' Bonus	4,261,000
Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are supported out of the general fund and for auditing justices of the peace, other fining offices, volunteer firemen's relief association funds and the offices of elected state officials	9,245,000	For payment into the Disaster Relief Redemption Fund to meet principal and interest requirements on bonds issued and bonds to be issued	9,006,000
Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,465,000	For payment into the Nursing Home Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued	1,718,000
Administration of the Board of Arbitration of Claims	230,000	For payment into the Volunteer Fire and Rescue Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued	340,000
To the Treasury Department		To the Department of Agriculture	
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:		For the salaries, wages and all necessary expenses for the proper administration of the Department of Agriculture, including the following programs: regulation of consumer products and promotion of fair business practices, plant health, animal health, rural services and agribusiness development	13,120,000
Administration of the Treasury Department	4,038,000	Payment of compensation to owners of animals destroyed in disease eradication programs	570,000
For the administrative expenses in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,415,000	Payment of reimbursement to legally constituted law enforcement agencies for kennel construction	50,000
Administration of the Board of Finance and Revenue	339,000	For the control of stem rusts of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds	20,000
For the conduct of the work of the Commission on Interstate Cooperation and the traveling expenses of members to be paid in favor of the chairman or treasurer of the Commission on presentation of his requisition and who shall file an accounting with the Auditor General	30,000	For payment into the State Farm Products Show Fund to pay for that portion of the Farm Show and maintenance to Farm Show Building that is not paid from Farm Show revenues	700,000
For the support of the Council of State Governments to be paid to the order of the executive director of the Council of State Governments who shall file an accounting of such expenses with the Auditor General	74,000	Development and operation of an open livestock show, including cattle, swine, sheep and horses: Provided, That the department may make allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of a livestock show in the Pennsylvania Farm Show complex: And provided further, That the funds allocated by the Department shall only be used for the specific items approved by the Department in advance of the expenditure	60,000
For the support of the Great Lakes Commission to be paid on requisition of the Commissioners who shall file an accounting with the Auditor General	16,000	Planning and staging of an open dairy show: Provided, That the Department makes allocations of this appropriation as it deems appropriate to an incorporated association	
For the payment of replacement checks issued in lieu of outstanding checks when presented and to adjust errors	70,000		
Payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State University	15,000		
Publishing statements of the General Fund and other funds of the Commonwealth	17,000		
Compensation of the Commonwealth's Loan and Transfer Agent for services and expenses in connection with the registration, transfer and payment of interest on bonds of the Commonwealth and other services required			

<p>whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the planning and staging of a dairy show in the Pennsylvania Farm Show complex: And provided further, That the funds allocated by the Department shall only be used for the specific items approved by the Department in advance of the expenditure</p>	60,000	<p>For the Pennsylvania Science and Engineering Foundation to promote, stimulate, and encourage basic and applied scientific research and development and scientific and technological education in Pennsylvania</p>	950,000
<p>Promotion and holding of annual local, regional and state 4-H clubs and future farmers of America dairy shows: Provided, That the Department may make allocations of this appropriation as it deems appropriate to an association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of junior dairy shows: And provided further, That the funds allocated by the Department shall only be used for the specific items approved by the Department in advance</p>	25,000	<p>For the Governor's Science Advisory Committee to finance research and information dissemination projects to be conducted by the Pennsylvania State University for the benefit of Pennsylvania industry to insure more jobs for Pennsylvania</p>	150,000
<p>Planning and staging ten annual 4-H club horse and pony shows and one statewide show to be held in the fall as a preliminary to the Keystone International Livestock Show</p>	30,000	<p>For payment to municipalities of matching grants of 50% of the costs and expenses incurred by the municipalities for health services, sanitation services, police and fire services and traffic control necessary to accommodate Bicentennial activities. Reimbursement shall be made only after municipalities have certified to the Secretary of Commerce that such activities are related to municipal overburden caused by Bicentennial activities, provided that such certification is made on or before July 31, 1976</p>	10,000,000
<p>To the State Council of Civil Defense</p>		<p>To the Department of Community Affairs</p>	
<p>For the salaries, wages and all necessary expenses for the proper administration of the State Council of Civil Defense, including emergency disaster assistance</p>	433,000	<p>For the salaries, wages and all necessary expenses for the proper administration of the Department of Community Affairs, including community action assistance, housing and redevelopment area-wide services, municipal administrative support capability, local recreation areas and facilities and community development planning</p>	5,382,000
<p>To the State Civil Service Commission</p>		<p>For planning and administration of a statewide manpower employment assistance and training program</p>	
<p>For the salaries, wages and all necessary expenses for the proper administration of the Civil Service Commission including administration of the merit system for employees under provisions of the Civil Service Act supra: Provided, That in addition to the amount hereby appropriated, any money collected by the Commission by way of reimbursement under the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation</p>	1,000	<p>For payments of grants to community action agencies as provided by the act of January 26, 1968 (P. L. 48, No. 9), and to political subdivisions and organizations for social service programs</p>	1,750,000
<p>To the Department of Commerce</p>		<p>For the payment of grants to local governments or regional councils of government to assist in developing and implementing cooperative agreements to supply municipal services</p>	
<p>For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the following: Tourism and travel development, industrial development, scientific and technological development, and international trade</p>	4,752,000	<p>For the payment of grants to counties, cities, boroughs, townships, towns or regions for planning assistance</p>	75,000
<p>For payment of grants to recognized industrial development agencies to assist such agencies in the financing of their operational costs for the purposes of making studies, surveys and investigations, the compilation of data and statistics and in the carrying out of planning and promotional programs ...</p>		<p>For the payments of grants to counties, cities, boroughs, townships, towns or regions for planning assistance</p>	
500,000	<p>To the Council on Drug and Alcohol Abuse</p>		200,000
<p>For site development</p>	1,000,000	<p>For the salaries, wages and all necessary expenses for the proper conduct of the Council on Drug and Alcohol</p>	
<p>For the payment of grants to Appalachian local development districts</p>	100,000	<p>For grants to counties and to private facilities to finance drug and alcohol abuse treatment and prevention programs</p>	
<p>For the payment of the Commonwealth's share of the cost of the operation of the Appalachian Regional Commission and the Office of the Appalachian State's Regional Representative</p>	373,000	<p>To the Department of Education</p>	
<p>For transfer to the Minority Business Development Fund</p>	2,000,000	<p>For the salaries, wages and all necessary expenses for the proper administration of the Department of Education, including criminal law enforcement, general instruction, special education, compensatory programs, vocational education, higher education-professional support services, achieving economic independence-socially and economically disadvantaged, local recreation areas and facilities</p>	
<p>For tourist promotion assistance</p>	1,500,000	<p>For the operation of the State Library, providing reference services and administering aid to public libraries</p>	
<p>For the Pennsylvania Bicentennial Commission</p>	1,750,000	<p>Payment of rental charges to the General State Authority for capital improvements at state-aided educational institutions</p>	
<p>For the New Year's Shooters and Mums Museum, Inc.</p>	200,000	<p>Operation, maintenance and administration of the state colleges and state-owned university including the McKeever Environmental Center and summer programs of the Marine Science Consortium, Inc.</p>	
<p>For payment of ceremonies in recognition of the Distinguished Daughters of Pennsylvania</p>	2,000	169,491,000	

Operation, maintenance and administration of the Pennsylvania State Oral School at Scranton	1,747,000	For grants to public libraries for the development and improvement of a statewide system of libraries and library services, including state aid to local libraries, county libraries, district library centers and regional library resource centers	8,896,000
Operation, maintenance and administration of Scotland School for Veterans' Children	4,052,000	To provide aid to the Free Library of Philadelphia and the Carnegie Library of Pittsburgh, to meet the costs incurred in serving as regional libraries in the distribution of braille reading materials, talking book machines and other reading materials, to persons who are blind or otherwise handicapped	858,000
Operation, maintenance and administration of the Thaddeus Stevens Trade School at Lancaster	1,870,000	For grants or for purchasing, producing, recording and distributing programming, or providing and procuring equipment and auxiliary services in connection with the establishment, operation and utilization of educational television and radio broadcasting networks facilities	780,000
For payments of subsidies to school districts on account of basic instructional and vocational education costs: Provided, That the Secretary of Education, with the approval of the Governor, may make payments from this appropriation in advance of the due date prescribed by law to school districts which are financially handicapped, whenever he shall deem it necessary to make such advanced payments to enable the school districts to keep their public schools open	1,270,225,000	For Regional Educational Broadcasting Councils which have been approved in accordance with the state plan for educational broadcasting by the Department of Education	175,000
Payments to school districts on account of annual rental or sinking fund charges on school buildings	142,000,000	The funds hereby appropriated shall be in addition to any other appropriation or allocation of funds for educational broadcasting purposes and shall be used to establish educational program needs, to improve the utilization of educational television, to evaluate the effectiveness of educational television and to produce programming.	
Payments to school districts and intermediate units on account of pupil transportation	68,505,000	For development, administration and coordination of educational and training programs at the state-owned adult correctional institutions	2,152,000
For payments to school districts and intermediate units on account of special education of exceptional children	88,250,000	For payment of approved operating and capital expenses of community colleges and technical institutes	44,892,000
For payments to school districts on account of home bound instruction	500,000	For higher education equal opportunity program grants	3,350,000
For payments for tuition to school districts providing education to nonresident orphaned children placed in private homes by the court and nonresident inmates of children's institutions	10,000,000	For the operation of the Ethnic Heritage Studies Center	50,000
For payments of annual fixed charges to school districts in lieu of taxes for land acquired by the Commonwealth for water conservation or flood prevention	40,000	For the Pennsylvania Higher Education Assistance Agency	
For payments to intermediate units for maintenance of summer schools for school age children of migrant laborers	72,000	For payment of all scholarships and education assistance grants, including those to veterans, and dependents of prisoners of war or missing in action soldiers, and for death and disability hardship cases	68,440,000
To provide grants to school districts to assist in meeting the matching requirements of Federal grants received under Federal programs for the education of the disadvantaged where such program meet criteria established by the Department of Education	1,000,000	For the purpose of being held in reserve to guarantee loans for the payment of lender participation incentives	3,200,000
For special education—approved private schools	27,815,000	For the purpose of assisting approved institutions of higher learning in securing and obtaining maximum participation in Federal student aid funds to be used as financial aid to students in meeting their costs of attendance at such institutions	1,500,000
For annual payments not to exceed \$500 per student to institutions of higher learning for defraying the expenses of deaf or blind students	35,000	For the purpose of administering the programs of the agency including payment of lender participation incentives	4,160,000
For payment of the Commonwealth's share of the approved operating costs and lease payments of intermediate units	7,333,000	For institutional assistance grants to be allotted by the Pennsylvania Higher Education Assistance Agency for the academic year beginning on or about September 1, 1976 pursuant to the criterion contained in the Act of July 18, 1974 (P. L. 483, No. 174)	12,000,000
For grants to school districts to assist in meeting Federal matching requirements for grants received under the Federal Child Nutrition Act, and to aid in providing a food program for needy children	6,240,000	To the Department of Environmental Resources	
For payment into the Social Security Contribution Fund the Commonwealth's share of Federal social security taxes for public school employees	64,000,000	For the salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources including flood control, prevention, control and extinction of forest fires, reduction of disease and insect damage to forests, air pollution control, water quality management, community environment management, occu-	
For payment of required contribution into the contingent reserve and supplemental accounts of the Public School Employees' Retirement Fund	152,000,000		
For payment of required contribution into the former teachers' account of the Public School Employees' Retirement Fund	10,000		
For operation and administration of programs of education and training at youth development centers	3,445,000		
For operation and administration of programs of education and training at state schools and hospitals	7,350,000		
For services to nonpublic schools	19,341,000		
For textbooks for nonpublic schools	8,596,000		
For student supplies for nonpublic schools..	2,149,000		

pational health and safety, radiological health, development, utilization and regulation of water, land and mineral resources, and development, operation and maintenance of recreational areas and facilities	44,810,000	For payment of Pennsylvania's share of the costs of the Interstate Mining Commission	10,000
For deep mine safety inspections	2,144,000	Payment of annual fixed charges in lieu of taxes to counties and townships on land acquired for water conservation and flood control	9,000
For operation and maintenance of state parks	18,458,000	Payment of annual fixed charges in lieu of taxes to political subdivisions or school districts on lands acquired by the Commonwealth for Project 70	275,000
For insect control	400,000	To the Pennsylvania Fish Commission	
For the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires	100,000	For the support of the Atlantic States Marine Fisheries Commission	3,000
For payments to municipalities or municipal authorities for up to 50% of the cost of acquiring lands and rights-of-way and relocating roads and utilities to qualify for Federal flood control projects	745,000	To the Department of General Services	
For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems	250,000	For salaries, wages and all necessary expenses for the proper administration of the Department of General Services including distribution of surplus state property, purchase, maintenance and disposition of state automotive equipment, standards and specifications of commodities for state agencies, purchase of commodities for state agencies, real estate and insurance, building, construction and engineering, maintenance and custody of state office buildings and grounds, general services, Federal surplus property, and distribution of Federal surplus commodities	27,073,000
For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act	600,000	Printing and distribution of the Pennsylvania Manual	145,000
For the support of the Ohio River Valley Water Sanitation Commission, requisitions to be signed by the Secretary of Environmental Resources	55,000	Payment of rental charges to the General State Authority	54,500,000
For the Commonwealth's share of utilities for sanitary sewage facilities serving Pymatuning State Park	400,000	To the Department of Health	
For the Commonwealth's share of utilities for storm drainage serving Mansfield State College	154,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance	30,695,000
For grants to counties, municipalities and authorities to assist them in preparing official plans for solid waste disposal systems ..	150,000	For emergency health services	1,200,000
To provide grants for rat control programs including, but not limited to, extermination measures, improvement of refuse collection and garbage collections, services and community educational activities designed to promote participation and support of the programs by residents and property owners	500,000	For the purpose of developing, operating and purchasing Hemophilia services	1,190,000
For payment of the Great Lakes Basin Commission as the Commonwealth's assessment and payment for participation in the programs and plans of the Great Lakes Basin Commission	15,000	For the purpose of developing, operating and purchasing sickle cell anemia services ..	543,000
Payment of Pennsylvania's share of the expenses of the river master for the Delaware River	36,000	For the purpose of developing, operating and purchasing renal disease services	2,662,000
For payment to the Ohio River Basin Commission as the Commonwealth's assessment and payment for participation in the development of a water resources program for the Ohio River basin	30,000	For the purpose of developing, operating and purchasing coal workers pneumoconiosis services	907,000
For the support of the Susquehanna River Basin Commission, requisitions to be signed by the Secretary of Environmental Resources ..	150,000	For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth	4,267,000
For the support of the Potomac River Basin Advisory Committee, requisitions to be signed by the Secretary of Environmental Resources	8,000	Reimbursement to school districts on account of health services	11,960,000
For the support of the Interstate Commission on the Potomac River Basin, requisitions to be signed by the Secretary of Environmental Resources	16,000	Providing aid to counties in the establishment and maintenance of local health departments	7,146,000
For the conduct of the work of the Delaware River Basin Commission to be paid in favor of the chairman of said Commission who shall file an accounting with the Auditor General	391,000	For payment to the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania for the operation and maintenance of the cancer research program ..	418,000
Payment of annual fixed charges in lieu of taxes to counties, school districts and townships on forest lands	399,000	For payment to the Wistar Institute of Philadelphia, Pennsylvania for research in the field of cellular biology	200,000
For payment by the State Conservation Commission to local sponsors for support of small watershed projects	75,000	For payment to the Inglis House of Philadelphia for the detection and diagnosis of neurological diseases	30,000
For payments to conservation districts for employment of executive assistants on a 50% cost-sharing basis, not to exceed \$5,000 per district for the state's share	100,000	For the following research programs: Lankenau Hospital—research	75,000
		Cardio-vascular studies—Philadelphia General Hospital	60,000
		Cardio-vascular Studies—St. Francis Hospital, Pittsburgh	60,000
		For outpatient-inpatient treatment: Cerebral palsy—St. Christopher's Hospital..	75,000

Cerebral dysfunction—Children's Hospital, Pittsburgh	25,000	expenses for the proper administration of the Department of Military Affairs including emergency disaster assistance, financial assistance to students, and income maintenance	7,558,000
Lancaster cleft palate	30,000	For purchase of helicopter liability insurance	300,000
Pittsburgh cleft palate	30,000	Operation and maintenance of the Soldiers' and Sailors' Home at Erie	851,000
Diagnosis and treatment of Cooley's anemia	120,000	For payment of gratuities for the education of children of certain veterans	75,000
To the Pennsylvania Historical and Museum Commission		For assistance to veterans who are ill or disabled and without means of support	700,000
For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission including development and promotion of Pennsylvania state and local history, museum development and operations, and development and preservation of historical sites and properties	5,664,000	For pensions for veterans blinded through service connected injuries or disease	80,000
Administration of the Valley Forge Park Commission and operation and maintenance of the Valley Forge State Park	703,000	For payment of pensions to dependents of soldiers of the Pennsylvania National Guard killed in the line of duty	10,000
Administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park	542,000	To the Milk Marketing Board	
Administration of the Brandywine Battlefield Park Commission and operation and maintenance of Brandywine Battlefield Park..	112,000	For payment into the milk marketing fund in the State Treasury for the purpose for which such fund is appropriated	700,000
To the Department of Insurance		To the Pennsylvania Board of Probation and Parole	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Insurance including policyholder services and protection, regulation of rates and policies, liquidation of companies and regulation of companies	4,930,000	For the salaries, wages and all necessary expenses for the proper administration of the Board of Probation and Parole reintegration of offenders	8,073,000
To the Department of Justice		Payments for grants-in-aid to counties for providing improved adult probation services	1,679,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Justice including revenue collection and administration, criminal law enforcement, and regulation of consumer products and promotion of fair business practices	8,645,000	To the Department of Public Welfare	
For salaries, wages and all necessary expenses of the Bureau of Drug Control and the Office of Drug Law Enforcement	3,084,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Public Welfare including medical facilities review, health services support and development, mental health systems, services to the communities, family support services, mental retardation systems and income maintenance	20,204,000
For the operation and administration of the Pennsylvania Crime Commission	255,000	For the operation, maintenance and administration of state youth development centers, youth development day treatment centers, and youth forestry camps and for the maintenance of delinquent boys and girls in such camps, and for the purchase of community residential care for trainees boarded out by the aforementioned institutions	24,330,000
For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission	197,000	For the operation, maintenance and administration of the state restoration centers ..	6,538,000
For the operation, maintenance and administration of the state correctional institutions and community treatment centers	71,073,000	For the operation, maintenance and administration of the state medical and surgical hospitals	7,243,000
For payments of grants to political subdivisions to assist in the improvement of juvenile probation services	1,568,000	For the operation, maintenance and administration of the state institutions for the mentally ill and the mentally retarded	346,987,000
For aid for local law enforcement	1,110,000	For administration of the Mental Health and Mental Retardation Act of 1966 exclusive of construction of any new facilities, for payments to reimburse counties, county institution districts and private institutions for the care of mental patients boarded out by the state institutions for the mentally ill and mentally retarded	91,261,000
To the Department of Labor and Industry		For grants to counties to purchase community based residential care, treatment and training for the mentally retarded	15,000,000
For salaries, wages and all necessary expenses for the proper administration of the Department of Labor and Industry, including regulation of consumer products and promotion of fair business practice, accident prevention, occupational health and safety, income maintenance, and industrial relations stability	11,589,000	For assistance payments and county administration of the public assistance programs and medical assistance programs.	
For occupational disease payments	28,000,000	Cash assistance	522,514,000
For the Commonwealth's share of the cost of the work incentive program to provide permanent jobs at decent pay for eligible persons receiving aid to families with dependent children	250,000	County Administration	99,894,000
For the payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation	9,230,000	Claims settlement	3,173,000
To the Department of Military Affairs		Medical assistance	345,861,000
For salaries, wages and all necessary		Public Nursing Homes	10,000,000
		Supplemental grants—aged, blind and disabled	66,596,000
		Provided, that any rule, regulation or policy adopted by the Secretary of Public Welfare during the fiscal period 1976-77 which adds	

to the cost of any public assistance programs shall be effective only from and after the date upon which it is approved as to the availability of funds by the Governor.

For the purpose of developing, operating and purchasing services for the aging, including but not limited to homemaking services, community care services, foster care services, protective care services and counseling services 8,058,000

For subsidy payments for services for the blind 840,000

For payment to counties for child welfare programs and for the care of delinquent and deprived children committed by the courts to a private or public facility 32,689,000

For the purpose of developing, operating and purchasing day-care services for children from state approved facilities 17,563,000

For payment of grants to assist in the development of youth services systems and special crime prevention programs for juveniles by providing a part of the cost 1,650,000

For payment to the Home for Crippled Children, Pittsburgh, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law 375,000

For payment to Children's Heart Hospital, Philadelphia, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law 750,000

The hospitals named above shall file a report with the Department of the Auditor General within 90 days of the last day of each quarter. Failure to file the report timely as required hereunder shall disqualify the institution from receiving funds for the quarter covered by the untimely filed report.

For payment to the Arsenal Family and Children's Center, Pittsburgh, Pennsylvania, for the development and operation of new and innovative types of child care services 100,000

For the purpose of developing, operating and purchasing social services 2,533,000

To the Department of Revenue

For salaries, wages and all necessary expenses for the proper administration of the Department of Revenue including corporation taxes, county collections, cigarette and beverage taxes, education tax administration, and administration of the personal income tax 46,100,000

For payment of compensation to informers, escheators and others and for the payment of attorneys' fees and expenses arising by virtue of proceedings in escheat or by virtue of proceedings to take without escheat 5,000

For the distribution of public utility realty tax 25,000,000

To the Pennsylvania Securities Commission

For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Securities Commission 762,000

To the Department of State

For salaries, wages and all necessary expenses for the proper administration of the Department of State including regulation of consumer products and promotion of fair business practice, maintenance of the electoral process, and for the proper administration of the Bureau of Professional and Occupational Affairs 5,439,000

Publication of proposed constitutional amendments 85,000

For payment of electoral college expenses.. 5,000

Performing powers and duties relating to absentee voting by persons in military services 30,000

To the State Employees' Retirement System

For payment of state contribution of the medical/hospital insurance costs for Commonwealth annuitants who have elected such coverage 2,600,000

To the Pennsylvania State Police

For salaries, wages and all necessary expenses for the proper administration of the Pennsylvania State Police, including juvenile crime prevention, criminal law enforcement, prevention and control of civil disorders, emergency disaster assistance, and fire prevention 28,094,000

For salaries, wages and all necessary expenses for the proper administration of the Municipal Police Officers Education and Training Commission 1,400,000

To the State Tax Equalization Board

For the salaries, wages and all necessary expenses for the proper administration of the State Tax Equalization Board 797,000

To the Department of Transportation

For the salaries, wages and all necessary expenses for the proper administration of the Department of Transportation for urban mass transportation and port development and waterway programs 1,058,000

For urban mass transportation assistance for grants to local transportation organizations; to be used only for purchase of service projects and advertising and promotion programs 74,200,000

For rural and intercity transportation, for operating subsidies as well as purchase and rehabilitation projects necessary to rural and intercity transportation service as provided by Act No. 10 of February 11, 1976 or Act No. 35 of June 27, 1973 1,200,000

For payment to the City of Philadelphia for the maintenance, repair and improvement of the port of Philadelphia 1,000,000

For payment to the Erie Port Commission of the City of Erie, for the maintenance, repair, improvement, management, development and administration of the port of Erie.. 250,000

For payment of services in connection with the functions of the Civil Air Patrol 35,000

To the Pennsylvania Public Television Network Commission

For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Public Television Network Commission including network station grants 4,317,000

For programming services 1,700,000

II. Legislative Department

To the Senate

For the salaries, wages and all necessary expenses for the following purposes:

Salaries for 50 senators and extra compensation to the President pro tempore of the Senate 1,400,000

Salaries and wages for per diem and session officers and employees, including returning officers 797,000

Salaries of employees of the President of the Senate 85,000

Salaries of salaried employees of the Senate 3,650,000

Salaries and wages of employees of the chief clerk and all necessary expenses to be

allocated and disbursed at the direction of the President pro tempore	500,000
Mileage:	
Fifty Senators, officers and employees	120,000
Postage:	
Chief Clerk and Legislative Journal	104,000
Lieutenant Governor	9,000
Librarian	9,000
Contingent expenses:	
Secretary	85,000
Librarian	18,000
President	28,000
President pro tempore	20,000
Chief Clerk	40,000
Majority floor leader	6,000
Minority floor leader	6,000
Majority whip	3,000
Minority whip	3,000
Chairman of majority caucus	3,000
Chairman of minority caucus	3,000
Secretary of majority caucus	3,000
Secretary of minority caucus	3,000
Chairman majority appropriations committee	6,000
Chairman minority appropriations committee	6,000
Chairman majority policy committee	2,000
Chairman minority policy committee	2,000
Majority caucus administrator	2,000
Minority caucus administrator	2,000
Administrator-minority staff or assigns	17,000

The above appropriations for postage and for contingent expenses shall be paid prior to the payment of such expenses on warrant of the State Treasurer in favor of the officers above named upon the presentation of their requisitions for the same: Provided, That the total amount of requisitions for advancements less the total amount of expenditures made as certified by such officers to the State Treasurer shall not exceed the amount of the bond of the officer having control of the disbursement from the funds advanced.

Miscellaneous expenses:	
Incidental expenses	220,000
Expenses, Senators: in addition to annual reimbursement for expenses heretofore authorized by law for each member of the Senate, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1976-77	375,000
Legislative printing and expenses	1,442,000
Attending legislative conferences	15,000
Attending meetings of the Council of State Governments	6,000

The above appropriation for incidental expenses shall be paid to the chief clerk of the Senate, the appropriations for legislative printing and expenses and attending legislative conferences shall be paid to the Secretary of the Senate and the appropriation for attending meetings of the Council of State Governments shall be paid to the President pro tempore in the same manner and under the same conditions as the appropriations for postage and contingent expenses above.

For the payment of the expenses of the Committee on Appropriations (d) of the Senate in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions, and agencies supported, in whole or in part, by appropriations from the state treasury, in analyzing reports, expenditures and the general opera-

tion and administration of said institutions and agencies, in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states, attending seminars, conferences, and in cooperation and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense, and all other expenses in compiling data and information connected with the work of said committee in compiling comparative costs and other fiscal data and information for the use of said committee and the Senate during legislative sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any state office, department, institution, board, committee, commission or agency or any institution or agency supported, in whole or in part, by appropriation from the State treasury and to administer oaths. The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the state to be taken in the manner prescribed by laws for taking depositions in civil actions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The chairman of the Committee on Appropriations shall not later than 30 days after the termination of his term of office, or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account, together with supporting documents whenever possible in the office of the appropriation committee of the committee's expenses since the filing of the prior account

350,000

For the payment of the expenses of one minority party member of the Committee on Appropriations (r) of the Senate designated by a majority vote of the minority party Senate caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the Senate during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the majority vote of the minority party Senate caucus on the presentation of his requisition for the

same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible, in the office of the minority party member of the committee on appropriations of the Senate of his expenses since the filing of the prior account

350,000

For the payment to the special leadership account (d) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the majority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the majority leader on the presentation of his requisition for the same. The majority leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the majority leader of such expenses since the filing of the prior account

750,000

For the payment to the special leadership account (r) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the minority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the minority leader on the presentation of his requisition for the same. The minority leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the minority leader of such expenses since the filing of the prior account

750,000

For allocation in such amounts as may be designated by the legislative management committee (d) to the several standing committees (other than the appropriations committee) of the Senate for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the Senate and for other necessary expenses incurred. Upon presentation of requisitions by the chief clerk of the Senate for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account ..

1,500,000

For allocation in such amounts as may be designated by the legislative management committee (r) to the several standing committees (other than the appropriations committee) of the Senate for payment of compensation of counsel, research assistants and

other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the Senate and for other necessary expenses incurred. Upon presentation of requisitions by the chief clerk of the Senate and for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account

1,500,000

For the Commonwealth emergency medical system

50,000

To the House of Representatives

For the salaries, wages and all necessary expenses for the following purposes:

Salaries of representatives and extra compensation to the Speaker of the House of Representatives

4,300,000

Salaries and wages for per diem and session officers and employees, including returning officers

2,800,000

Salaries of salaried employees of the House of Representatives

4,300,000

Mileage: Representatives, officers and employees ..

365,000

Postage: Chief Clerk and Legislative Journal

200,000

Contingent expenses: Speaker

15,000

Chief Clerk

175,000

Secretary

55,000

Majority floor leader

6,000

Minority floor leader

6,000

Majority whip

3,000

Minority whip

3,000

Chairman of majority caucus

3,000

Chairman of minority caucus

3,000

Secretary of majority caucus

3,000

Secretary of minority caucus

3,000

Chairman of majority appropriation committee

6,000

Chairman of minority appropriation committee

6,000

Chairman of majority policy committee ..

2,000

Chairman of minority policy committee ..

2,000

Administrator for minority staff

17,000

Majority caucus administrator

2,000

Minority caucus administrator

2,000

The above appropriations for postage and for contingent expenses shall be paid prior to the payment of such expenses on warrant of the State Treasurer in favor of the officers above named upon the presentation of their requisitions for the same: Provided, That the total amount of requisitions for advancements less the total amount of expenditures made as certified by such officers to the State Treasurer shall not exceed the amount of the bond of the officer having control of the disbursement from the funds advanced.

Miscellaneous expenses: Incidental expenses

500,000

Expenses, representatives: in addition to annual reimbursement for expenses heretofore authorized by law for each member of the House of Representatives, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1976-1977 ...

1,522,000

Legislative printing and expenses	1,200,000
Attending national legislative conference ..	80,000
Attending meetings of the council of state governments	5,000

The above appropriation for attending National Legislative Conference shall be paid to the chief clerk of the House and the appropriation for attending meetings of the Council of State Governments shall be paid to the Speaker of the House in the same manner and under the same conditions as the appropriations for postage and contingent expenses above.

For the payment of the expenses of the Committee on Appropriations (d) of the House of Representatives in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State treasury in analyzing reports, expenditures and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any state office, department, institution, board, committee, commission or agency or any institution or agency supported in whole or in part by appropriation from the State treasury and to administer oaths. The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The chairman of the Committee on Appropriations shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Appropriation Committee of the committee's expenses since the filing of the prior account

350,000

For the payment of the expenses of one minority party member of the Committee on Appropriations (r) of the House of Representatives designated by a majority vote of the minority party House of Representatives caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State treasury in analyzing

reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance, and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the majority vote of the minority party House of Representatives caucus on the presentation of his requisition for the same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible, in the office of the minority party member of the committee on appropriations of the House of Representatives of his expenses since the filing of the prior account

350,000

For the payment to a committee (d) of the House of Representatives composed of the speaker of the House of Representatives, the majority leader, the majority whip, the majority caucus chairman and the majority caucus secretary of the House of Representatives for allocation in its discretion to the several committees of the House of Representatives for payment of the expenses of hiring of such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during legislative sessions and during the interim between legislative sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the majority leader on the presentation of his requisition for the same. The majority leader shall, not later than 30 days after the termination of this term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the majority leader of such expenses since the filing of the prior account

750,000

For the payment to a committee (r) of the House of Representatives composed of the minority leader, the minority caucus chairman, and the minority caucus secretary for allocation in its discretion to the several committees of the House of Representatives for the payment of the expenses of hiring such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during legislative sessions and during the interim between legislative sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the minority leader on the presentation of his requisition for the same. The minority leader shall, not later than 30 days after the termination of his term of office or until his successor is

elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the minority leader of such expenses since the filing of the prior account 750,000

For allocation in such amounts as may be designated by the legislative management committee (d) to the several standing committees (other than the appropriations committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the chief clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. And accounting, together with supporting documents whenever possible, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account 1,500,000

For allocation in such amounts as may be designated by the legislative management committee (r) to the several standing committees (other than the appropriations committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the chief clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account 1,500,000

For the Commonwealth Emergency Medical System 50,000

To the Legislative Reference Bureau

For salaries, wages and all necessary expenses for the work of the Legislative Reference Bureau including the Document Law Section 1,040,000

Contingent expenses connected with the work of the Legislative Reference Bureau to be paid on warrants of the State Treasurer in favor of the director on the presentation of his requisitions for the same. The director shall file accounting of said expenses together with supporting documents whenever possible in the office of the Legislative Reference Bureau 10,000

Printing of laws 141,000

Printing of Pennsylvania Bulletin and Pennsylvania Code 600,000

To the Legislative Budget and Finance Committee

For the salaries, wages and all necessary expenses for the work of the Legislative Budget and Finance Committee 292,000

To the Legislative Data Processing Committee

For the operation of the Legislative Data Processing Center 850,000

To the Joint State Government Commission

For the salaries, wages and all necessary

expenses for the work of the Joint State Government Commission to be paid on warrants of the State Treasurer in favor of the chairman of said commission on the presentation of his requisition for the same, the chairman shall file an accounting of said expenses together with supporting documents whenever possible in the office of the Joint State Government Commission 957,000

To the Local Government Commission

For the salaries, wages and all expenses necessary for the work of the Local Government Commission 190,000

To the State Legislative Air and Water Pollution Control Commission

For the salaries and expenses of the State Legislative Air and Water Pollution Control Commission 115,000

Any officer, commission, agency or committee of the Legislative Department having received an advance appropriation hereunder shall:

(1) At the end of the appropriation period, return to the State Treasury all unexpended, uncommitted and unencumbered balances of such advances before any advance shall be made out of any succeeding appropriation.

(2) Deposit all moneys advanced in the name of the Commonwealth in a state depository and certify the name thereof to the State Treasurer.

(3) Not later than 30 days after the termination of his term of office, or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file in the office receiving such advance an account of the expenditures of such funds together with supporting documents whenever possible.

To the Chief Clerk of the House of Representatives and the Secretary of the Senate Jointly

For the purchase of Pennsylvania, National and Bicentennial flags to be sent to residents of Pennsylvania 40,000

To the Legislative Audit Advisory Commission

For the salaries, wages and all expenses necessary for the work of the commission 55,000

III. Judicial Department

For the salaries, wages and all necessary expenses for the following purposes:

Supreme Court

For the salaries and expenses of the Supreme Court; including the salaries and expenses for the Supreme Court judges, for the office of prothonotary and for the library in the eastern district and western district, for the office of prothonotary in the middle district, for criers, tipstaves, official stenographers, court officers and the law secretary of the chief justice in eastern, middle and western districts and workmen's compensation insurance premiums for all Supreme Court employees, for the office of state reporters; including the salaries and compensation of employees and expenses of judges; including the fees for prothonotaries of the Supreme Court of the eastern, middle and western districts on assignment to judges to counties other than their own; including the salaries and expenses of the State Board of Law Examiners; including the Judicial Inquiry and Review Board; including printing

and miscellaneous expenses; including the expenses of procedural rules committees 2,614,000
 Court administrator, including the expenses of the Judicial Council of Pennsylvania 1,082,000

Superior Court

For the salaries and expenses of the Superior Court; including the salary and expenses of the Superior Court judges, for criers, tipstaves, official stenographers, court officers and law secretary of the president judge and workmen's compensation insurance premiums for all employees of the Superior Court, for the prothonotary's office in the Philadelphia District; including salaries and compensation for employees and expenses of judges; including the expenses of dockets, stationery, supplies, books for the library and other costs of the Superior Court and its offices 1,550,000

Commonwealth Court

Salaries and expenses of judges and employees 1,923,000

Courts of Common Pleas

Courts of Common Pleas; including the salaries and expenses of judges; including the expenses of traveling judges; including the mileage in divided judicial districts; including the salaries and mileage of associate judges 15,285,000

Community Courts—District Justices of the Peace

Salaries of Community Court Judges and District Justices of the Peace 9,480,000

Philadelphia Traffic Court

Salaries and expenses of judges 164,000

Philadelphia Municipal Court

Salaries and expenses of judges 789,000
 Law clerks, one for each judge, excluding the president judge 124,000

Section 3. This Act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies, the ordering of printing and binding, the purchase, maintenance and use of automobiles, the method of making payments from the State treasury for any purpose or the functioning of any administrative department, board or commission.

Section 4. No appropriation made by this Act to any department, board, commission or agency of the Executive Department shall be available unless and until such department, board, commission or agency shall have complied with Sections 604, 605 and 606 of the "Administrative Code of 1929."

Section 5. The term "employees" as used in this Act shall include all directors, superintendents, bureau or division chiefs, assistant directors, assistant superintendents, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, marshals, clerks, stenographers, bookkeepers, messengers and other assistants in any department, board or commission.

Section 6. The term "expenses" and "maintenance" shall include all printing, binding and stationery, food and forage, materials and supplies, traveling expenses, training, motor vehicle supplies and repairs, freight, express, and cartage, postage, telephones and telegraph rentals and toll charges, newspaper advertising and notices, fuel, light, heat, power and water, minor construction and renovation, repairs or reconstruction of equipment, buildings and facilities, rent of real estate and equipment, premiums on workmen's compensation, insurance premiums on policies of liability insurance, premiums on medical payment insurance and surety bonds for volunteer workers. Premiums on employee group

life insurance, and employee and retired employee group hospital and medical insurance, payment of Commonwealth share of social security taxes and unemployment compensation costs for state employees, the purchase of replacement or additional equipment and machinery and all other incidental costs and expenses, including payment to the Department of General Services of mileage and other charges for the use of automobiles and rental payments for permanently assigned automobiles and of expenses or costs of services incurred through the purchasing fund. The term "expenses" also shall include the medical costs for the treatment of inmates of state institutions when the inmate must be transferred to an outside hospital: Provided, That in no case shall the state institution pay more for patient care than that provided under the State Medical Assistance Program.

Section 7. Purchase of supplies, materials and equipment shall not be deemed to be committed or encumbered until contracts covering said purchase have been entered into with the vendors.

Section 8. (A) In addition to the amounts appropriated by this act, moneys received in payment for food and household supplies furnished to employees and other persons, except inmates, by an institution, and moneys received from the proceeds from the sale of any products of the soil, meats, livestock, timber, or other materials sold by the department shall be paid into the General Fund and are hereby appropriated out of the General Fund to the several respective institutions for the operation and maintenance of said institutions.

(B) In addition to the amounts appropriated by this Act, all moneys received from any other source, except the Federal government, as contributions for the programs provided herein, or as payment for services or materials furnished by one institution to another, except those collections designated as revenues, shall be paid into the general fund and are hereby appropriated out of the general fund for the purposes of the respective appropriations.

(C) In addition to any funds specifically appropriated by this Act, all moneys received by a department or agency of the Commonwealth from any other source, except the Federal government, as contributions or supplements to the Department or agency for a program of administration of an act included in this act shall be paid into the General Fund and credited to the appropriation for that program or administration of the act.

Section 9. (A) Except as provided in subsection (B), that part of all appropriations in this act unexpended, uncommitted and unencumbered as of June 30, 1977 shall automatically lapse as of that date.

(B) The appropriation to the Department of Commerce for reimbursement to municipalities for bicentennial related municipal overburden and the appropriations to the Legislative Department shall be continuing appropriations.

Section 10. This Act shall take effect July 1, 1976.

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I believe most members now have in their possession a supplemental calendar to the House calendar for today. If you do not already have it, it is now being delivered. It is this sheet.

Mr. Speaker, I would ask that the members pay attention to this. You are going to regret it if you do not. And I would rather we did not have the members stand up here and say, we did not know what you were doing, Mr. Leader. If you keep quiet, you will find out what we are attempting to do.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, on House bill No. 568, is this

the House bill that the Senate gutted and put the budget in?

Mr. IRVIS. That is correct.

Mr. RYAN. Mr. Perri, the Republican Mr. Perri, from Philadelphia County, appears to be the prime sponsor of your budget. I would like at this time to have his name removed.

I can only assume and I am now asking those sponsors that I see, Messrs. Katz, Hamilton and Salvatore and such other Republicans as may appear on the original version of House bill No. 568, if they would not also like their names removed, and then it can turn into a Caputo bill?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I am delighted by the dry sense of humor exhibited by the chairman of the Appropriations Committee in the Senate. He did something which did not occur to me, but it is very nice to have Messrs. Perri, Katz, Hamilton and Salvatore as the chief sponsors of this bill.

Mr. RYAN. Mr. Speaker, if I may continue, the other Republican members whom I believe I am speaking for, and, if not, I feel sure they will call it to my attention—I will go through the list again—Messrs. Perri, Katz, Hamilton, Salvatore, Burns, Grieco, Cimini and Butera requested their names be removed from sponsorship, and for the first time this season, Mr. Hamilton is on the floor I think to second that motion.

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

Mr. HAMILTON. I do not see the sense of humor in this as far as the Senate goes, and I would like to have my name taken off.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I did not think Mr. Hamilton's sense of humor would match mine in this instance. However, Mr. Speaker, we have no objections to the removal of the names as read by Mr. Ryan.

Let me explain to the House members what is before them. The Senate amended House bill No. 568 and placed in it the identical language of the Senate budget proposal. I am asking that the House nonconcur on the question of whether or not we concur in those amendments offered by the Senate. And when the question is placed before the House as to whether or not to concur or nonconcur, I am asking a negative vote.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. I would like the House to be at ease while I confer with the majority leader and ask him to move to suspend the rules so that my name can be removed from this bill.

The SPEAKER. To those members who are disenchanted with the version of the bill as it appears on final vote, including the sponsors, the Chair would suggest that the best way to reflect your dissatisfaction is to

join with the majority leader and vote in a nonconurrence. You will be expressing for the record the fact that that is not the bill you sent over and you do not want it to be the bill in final form.

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I yield to the majority leader.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Would the minority leader yield, Mr. Speaker?

Mr. BUTERA. Yes.

The SPEAKER. The minority leader yields to the majority leader.

Mr. IRVIS. Mr. Speaker, because we are not certain that a bill could pass without any sponsors—although that might be a first in this House and it might be a good precedent to set—I would ask that the rules of the House be suspended at this time so that we may add the names of Wojdak, Shane and Irvis to House bill No. 568, so that we may go on about the business. I would ask for suspension of the rules.

RULES SUSPENDED TO ADD AND DELETE SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House of Representatives suspend its rules to permit additions and deletions of sponsors on the following bill:

Additions:

House bill No. 568—Messrs. Irvis, Wojdak and Shane.

Deletions:

House bill No. 568—Messrs. Perri, Caputo, Katz, Hamilton, Salvatore, Vann, Burns, Mrs. Kelly, Messrs. Rieger, DiDonato, Cohen, McIntyre, Giammarco, Myers, Tayoun, Lederer, Cimini, Grieco, Sullivan, Mrs. Toll, Messrs. Johnson and Butera.

On the question,

Will the House agree to the motion?

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

YEAS—174

Abraham	George	McGinnis	Ruggiero
Anderson, J. H.	Giammarco	McIntyre	Ryan
Arthurs	Gillespie	McLane	Saloom
Barber	Gillette	Mebus	Salvatore
Bellomint	Gleason	Menhorn	Scheaffer
Bennett	Gleason	Milanovich	Schmitt
Beren	Goodman	Miller, M. E.	Schweder
Berlin	Green	Miller, M. E., Jr.	Scirica
Berson	Greenfield	Milliron	Seltzer
Bittle	Grieco	Miscevich	Shane
Bonetto	Gring	Moehlmann	Shelton
Bradley	Halverson	Morris	Shuman
Brunner	Hamilton, J. H.	Mrkonic	Shupnik
Burns	Hammock	Mullen, M. P.	Sirianni
Butera	Hasay	Mullen	Smith, E.
Caputo	Haskell	Musto	Smith, L.
Cessar	Hayes, D. S.	Myers	Spencer
Cimini	Hayes, S. E.	Novak	Stahl
Cohen	Hepford	O'Brien	Stapleton
Cole	Hill	O'Connell	Stout
Cowell	Hopkins	O'Donnell	Taddonio
Cumberland	Hutchinson, A.	O'Keefe	Taylor
DeMedio	Irvis	Oliver	Toll

Deverter	Itkin	Pancoast	Trello
Dicarlo	Johnson, J.	Parker, H. S.	Turner
DiDonato	Katz	Perri	Ustynoski
Dietz	Kelly, A. P.	Perry	Valicenti
Dombrowski	Kernick	Petrarca	Vroon
Dorr	Kistler	Pievsky	Walsh, T. P.
Doyle	Klingaman	Pitts	Wansacz
Dreibelbis	Knepper	Polite	Wargo
Eckensberger	Kolter	Pratt	Weidner
Englehart	Kowalshyn	Prendergast	Westerberg
Fee	Laughlin	Pyles	Whelan
Fischer	Lederer	Rappaport	Wilt, R. W.
Flaherty	Lehr	Ravenstahl	Wojdak
Foster, A.	Letterman	Reed	Worrlow
Foster, W.	Levi	Renninger	Yahner
Fryer	Lincoln	Rhodes	Yohn
Gallagher	Lynch	Richardson	Zeller
Gallen	Manderino	Rieger	Zwikl
Garzia	Manmiller	Ritter	Fineman,
Geesey	McCall	Ross	Speaker
Geisler	McClatchy		

NAYS—11

Brandt	McCue	Wagner	Wright
Fisher	Noye	Wilson	Zearfoss
Kusse	Thomas	Wilt, W. W.	

NOT VOTING—11

Crawford	Fawcett	LaMarca	Shelhamer
Davies	Hutchinson, W.	Laudadio	Zord
Dininni	Kelly, J. B.	McGraw	

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

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. ZELLER. After all the names were removed and there are new names on the bill, would that in any way technically place this as a new bill and start it out on first reading?

The SPEAKER. The Chair is informed by the Parliamentarian that the response is in the negative to the gentleman's inquiry.

The Chair recognizes the majority leader.

Mr. IRVIS. I move that the House nonconcur in the amendments inserted by the Senate to House bill No. 568 and that a Committee of Conference on the part of the House be appointed.

I suggest that the members vote in the negative.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think before we vote we ought to spend some time on this floor to reflect upon what we are doing.

Mr. Speaker, I attempted to address myself, at least partially, last week to the method by which we are attempting to pass a 1976-77 budget and offered a loud protest on behalf of our caucus on that procedure.

The act which we are being called upon to perform today, I think, merely compounds the errors in procedures which I attempted to outline last week. Today, by doing what we only can do—and that is to nonconcur in this bill, rather than to send it to the Governor, which would be irresponsible—we are transferring our function to a conference committee consisting of 6 people, most likely only 4 of whom will concur in the ultimate decision along with the Governor.

You may recall that at the beginning of this session we amended our rules to prohibit the House from amending

a Senate amendment. Our intention in that rules' change was sound. It was to prohibit a bill from bouncing back and forth from House to House, never reaching a conclusion upon which a final vote can be taken. Our intention was never to permit to happen what is about to happen on the most important function that the people of Pennsylvania send us here to perform.

Unless we are given the opportunity as individual members to offer amendments, to ask questions, which may lead to amendments on a bill of this magnitude, I think we are neglecting our most important function. If we do not attempt to, at least, slow this process down so that we can perhaps suspend our rules so that amendments can be offered by members of this House on both sides, we are, in effect, giving up that most important function.

On the other hand, we feel trapped because if we vote to concur, which is our only other choice under the rules, we are sending to the Governor a budget with which we do not agree. And I just think that this House should reflect upon that, should consider the magnitude of the act, and hopefully prevail upon those who are in control of this vehicle to stop this abominable process of making a state budget.

Each of you should recognize that your vote to nonconcur means that you are giving up any future input which you have in the making of a 1976-77 budget, short of voting "no" on an ultimate conference report and forcing the bill back to conference until you get whatever you want into the bill, thus permitting you to vote in favor of it.

The other reason for voting against this concurrence is that you do not agree with the nature of the bill. I think a lot of people will probably take that position today in their public utterances. But I think it would be wrong not to call that to the attention of each member of this House so that we can take collective action to stop this kind of procedure in the future. We never intended, when we gave up our right to amend an amendment, to give up our right to amend what is really a Senate bill with a House tag on it. That is really the essence of the problem. I think it compounds the errors of last week. It does not do this House any justice, in our collective attempt at the beginning of this session to make this body more deliberate in the passage of legislation, particularly the most important piece of legislation.

Now, my basic problem with the entire budgetary process this year and the two products now that we have had before us is one of credibility. We do not believe the figures, and, interestingly, no one defended the figures when we had our several debates last week. I would like someone to indicate to this House, first, whether the people who are supporting the House version of the budget agree with the revenue estimates; and, secondly, whether they agree with the spending proposals in the House bill; and, third, why they disagree with the Senate version when compared with the House version which was attempted to be passed last week.

I think we are owed that explanation and I think we are owed it probably by the Appropriations Committee chairman or his designee, so that we can firmly create a record as to what we can expect come next January, February or March.

I think running through all our minds, on both sides of the aisle, is the fact that this is not, either this bill or the House version or some combination of the 2, the

final version of the Pennsylvania Budget 1976-77. We each have that fear in different degrees.

I think someone should spell out for this House where the Democratic caucus disagrees with the Senate version, where it disagrees, if in any place, with the Governor's revenue estimates, and why the House version of the bill is better than the Senate version of the bill, both of which are the only two vehicles which we presently have.

So without directing a series of questions, I call upon the Appropriations Committee chairman or someone else to try to put this into proper focus before we vote to nonconcur on this bill.

The SPEAKER. The Chair recognizes the majority Appropriations Committee chairman, the gentleman from Philadelphia, Mr. Wojdak.

Mr. WOJDAK. Mr. Speaker, before asking the House to nonconcur in the bill that is before us today, I would like to respond to some of the remarks made by Mr. Butera last week and today. In his remarks in opposing what we feel is a very tight yet humane state budget, which would carry this state into its fifth year without a tax increase, Mr. Butera has complained very vaguely about a lack in trust in government and politicians and about the so-called old way of doing things. He further complained about the need for physical reform. We have heard him speak about these issues many times before.

Mr. Speaker, if there is a lack of trust in government today, it is not because the people are deeply concerned about whether the state budget is passed in 3 days or 3 weeks. It is because people are unimpressed with politicians who feel compelled to make every issue a partisan issue; who appear more interested in platitudes rather than performing on behalf of the people. They are not interested in people who clothe themselves in the mantle of reform when they are out of power but who run things in the old way when they are in the majority and in power.

Mr. Manderino pointed out last week, so effectively, Mr. Butera's words when he was the majority leader in April some time ago. Similarly, Mr. Butera's words that he is a champion of budget reform often appear inconsistent with his actions. The minority leader has complained that the legislature is dominated by the executive branch in the budget process. Yet, we have before us today a budget that has been completely rewritten by the Senate and by the House, by both Appropriations Committees, which makes substantial cuts in many executive departments and programs and yet he stands here today, and did last week, and is against that budget.

He has complained that the legislature does not insist on sufficient accountability in overseeing government programs, and yet last week when he had before him a budget which provided for far more executive accountability than any budget which their side has produced in the past, he is again against the budget.

He has urged the legislature to insist on budgeting Federal as well as state funds. In this present budget and in the bill before us today, we have done just that. We intend to budget Federal funds, and yet Mr. Butera is against it.

Mr. Butera has also attacked the integrity of this budget, and yet he has produced no firm evidence that it is phony, as he calls it. The Appropriations Committees in both Houses had more than adequate data to support both

the revenue estimates and the spending cuts on which the budget is based, and the minority has yet to produce evidence that the data is faulty. I would suggest that with regard to forecasting both revenues and expenditures, the Appropriations Committee has a good track record which deserves the confidence of every member of this House.

Mr. Butera says that revenue estimates are inflated. The estimates, I might say to the membership, are based on the Wharton Econometric Model at the University of Pennsylvania, which is one of the most highly respected forecasters in this country. The revenue estimates accepted by the Appropriations Committee last year were also based on the same Wharton model and are now within four-tenths of 1 percent of actual revenues. In other words, Mr. Speaker, they are right on target.

Mr. Butera complained last week that we have cut too much out of the welfare budget to provide for the needy. I heard similar criticism last year when the Appropriations Committee made substantial cuts in the welfare budget, and I can report to the membership today that the cuts made by the committee last year are again right on target with the current case load.

Mr. Butera also suggests that we have cut educational subsidies too deeply. I heard that very same criticism last year, yet the cuts in basic-education and pupil-transportation subsidies made by the Appropriations Committee last year are again on target with current projections.

I would like to return for a moment to revenue estimates. Mr. Butera is suggesting that the 30 percent increase in corporate net income tax receipts is unrealistic. He claims that this is unlikely in a state which, he says, has a poor business climate and ranks 42nd among the states in that regard. His conclusions are wrong because his information is wrong. He is telling one side of the story and not fully telling this House the other side of the story. For example, he fails to point out that the survey he is quoting from was taken before the last reduction in the corporate net income tax. A more recent study ranked Pennsylvania in the middle of the 11 largest industrial states in terms of tax burden on industry.

The facts are that we have been able to not only reduce business taxes in Pennsylvania in the last 5 years, but other types of taxes as well. The fact is that Pennsylvania now ranks below the national average in combined state and local tax burden, according to a 1975 survey by the business oriented research group, the Commerce Clearing House.

At the same time, in the last 5 years, Pennsylvania programs in revenue sharing have helped hold down local, municipal, county and school district taxes. In the last budget of the Republican administration, less than \$1 billion was paid in the form of school subsidies. The current budget provides almost \$2 billion. In addition, the state pays \$84 million for pupil transportation and special education; \$24 million for court costs; \$14 million for day care, which is up \$2 million from the Republican administration; and \$74 million for mass transit, which is up \$12 million from the prior Republican administration.

In other words, Mr. Speaker, while the legislature has reduced taxes in the last 5 years, we also have been able to give substantial increases in aid to local governments, thus helping everyone's tax climate.

We have before us, Mr. Speaker, a proposed state budget for 1976-1977 which holds state spending well be-

low 4 percent and yet provides new and increased program funds totalling almost \$40 million. Compared to the Governor's budget, the bill before us would provide an additional \$6 million for aid to private colleges. It provides an additional \$1 million for rural sewer and water facilities and various other programs that I have referred to on prior occasions.

Mr. Speaker, the budget before us today has been cut roughly \$47 million below that which Governor Shapp requested and substantially more than the House version was and substantially more than that bill presented to you last week. It in no way is an executive budget, and it is not a partisan budget. It is a legislative budget and it reflects the judgment of legislators, both House members and Senators, who are closest to people about the needs and desires of people for the 1976-77 fiscal year.

It holds the line very dramatically on spending, and people very definitely want spending controlled. It totally eliminates the need for new taxes. And as all of you know, the people are opposed to new taxes. It increases the money available for programs while cutting into the cost of government itself, and I believe the people want this kind of discipline in state government.

In view, Mr. Speaker, of the admittedly scarce resources available to the state this year and the overwhelmingly bipartisan support which most programs in this budget command, I find very little for Mr. Butera to complain about.

I also believe the people of Pennsylvania will find it very hard to understand why platitudes of partisanship would stand in the way of an early enactment of a sensible no-tax budget.

I would urge every member of this legislature to change this old way of doing things, which Mr. Butera is proposing, and give this budget a very speedy and ultimately, I am sure, bipartisan approval by nonconcurring in this matter today.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. I wonder if the gentleman could now answer the question which I asked. Perhaps I should phrase it this way: Can he advise this House that he stands foursquare behind the revenue estimates made by the administration?

Mr. WOJDAK. Yes, Mr. Speaker.

Mr. BUTERA. Can he tell this House that those revenue estimates will be as accurate as the ones which he just recited?

Mr. WOJDAK. Yes, Mr. Speaker.

Mr. BUTERA. I take it that the gentleman has absolute confidence in the revenue estimates which we have been given?

Mr. WOJDAK. That is correct, Mr. Speaker.

Mr. BUTERA. Okay, now when I spoke last week about—I only spoke about two areas—the possibility of there being unmet needs, I addressed myself to welfare and education. Now when I talked about welfare expenditures, I merely said that a question should be raised in everyone's mind when we were being asked to approve a budget which contains less in it in the area of public welfare than the administration requested, and I raised the point, can you imagine the kicking and screaming and the labeling, the false labeling that this administration would place upon us if we were to have suggested such a thing?

Now surely the gentleman knows, as the chairman of the Appropriations Committee, of the statements attributed to the Secretary of Welfare, Mr. Beal, at such time that the Senate in fact reduced the amounts to be appropriated to the Welfare Department. Mr. Beal said, and I quote: "That will produce a cascading effect, of course, which will bring us that much short next spring."

Now when I talked about credibility in the welfare area, I was referring to the utterances of the Secretary of Welfare combined with what has been traditionally the attitude of this administration every time anyone on this side attempts to say that the welfare budget is inflated. Now has Mr. Beal corrected his statement? Have you put enough back into the budget so as to make him change his statement? If so, I have not seen that. So in talking credibility, I used the statements of the administration official most directly affected in that area. Now what is your comment about the credibility of those figures in light of that statement? It is not my statement; it is his.

Mr. WOJDAK. Mr. Speaker, if I understand the minority leader correctly, he is asking me to react to the statement he quoted Secretary Beal as making. I am not sure in what context that statement was made. From what I can gather and from what I recall, in his statements prior to the current budget he also made those same predictions and forecasts of catastrophic results if in fact the figures were cut by this legislature and were cut in the proposals and amount of money that he had recommended in this current budget.

My response to the minority leader is that we made various forecasts as to case loads, and, as I indicated earlier, those projections were right on target. I have that same kind of confidence in the projections of case loads that we have made in this 1976-77 budget.

Mr. BUTERA. All right, then what you are saying is that you disagree with Secretary Beal's prediction?

Mr. WOJDAK. I disagreed with it last year and I disagree with it this year. I have the confidence in the projections that we have made in the legislature to meet the needs of those various case loads.

Mr. BUTERA. I can say one thing gratuitously, and that is, you are lucky you are a Democrat because you can afford to disagree with him. Every time we do, we receive a verbal beating which is absolutely incredible.

Further on credibility, the gentleman certainly realizes that last March the Governor came before this legislature and indicated that this year's budget would be \$400 million more than anticipated revenues. We received that information and are told to believe it. Suddenly this February, the same Governor comes before us and says that the \$400-million anticipated deficit of last March has disappeared. That raises questions in our mind as to the administration's credibility on figures.

Now couple that—and these are facts, not suppositions—with the statements made last fall. On September 30, 1975, the Philadelphia Bulletin had an article which for the first time made public, at least to those of us on this side, that the administration had contemplated a \$132-million tax package consisting of a \$1 tax per ton on coal and a 5-cent tax on cigarettes. And the article stated—and I never saw it refuted—that this money was needed, according to state officials, and I am quoting, "to pay for Bicentennial programs, to aid flood victims and to cover a growing deficit in the state's current budget."

We remembered that statement and we remembered a

quick denial of any intention of this legislature to pass either of those two taxes. But the needs expressed either have disappeared as well or they were false when they were expressed.

Then on February 2, we were told that despite the statements made on September 30, despite the statements made of a \$400-million deficit last March, that we had \$61 million of surplus, I presume, which we could use to bail out the Housing Agency. All of this gets terribly confusing and raises serious questions as to credibility. That is where we get where we are today, and I am wondering whether the same questions are not or should not be raised in the gentleman's mind.

The SPEAKER. Before the gentleman responds, would both the minority leader and the gentleman, Mr. Wojdak, please come to the desk for just a moment?

(A conference was held.)

The SPEAKER. At the suggestion of the Chair, the participants in this discussion have agreed that the observations being made by each, except for very brief concluding observations, would be better reserved for the time of the adoption of a conference committee report, since the Chair understands that there will be an overwhelming vote in favor of nonconcurrence of this measure.

Mr. BUTERA. Let me just clarify that a bit, Mr. Speaker. I was not aware that there was an intention to put a conference report before this House today. I was not. That being the case, I had intended to save these remarks for what I thought was going to be a month from now when we would be discussing this matter again. But when the gentleman challenged my assertions regarding the credibility of the figures, I felt compelled to at least get some of it out now and try to get through to the members and on the record why we challenged the credibility.

Now I think the gentleman is going to answer my last question.

The SPEAKER. The Chair would hope that after the conclusion of the remarks of the minority leader and the gentleman, Mr. Wojdak, that the balance of the membership—some of whom I see standing, seeking recognition from the Chair—would defer in the interest of time in making their observations until we have, if we do have, a conference committee report in front of us, if it would be agreeable to those members.

Mr. BUTERA. The only other question left unanswered, Mr. Speaker, is the question as to why the gentleman is asking for nonconcurrence. I know his reason is different from mine and I want to hear it.

Mr. WOJDAK. Mr. Speaker, in response to Mr. Butera's last question, there are various items in here where we do differ with the Senate, and those items can best be resolved in a conference committee.

I would like to remark very briefly in conclusion as to Mr. Butera's prior remarks. I think his remarks can best be summarized by saying that he appears very disappointed and disillusioned that in fact our projections for this current fiscal year were correct and that we in fact needed no tax. His remarks appear to be kind of frustrated that this state did not need a tax. I think it best summarizes what his remarks are.

Mr. BUTERA. Mr. Speaker, you cannot let remarks like that drop. That is the whole problem in trying to

stifle debate.

Will the gentleman tell this House where you differ with the Senate version and why we should nonconcur? So far we have gotten virtually no answers throughout the debate last week and now into this week on this particular budget. I have every confidence that you are going to be before that microphone early next year eating some of your words, and I want you to utter them so that we can make you eat them.

Mr. WOJDAK. Mr. Speaker, you made the same prediction last year, and I have not eaten them yet. I am confident that I will not eat them next January either.

Mr. BUTERA. Would the gentleman subject himself to interrogation?

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

Mr. WOJDAK. Yes.

Mr. BUTERA. Would the gentleman please advise this House why he is asking for a nonconcurrence on House bill No. 568, in specific terms?

Mr. WOJDAK. Mr. Speaker, if everyone would refer to the Xerox copy of the computer printout and refer to columns 5 and 6, you will notice where the differences are between the House version and the Senate version. Now it is because of these differences, many of which I am sure can be resolved in conference with some meeting of the minds between the Senate and the House members of that conference committee, that I am asking for a nonconcurrence.

Mr. BUTERA. Then, Mr. Speaker, do I understand that the gentleman is asking for nonconcurrence for, I believe, 90-odd differences between the House version of the budget which we attempted to pass last week and the Senate version of the budget which is contained in this bill?

Mr. WOJDAK. I am not certain whether it amounts to 90, Mr. Speaker.

Mr. BUTERA. Well, I will not hold you to a number, but it is a rather vast number.

Mr. WOJDAK. There are a substantial number of differences, and it is those differences which I would hope would be resolved in the conference committee.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Wojdak?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, do I understand that it is the intention of the majority party to ask for a nonconcurrence now in order to send this bill back to the Senate so that the Senate can, in following the rules of parliamentary procedure, insist on their amendments and so that the bill can then go to a conference committee; that the conference committee report can then come before both the House and the Senate and that the Senate and the House can then, on the motion of the majority party, concur in the report of the conferees? Is that the present intention and schedule for today?

Mr. WOJDAK. That is the intention, Mr. Speaker.

Mr. RYAN. How long does it take to have such a thing printed?

Mr. WOJDAK. I am not sure of that.

Mr. RYAN. Would I be making a wild and woolly guess if I say that it is already in print?

Mr. WOJDAK. That would be a very wild and woolly guess.

Mr. RYAN. But probably accurate. Would you guess that that is an accurate one?

Mr. WOJDAK. No, I would not guess that that is accurate.

Mr. RYAN. It is my recollection that in the past we have needed a day, a day and a half, to have something like this put in print, something of this length. That was the case with the Vehicle Code.

Mr. WOJDAK. We have very capable printing machines.

Mr. RYAN. Yes, you do.

Well, Mr. Speaker, those machines, I suspect, have been printing the report of the conferees probably all morning and maybe part of last evening. I see Mr. Irvis with his hands in the air, startled at such an observation, but I dare say it is true.

Mr. WOJDAK. What he said, Mr. Speaker, was why would you ever think we would do something like that?

Mr. RYAN. Well, let me tell you why I think that. I think, Mr. Speaker, that the good Governor here—I say that facetiously—among his many campaign remarks over his past several campaigns talked in terms of taking over the Penn Central at one point. I think that is about what he has got on his hands now. He has got a Penn Central that he is running us down a track with Mr. Speaker Fineman as an engineer, with Mr. Wojdak and Mr. Irvis putting fuel on a fire that is leading us right into a state of bankruptcy, and dumbbells like us are going to be forced to sit by and act the part of a dumbbell because we do not have an opportunity to examine what has already been printed. Your people, your majority party, are going to be put on the spot. They are being flown in from all over the country now so that you will have a full house to concur on something that no one of us have ever seen.

Now I understand that there is a Republican from Montgomery, Mr. Pancoast, who is going to make a motion in a moment to suspend our rules to give us an opportunity to participate in the drafting of this budget document. I do not expect that Mr. Pancoast is going to be successful unless some of your troops can get out of line, unless you have lost some of the whips. But we are headed, Mr. Speaker, down a track. We are not being permitted to participate. The track goes one direction, and that is the track of bankruptcy, which Mr. Shapp was trying to save the country from here a few years ago. And we are not allowed to participate, and I think that is wrong, and I think anyone of us here who does not follow the motion of Mr. Pancoast to permit us to exercise our sworn duty of participating in this budget is making a tragic mistake.

I will have more to say about it probably when the printed version comes up from the basement with the conference report already signed by at least 4 of your members, and at this time I will yield to Mr. Pancoast.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I was going to ask that the Chair recognize Mr. Pancoast so we can stop the talking and get to the printing press.

MOTION TO SUSPEND RULES

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

Mr. PANCOAST. Mr. Speaker, some years ago Speaker Bob Hamilton, I guess, described the situation which we find ourselves in today, when he was accepting the gavel to become the Speaker of this House of Representatives. He said at that time, "The minority will have its say, but the majority will have its way."

I agree with the desire of the majority for nonconcurrency, but I do not want this bill to go to a conference committee consisting of six members of this General Assembly. This would mean that only three members from this House of Representatives are carrying the burden that many of us feel in this particular body. We all, Republicans and Democrats, as legislators, desire the opportunity for input into the budget for the next fiscal year.

I, therefore, move that we suspend the rules of this House, particularly rule 30, which states: "The House shall not consider any proposed amendment to any amendment made by the Senate to a House bill or joint resolution."

If we vote in favor of the suspension of the rules, we could then take a look at this bill and offer amendments to it, and I think that most of the members in this House desire to have that opportunity. I move that we support this particular motion.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have the greatest respect for my colleague, Dr. Pancoast, and usually agree with his judgments. His judgment in this case is an error, and I would ask for a negative vote on this motion.

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

Mr. ZELLER. Mr. Speaker, could I ask the majority leader a question, please, in regard to the last statement?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. IRVIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ZELLER. Mr. Speaker, if Mr. Pancoast is successful with his motion, will that in effect give us a chance to get another look at this, the bill and the amendment?

Mr. IRVIS. Yes. If the rules are suspended, then it would be possible for the House to amend an amendment inserted by the Senate, and that is, of course, the reason for the motion.

Mr. ZELLER. Thank you.

And then we can amend with other amendments, too?

Mr. IRVIS. Oh, you could go wild. You could put any kind of amendments in, any number of amendments in, that you could get a simple majority of the House to agree with.

Mr. ZELLER. What I have in mind, Mr. Speaker, is that I hope we go along with Mr. Pancoast, because we have a couple that you know about that we want to get in there, especially for the veterans. Thank you.

On the question,

Will the House agree to the motion?

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

YEAS—83

Anderson, J. H.	Gring	McGinnis	Smith, E.
Bittie	Halverson	Mebus	Smith, L.
Brandt	Hamilton, J. H.	Miller, M. E.	Spencer
Burns	Hasay	Miller, M. E., Jr.	Stahl
Butera	Haskell	Moehlmann	Taddonio
Cessar	Hayes, D. S.	Noye	Thomas
Cimini	Hayes, S. E.	O'Connell	Turner
Crawford	Hepford	Pancoast	Ustynoski
Cumberland	Hill	Parker, H. S.	Vroon
Deverter	Hutchinson, W.	Perri	Wagner
Dietz	Katz	Pitts	Weidner
Dorr	Kistler	Polite	Westerberg
Fawcett	Klingaman	Pyles	Whelan
Fischer	Knepfer	Renninger	Wilson
Fisher	Kusse	Ryan	Wilt, R. W.
Foster, A.	Lehr	Salvatore	Wilt, W. W.
Foster, W.	Levi	Scheaffer	Worrlow
Callen	Lynch	Scrica	Wright
Geesey	Manmiller	Seltzer	Yohn
Gleason	McClatchy	Shuman	Zeller
Grieco	McCue	Sirianni	

NAYS—104

Abraham	Geisler	McLane	Rieger
Arthurs	George	Menhorn	Ritter
Barber	Giammarco	Milanovich	Ross
Bellomini	Gillespie	Milliron	Ruggiero
Bennett	Gillette	Miscevich	Saloom
Berlin	Gleeson	Morris	Schmitt
Berson	Goodman	Mrkonjc	Schweder
Bonetto	Green	Mullen, M. P.	Shane
Bradley	Greenfield	Mullen	Shelton
Brunner	Hammock	Musto	Shupnik
Caputo	Hopkins	Myers	Stapleton
Cohen	Hutchinson, A.	Novak	Stout
Cole	Irviz	O'Brien	Taylor
Cowell	Johnson, J.	O'Donnell	Toll
DeMedio	Kelly, A. P.	O'Keefe	Trello
Dicarlo	Kernick	Oliver	Valicenti
DiDonato	Kolter	Petrarca	Walsh, T. P.
Dombrowski	Kowalshyn	Plevsky	Wansacz
Doyle	LaMarca	Pratt	Wargo
Dreibelbis	Laughlin	Prendergast	Wojdak
Eckensberger	Lederer	Rappaport	Yahner
Engelhart	Letterman	Ravenstahl	Zearfoss
Fee	Lincoln	Reed	Zwinkl
Flaherty	Manderino	Renwick	
Fryer	McCall	Rhodes	Fineman,
Gallagher	McGraw	Richardson	Speaker
Garzia	McIntyre		

NOT VOTING—9

Beren	Itkin	Laudadio	Shelhamer
Davies	Kelly, J. B.	Perry	Zord
Dininni			

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

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

Mr. SELTZER. Thank you, Mr. Speaker.

I am not standing here today to try and change anyone's mind. My only purpose in standing here today is to whet your appetite if I can because sometime in the very near future, whether it is within the next hour or this same day or tomorrow or next week, there is going to be before this House the general appropriation bill, almost \$5 billion worth, for the year 1976-77. And when the bill passed the Senate several weeks ago and came over here to us—what I am going to tell you is factual—the members of that honorable body had no input in that legislation. And the members of this House had no input in that House version of the budget that was defeated on this floor just last week on two different times. And the members of the other body and the members of this House have had no input in the bill which is before us, House bill No. 568.

When we vote to concur today, the budget of Pennsylvania, \$5 billion worth, will have been written by

four people—two of our fellow members from this House, the majority party, and two from the other body. And that means that 48 members of the other body and 201 members of this body will have no input in what will eventually come before us.

Mr. Speaker, there just seems to be something radically and basically wrong with our system when two members of the other body and two members of this House write the final budget for the Commonwealth of Pennsylvania. And again you, the members of this House, will have no input. You will only have an opportunity to vote "yes" or "no" when it finally comes before you.

Mr. Speaker, I am only asking that if you are serious about doing your job, you must be willing to make major changes in the operations of the General Assembly; not Republican changes, not Democrat changes, but changes that will permit each of you to become a part of the budgetary process in Pennsylvania. I think we have been elected to do this, and to do anything less than that would be a very irresponsible act.

Thank you, Mr. Speaker.

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

Mr. SHANE. Mr. Seltzer made a false statement. Mr. Seltzer's statement was that the members of this House had no input on the budget. That is a patently false statement. I had input on the budget. I went to see the staff for sometime before the budget was printed and talked about doing some line-item work on the Commissioner of Higher Education and his travel expenses. Mr. Seltzer, himself, had input on the budget. He got the Snyder amendments into the budget, which require the state colleges to report credit hours generated and hours taught by teachers. So Mr. Seltzer's statements are patently false.

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

Mr. M. P. MULLEN. Mr. Speaker, I am only going to be brief. I just want to direct my remarks to the conferees. First of all, I want to call to the conferees attention that last week we defeated House bill No. 1365, which took \$23.5 million out of the budget.

Now I am not going to be in a position where I have been many times before, where the budget came back for concurrence and I was in a position where I had to vote for it. Then I would box myself in and would have to vote for this bill. I am going to tell the conferees now, to be fair with them, if they do not show a reduction of that \$23.5 million, I am not going to be able to vote for the conference report because I have an obligation more to the people in my district than I do to anybody else in the state, and I feel that their interest has to be protected. And it is up to the conferees to reflect what I think is representing the people in my district's interest as well as the districts in other parts of the state, and, of course, if it is not there, I cannot go along with it. I think that is fair warning, and that is about all you can do.

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

Mr. WOJDAK. Mr. Speaker, I am not sure what Mr. Mullen means. The \$23 million that he is talking about would not have to be reduced in the GA bill. By his move last week, he has created a hole for the nonpreferred appropriations, which are coming. I do not know

why he has to find a hole and why we have to reduce this by \$23 million.

Mr. M. P. MULLEN. In answer, Mr. Speaker, I do not see where you are going to make any substantial reductions in the nonpreferred appropriations. It is real difficult to do that, because I assume the nonpreferred appropriations would have to get minor increases also. And if you are going to give them minor increases, you are not going to be able to keep the \$23.5 million in there and, at the same time, take care of them.

I think you have to show a substantial reduction here. I think the priorities were set by the two Appropriations Committees and I have no quarrel with that because we had our chance on the floor and we were not able to do it. But I do think that now that the two Appropriations Committees and the leadership are going to set priorities again, they ought to reflect what I think is a necessary reduction in order to protect our interest in this bill. That is just my opinion and I am just giving it to you for what it is worth.

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

Mr. WOJDAK. Mr. Speaker, the hole or the shortage that Mr. Mullen is referring to will reflect itself in the nonpreferred appropriations and the increases he is talking about are not going to be possible because of the move he made. You are not talking about slight increases. You are probably going to be talking about substantial decreases in the nonpreferred appropriations.

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

Mr. ZELLER. Mr. Speaker, I want to have it on record that in the budget, Senate bill No. 1381, the Senate version, we did, after 2 days of agony, finally get in \$1.2 million for the veterans, to take care of the home at Valley Forge. I disagree with the editorial today, veterans are not a bunch of con-people. And the one who wrote the article is going to have to live with that.

I think it was stated by Mr. Pancoast that the minority has their say and the majority has their way. Well, it is going to happen. I am sure that the way the conference committee is going to be made up, we are not going to have the \$1.2 million in, because it is not in now. Anybody who says it is does not know what they are talking about. It is not in it. We are dealing with House bill No. 568 and we are not going to get it in there because of the structure of the conference committee. Therefore, talking about people having their way, I would like to remind the individual who wrote the editorial and I would also like to remind the members here—not as a threat but as a promise—of the fact that they are dealing with a lot of people who have been hurt. We are talking about crime victims, a crime victim's bill, that we are trying to take care of those people who have been subjected to crime, victims of crime, and we are trying to help them, and I am all for it. We have a lot of guys and gals out there who have been victims of a real crime, evidently, and I am not waving a flag, but many of us, many of us fought in the wars, and here there are many of them, some 4,000 in Pennsylvania, who need a home. I am talking about a nursing home. There is only 120 now, and those individuals who are going to knock this out are going to find that there will be some veterans who have their way, because the only time they are needed is in

time of distress and when that distress is over, they are forgotten about.

I think it is horrible to have people, who are supposed to be accountable, accountable reporters, who would write this kind of an article that was written today. It is an insult, an insult to this great nation, an insult to all of our veterans. I want to remind the members here that if that is not in, the \$1.2 million for Valley Forge, I can assure you we can muster enough votes that that bill will never see the light of day.

Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the only question before this House now is whether or not we concur or nonconcur in the Senate amendments to House bill No. 568 and the appointment of a conference committee if we nonconcur.

I just want to assure Mr. Zeller that it is the intention of the House, if we nonconcur, to insist on the House version of the budget which contained the \$1.2 million. This bill does not. That is one of the other reasons that we ask for nonconcurrence, and I reiterate my stand on the question of whether or not the House shall concur or nonconcur in Senate amendments to House bill No. 568, I ask that the vote be in the negative.

On the question recurring,

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

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

YEAS—0

NAYS—187

Abraham	Giammarco	McGraw	Salvatore
Anderson, J. H.	Gillespie	McIntyre	Schmitt
Arthurs	Gillette	McLane	Scheaffer
Barber	Gleason	Mebus	Schweder
Bellomini	Gleeson	Menhorn	Scirica
Bennett	Goodman	Milanovitch	Seltzer
Beren	Green	Miller, M. E.	Shane
Berlin	Greenfield	Miller, M. E., Jr.	Sheiton
Berson	Grieco	Milliron	Shuman
Bittle	Gring	Miscevich	Shupnik
Bonetto	Halverson	Mochlmann	Sirianni
Bradley	Hamilton, J. H.	Morris	Smith, E.
Brandt	Hammock	Mrkonje	Smith, L.
Brunner	Hasay	Mullen, M. P.	Spencer
Burns	Haskell	Mullen	Stahl
Butera	Hayes, D. S.	Musto	Stapleton
Caputo	Hayes, S. E.	Novak	Stout
Cessar	Hepford	Noye	Taddontio
Cimini	Hill	O'Brien	Taylor
Cohen	Hopkins	O'Connell	Thomas
Cole	Hutchinson, A.	O'Donnell	Toll
Cowell	Hutchinson, W.	O'Keefe	Trello
Crawford	Irvis	Oliver	Turner
Cumberland	Itkin	Pancoast	Ustynoski
DeMedio	Johnson, J.	Parker, H. S.	Valicenti
Deverter	Katz	Perri	Vroon
Dicarlo	Kelly, A. P.	Perry	Wagner
DiDonato	Kernick	Petrarca	Walsh, T. P.
Dietz	Kistler	Plevsky	Wansacz
Dombrowski	Kingsman	Pitts	Wargo
Dorr	Knepper	Polite	Weidner
Doyle	Koiter	Pratt	Weslerberg
Dreibelbis	Kowalyszyn	Prendergast	Whelan
Eckensberger	Kusse	Pyles	Wilson
Englehart	LaMarca	Rappaport	Wilt, R. W.
Fee	Laughlin	Ravenstahl	Wilt, W. W.
Fischer	Lederer	Reed	Wojdak
Fisher	Lehr	Renninger	Worrlow
Flaherty	Letterman	Renwick	Wright
Foster, A.	Levi	Rhodes	Yahner
Foster, W.	Lincoln	Richardson	Yohn
Fryer	Lynch	Rieger	Zearfoss
Gallagher	Manderino	Ritter	Zeller

Gallen	Manmiller	Ross	Zwikel
Garzia	McCall	Ruggiero	
Geesey	McClatchy	Ryan	Fineman.
Geisler	McCue	Saloom	Speaker
George			

NOT VOTING—9

Davies	Kelly, J. B.	McGinnis	Shelhamer
Dininni	Laudadio	Myers	Zord
Fawcett			

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 568

The SPEAKER. The Chair appoints the following members as a committee of conference on the part of the House: Messrs. WOJDAK, IRVIS and SELTZER.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, as a part of the appointment of a Conference Committee, do you not at least have to await the Senate insistence on their amendment?

The SPEAKER. The Chair has been advised by the Parliamentarian that the practice of waiting is a matter of courtesy only and not a parliamentary necessity since this is a House-originated bill.

Mr. BUTERA. Well, the only thing that could happen is that they could withdraw their amendments, but I presume they are not going to do that. And then the appointment of a conference committee would be a vain act, right?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I would urge the members not to get too restless and start drifting off. There are very important votes to be taken up today. You have in front of you now a list of bills beginning with House bill No. 1020 going down through House bill No. 646 which is on concurrence. I would ask you to add to that list two other bills, House bill No. 1643 on page 12 and Senate bill No. 1153 on page 3.

Now for the information of the members of the House, we shall be calling up immediately the question of an override of the Governor's veto on Senate bill No. 704. We shall follow that by a vote on House bill No. 1020, House bill No. 1956 and House bill No. 1957. Following the decision of the House on those two bills, Mr. Salvatore will call up the question of the overriding of the Governor's veto on House bill No. 1492. Following that, there will be a caucus of both parties and a meeting of the Urban Affairs Committee. Returning to the floor, we have an entire list of votes to take place, so I would suggest to the members that the rumor you heard that this is all we are going to do are indeed false and baseless. We are going to be working here this afternoon.

Thank you, Mr. Speaker, and just to make certain that there is no question about what we intend to do if the conference committee meets and agrees on a committee report: It is my intention to submit that conference committee report for a vote on the floor today.

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

Mr. RYAN. Mr. Speaker, I wonder if Mr. Irvis could provide us with a printout of the conference report now so that we will have it for caucus.

The SPEAKER. Would the gentleman like to interrogate the majority leader?

SENATE MESSAGE

The clerk of the Senate, being introduced, presented Senate bill numbered and entitled as follows, together with the objections of the Governor:

SENATE BILL No. 704

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

With the information that said bill had been passed by both Houses and vetoed by His Excellency, the Governor, and has since been reconsidered in the Senate and passed by the necessary two-thirds vote, the objections of the Governor to the contrary notwithstanding.

COMMUNICATION FROM GOVERNOR

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

VETO OF SENATE BILL No. 704

Commonwealth of Pennsylvania
Governors Office, Harrisburg

March 18, 1976

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 704, Printer's No. 1562, entitled "An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'The Administrative Code of 1929,' prohibiting the assignment of personnel to circumvent appropriation limits."

Senate Bill 704 amends the Administrative Code by restricting the assignment of employees from one department to another.

At the outset, let me state flatly that I am in full agreement with the intent of this bill. The Executive Branch, as well as the other branches of government, must abide by the appropriation limits set by law and should not be able to transfer employees from one agency to another solely for the purpose of avoiding appropriation limits set by the General Assembly.

This Administration has had a solid record of controlling personnel procedures and in holding down the state payroll, in line with funds appropriated by the Legislature.

Just today, Standard and Poor's announced that it is maintaining its "AA" high grade rating on the Commonwealth of Pennsylvania's General Obligation Bonds.

One of the principal reasons for this action was our ability to control costs of state government and the steps we have taken to reduce the payroll at the Department of Transportation by 1,000 and by more than 1,000 positions in departments covered by The General Fund during the past thirteen months.

The reversal of the previous pattern of state payroll growth is dramatic evidence of our determination to manage this government on a businesslike basis and to live within appropriations.

Therefore, in vetoing this bill, I do not wish to imply that my office, or this Administration generally, seeks

the freedom to have absolute authority over the placement of state employees.

Far from it. The record clearly demonstrates the opposite.

My reasons for vetoing the bill are as follows:

The Budget Office, the Office of Administration and the Department of Justice strongly contend that the language in Senate Bill 704 is vague to the point of not being understandable. It could cause severe restrictions which are not intended by the sponsors.

The consequences could be far reaching.

For example, the State Action Center, which receives toll free citizen calls for help from throughout the Commonwealth, is staffed primarily by individuals assigned to that office by the various departments.

Enactment of Senate Bill 704 into law could conceivably destroy the Action Center, dismantle the Hot Line and deprive our people of their instant access to the most successful citizens' complaint service of any state in the union.

Second, as Secretary McIntosh points out so strongly, certain circumstances demand a considerable degree of assignment flexibility. Excellent cases in point are the disasters precipitated by Hurricanes Agnes and Eloise. During these disasters, had the provisions of this act been law, the government would have been handicapped in its attempts to bring relief to flood victims throughout the Commonwealth.

The imprecise language of this bill could also affect government's ability to coordinate many programs which cross departmental lines. For example, programs for our elderly citizens, for health services and for manpower training have functions placed in various departments of state government. It is vitally necessary to have these programs coordinated. In many cases, a single individual from one department will be assigned to do this coordination.

This is authority which is essential to the efficient running of government and it is this function which Senate Bill 704, by its vague wording, would place in jeopardy.

To deprive the Executive Branch of its ability to use such a person in a coordinating capacity would damage our efforts to eliminate fragmentation and streamline services.

In short, any Administration needs a certain amount of flexibility in reassigning employees for vital functions.

Senate Bill 704, as written, does not provide for such instances.

Instead it leaves the distinct possibility that such reassignments would be prohibited.

Under the circumstances, I have no choice but to veto this bill, and to ask the members of the General Assembly to support my action, in defense of the Hot Line, the emergency needs of the Commonwealth and the provision of coordinated intra-departmental services.

MILTON J. SHAPP
GOVERNOR

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on the question before the House today as to whether or not Senate bill No. 704 shall become law, the veto of the Governor to the contrary notwithstanding, I ask that the vote be in the affirmative and that the House vote to override.

I point out that when the same bill was before the House of Representatives, it passed the House of Representatives by a vote of 188 to 5. The veto override passed the Senate by a vote of 39 to 9. I ask that the House override the Governor's veto.

QUESTION OF INFORMATION

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. DiCarlo.

Mr. DiCARLO. Mr. Speaker, point of information. Could the majority leader inform myself what the bill is?

The SPEAKER. Yes.

Mr. IRVIS. Mr. Speaker, Senate bill No. 704 would preclude the Governor or the legislative bodies from transferring personnel from one department to another except under emergency circumstances.

Mr. DiCARLO. Thank you, Mr. Speaker.

On the question recurring,

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

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

YEAS—184

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

NAYS—4

Berson	Cohen	O'Donnell	Scirica
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NOT VOTING—8

Davies	Dininni	Laudadio	Shelhamer
DiDonato	Kelly, J. B.	Rhodes	Zord

The two-thirds majority of the elected members having voted in the affirmative, the question was determined in the affirmative, that the bill become a law, the objections of His Excellency, the Governor, to the contrary notwithstanding.

LABOR RELATIONS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1020, printer's No. 2855**, entitled:

An Act providing for sheltered workshops for physically and mentally handicapped persons; imposing additional duties on the Bureau of Vocational Rehabilitation in the Department of Labor and Industry and prescribing its powers and duties; and making an appropriation.

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 minority leader.

Mr. BUTERA. Mr. Speaker, there is someone in our caucus who feels very strongly about the Sheltered Workshop Program, and I am wondering whether there has been an amendment approved in this bill or whether that debate should continue. I just do not remember who it was.

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

Mrs. KELLY. Mr. Speaker, a couple of weeks ago I sent a letter to every member in this House to explain to them in my letter this bill, House bill No. 1020.

With your permission, I would just like to refresh the minds of our members and to tell you what this bill is about.

It is aimed at the needs of the handicapped persons working in sheltered workshops. Last year it passed the House unanimously; it was House bill No. 2006. Sheltered workshops, as many of you know, are centers for training handicapped persons so that they can become productive citizens. There are about 156 such facilities in our state and they serve over 7,000 handicapped people each year. For the mentally ill, mentally retarded and physically handicapped, these centers offer—

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. If the lady will excuse me for interrupting her, I am advised that Mr. Gleason who had sought to offer an amendment has changed his mind and is not going to offer an amendment but rather make a statement, and that may help her in her explanation.

The SPEAKER. Will the lady yield to the gentleman, Mr. Gleason?

Mrs. KELLY. Yes, Mr. Speaker.

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

Mr. GLEASON. Mr. Speaker, thank you.

Mr. Speaker, I am going to vote with some reluctance for this legislation, although I would like to make a few observations for the record. The goals of this piece of legislation are extremely laudatory and I think they deserve support of the members of this House. Particularly I am attracted to the feature which provides transportation assistance for those who are clients in sheltered workshops, to those provisions of the bill which will pro-

vide for some adequate compensation for clients in sheltered workshops. The part of the bill which does raise certain suspicions in my own mind I will talk about for a few minutes now.

The bill provides that standards and regulations shall be promulgated and enforced by the Bureau of Vocational Rehabilitation. In my view, I think there is a certain amount of danger there in allowing another agency to promulgate regulations and to enforce those regulations when it is quite possible that there are private accrediting agencies in the workshop business that can do the job better.

I confess, Mr. Speaker, I have little faith in the ability of state government to promulgate regulations and enforce them correctly. I have the impression that bureaucrats in many agencies, boards and commissions of state government tend to feed on their power to pass and enforce regulations to preserve their jobs. And I am not certain that the kind of work they do is proper or appropriate in carrying out the needs of the legislation we enact here.

However, because the lady from Philadelphia, the gentleman from Philadelphia, Mr. Salvatore, have shown to me their great interest in this legislation, I am going to support it but with the caveat that we in the House of Representatives should be very, very careful about legislation, well-meaning and well-sounding, but which creates opportunities for additional agencies, boards and commissions of state government to get into areas where they have no business getting into. So with those observations on record, I am going to vote for this legislation.

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

Mrs. KELLY. I just do not agree with Mr. Gleason's philosophy on this matter. While he mistrusts the department that is going to run this, we have children who only make 35 cents an hour and their moneys are being taken by transportation. We have other children who cannot afford to go to a workshop to bring out some of their potentials, and I have them right in my own district.

There is a lot of reasons why we pass a lot of legislation and if we listen to all the departments and all the bureaucrats who write to us and tell us whether they like or dislike a bill, we would never pass any good, decent legislation.

On behalf of the retarded children who are asking and begging for this bill, Mr. Salvatore worked very, very hard on this and in the last term we worked together. We are the only two, I think, in this House who have attended these workshops, have seen what they do, have seen the conditions prevailing there, and I beg everyone of you to give me an affirmative vote on this bill. Thank you.

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

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

I wonder if the lady would submit to a brief interrogation?

The SPEAKER. Will the lady, Mrs. Kelly, submit to a brief interrogation?

Mrs. KELLY. Yes, Mr. Speaker, if I can.

The SPEAKER. Be kind, Frank.

Mr. O'CONNELL. Mr. Speaker, I am a little bit confused on this bill, House bill No. 1020, printer's No. 2855.

It is my understanding that it has been amended to delete all of the necessary funding to implement it. Is that true?

Mrs. KELLY. I did not hear the question.

Mr. O'CONNELL. The original bill, House bill No. 1020, printer's No. 1171, carried an appropriation with it?

Mrs. KELLY. Right.

Mr. O'CONNELL. It is my understanding that printer's No. 2855 deleted the appropriation. Is that correct?

Mrs. KELLY. Not to my understanding, Mr. Speaker. According to Mr. Wojdak, the money is in the budget; it has not been deleted. In fact, if you look in the budget, you will see it there.

Mr. O'CONNELL. This is where I am a little bit confused. It seems that in the body of the bill, in those areas that would call for an appropriation or the expenditure of moneys, for instance, on page 5, section 5, the appropriation is stricken.

Mrs. KELLY. Mr. Speaker, I was just informed by the young man here that it was deleted from the bill because it does not take effect until July 1, 1976.

Mr. O'CONNELL. Mr. Speaker, may I make an inquiry?

The SPEAKER. Of whom?

Mr. O'CONNELL. I guess it is a parliamentary inquiry.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell. He will state his parliamentary inquiry.

Mr. O'CONNELL. Mr. Speaker, my inquiry is, is it not to have a fiscal note regardless of the date that this legislation may be effective?

The SPEAKER. Under the rules of the House, rule 19A provides that any legislative proposal which may result in an expenditure of Commonwealth funds necessitates a fiscal note.

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

Mrs. Kelly, I really want to support this. I have a sheltered workshop in my area. This has been a concern to me, and I am happy that yourself and Mr. Salvatore have taken the time to attempt to resolve the problem, but what I do not want to do here today is make a vote that will falsely lead those people to believe that they are going to be favored when in fact they are not. They now have a problem, and I do not want to compound their problem without absolutely being assured that the moneys necessary to implement this legislation will be available.

Mrs. KELLY. It has been the assurance of Mr. Wojdak, who is the chairman of the Appropriations Committee, that the money will be available. And who else can I believe if I cannot believe the chairman and the people on that committee who claim that it will be available?

Mr. O'CONNELL. May I interrogate Mr. Wojdak, please?

The SPEAKER. Will the gentleman, Mr. Wojdak, submit to interrogation?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman indicates he will.

Mr. O'CONNELL. Mr. Wojdak, have you heard the discussion between myself and the lady from Philadelphia, Mrs. Kelly?

Mr. WOJDAK. No. I really was not attentive.

Mr. O'CONNELL. Okay. Briefly, House bill No. 1020,

printer's No. 1171, included the appropriation, and as subsequently amended and it now carries printer's No. 2855, the appropriation has been deleted?

Mr. WOJDAK. That is correct.

Mr. O'CONNELL. The lady indicated to me that you have advised her that there is not a necessity for a fiscal note because this would not be implemented until July 1. In my inquiry to the Speaker, parliamentary inquiry, he indicated that every bill should have a fiscal note.

The SPEAKER. Every bill requiring the expenditure of Commonwealth funds.

Mr. O'CONNELL. Yes, sir.

Now my question to you is, is this money available to implement House bill No. 1020?

Mr. WOJDAK. Yes, it is, Mr. Speaker.

Mr. O'CONNELL. I would assume that it would have to be considered in the conference committee?

Mr. WOJDAK. That is correct, Mr. Speaker.

Mr. O'CONNELL. Is it your intention to support this money in the conference committee?

Mr. WOJDAK. Yes, Mr. Speaker.

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

Based on that I am satisfied and would support the bill.

Mrs. KELLY. 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—186

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

NAYS—0

NOT VOTING—10

Beren	Hutchinson, W.	Shehamer	Yahner
Davies	Kelly, J. B.	Wright	Zord
Dinanni	Laudadio		

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. YAHNER. Mr. Speaker, when the vote was cast on House bill No. 1020, I was out of my seat. I would like to be recorded as voting "aye."

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

Mr. YAHNER. Thank you.

STATE GOVERNMENT BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. GREEN the House resumed consideration on final passage of House bill No. 1956, printer's No. 2771, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115, No. 40), further providing for registration, for the number and compensation of election commissioners, for the appointment, compensation and duties of employes and counsel of the commission, for voter registrars, for periods of registration, for penalties, and for acts performed on Sundays and holidays; ***.

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. 1956

Mr. GREEN moved that the vote by which HOUSE BILL No. 1956, printer's No. 2771, was agreed to on third consideration 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, Will the House agree to the bill on third consideration?

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

Amend Sec. 13 (Sec. 20.3), page 36, line 18 by removing the colon after "election" and inserting a period
Amend Sec. 13 (Sec. 20.3), page 36, lines 18 through 20 by striking out "Provided, That each registration specialist employed" in line 18 and all of lines 19 and 20
Amend Sec. 24, page 52, line 21 by striking out "a subsection" and inserting: subsections

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

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

Mr. GREEN. Mr. Speaker, these are agreed-to amendments and are prepared by the Legislative Reference Bureau. It is language correction.

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

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

Bill as amended was agreed to.

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

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

YEAS—128

Abraham	Gillette	Menhorn	Ross
Arthurs	Gleason	Milanovich	Ruggiero
Barber	Gleeson	Miller, M. E.	Saloom
Bellomini	Goodman	Milliron	Scheafter
Bennett	Green	Miscevich	Schmitt
Berlin	Greenfield	Morris	Schweder
Berson	Greco	Mrkonjc	Shane
Bonetto	Halverson	Mullen, M. P.	Shelton
Bradley	Hammock	Mullen	Shupnik
Brunner	Hasay	Musto	Stapleton
Burns	Haskell	Myers	Stout
Caputo	Hayes, D. S.	Novak	Taddonio
Cessar	Hopkins	O'Brien	Taylor
Cohen	Hutchinson, A.	O'Donnell	Toll
Cole	Irvis	O'Keefe	Trelle
Cowell	Itkin	Oliver	Ustinowski
DeMedio	Johnson, J.	Parker, H. S.	Valentici
Dicarlo	Kelly, A. P.	Perrin	Walsh, T. P.
DiDonato	Kernick	Perry	Wansacz
Dombrowski	Kistler	Petrarca	Wargo
Doyle	Knepper	Phevsky	Whelan
Eckensberger	Kolter	Pratt	Wilson
Engelhart	Kowalyszyn	Pyles	Wojdak
Fee	LaMarca	Rappaport	Worrlow
Fischer	Laughlin	Ravenstahl	Wright
Fisher	Lederer	Reed	Yahner
Flaherty	Letterman	Renninger	Zearfoss
Gallagher	Lincoln	Renwick	Zeller
Geesey	Manderino	Rhodes	Zwick
Geisler	McCall	Richardson	
George	McGraw	Rieger	Fineman,
Giammarco	McIntyre	Ritter	Speaker
Gillespie	McLane		

NAYS—57

Anderson, J. H.	Gring	McGinnis	Shuman
Bittle	Hamilton, J. H.	Mebus	Sirianni
Brandt	Hayes, S. E.	Miller, M. E., Jr.	Smith, E.
Butera	Hepford	Moehlmann	Spencer
Cimini	Hill	Noye	Stahl
Crawford	Katz	O'Connell	Thomas
Cumberland	Klingaman	Pancoast	Turner
Deverter	Kusse	Pitts	Vroon
Dietz	Lehr	Polite	Wagner
Dorr	Levi	Prendergast	Weidner
Fawcett	Lynch	Ryan	Westerberg
Foster, A.	Manmiller	Salvatore	Wilt, R. W.
Foster, W.	McClatchy	Semica	Wilt, W. W.
Fryer	McCue	Seitzer	Yohn
Gallen			

NOT VOTING—11

Beren	Dreibelbis	Kelly, J. B.	Smith, L.
Davies	Garzia	Laudadio	Zord
Dinanni	Hutchinson, W.	Shehamer	

The majority required by the Constitution having voted

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. GARZIA. I would like to be recorded in the affirmative, please, on House bill No. 1956.

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

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1957, printer's No. 2772, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 87, No. 115), providing that any elector may register and change enrollment of political party by mail; further regulating procedures governing removal notices written or printed statements of registration; changing provisions relating to the cancellation or suspension of registration; imposing duties upon the Secretary of the Commonwealth and harmonizing language.

On the question,

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

The SPEAKER. The Chair reconsiders its decision as to this bill having been agreed to a third time.

The Chair recognizes the gentleman, Mr. O'Connell, who offers the following amendments.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 17.1), page 2, lines 2 through 30; page 3, lines 1 through 30; page 4, lines 1 through 30; page 5, lines 1 through 21, by striking out all of said lines and inserting:

Section 1. Section 2, act of April 29, 1937 (P. L. 487, No. 115), known as "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," reenacted and amended May 31, 1955 (P. L. 62, No. 32), is amended by adding a subsection to read:

Section 2. Definitions.—* * *

(z) "Residence" means the place where a person has voluntarily fixed his habitation with a present intention to make it his permanent home.

* * *

Section 1.1. The act is amended by adding a section to read:

Section 17.1. Registration by Mail.—(a) Every person entitled to register under this act may be registered in accordance with the procedures of this section as an alternative to the procedures established elsewhere in this act.

(b) The Secretary of State shall cause to be prepared and shall provide to each county commission registration

forms which shall be the official registration cards in quadruplicate, of a size and weight suitable for mailing. Such forms shall contain spaces for entering the following:

(c) (1) The surname of the applicant; (2) his Christian name or names; (3) his occupation; (4) the street or road and number, if any, of his residence; (5) if his residence is a portion only of the house, the location or number of the room or rooms, apartment, flat or floor which he occupies; (6) the date his residence in the district began; (7) his residence address when he last registered; and the year of such registration; (8) the sex of the applicant; (9) the color of the applicant; (10) the state or territory of the United States, or foreign country, where he was born; (11) the date when, place where, and the court by which naturalized, and number of the naturalization certificate; (12) if not naturalized personally, the name of father, mother or husband through whom naturalized; (13) whether he is unable, by reason of illiteracy, to read the names on the ballot or on the voting machine labels; (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine, or to enter the voting compartment or voting machine booth, without assistance, and, if so, his declaration of the fact and his statement of the exact nature of such disability; (15) the designation of the political party of the elector, for the purpose of voting at primaries; (16) the affidavit of registration, which shall be signed by the elector, attested by a notary public and dated by him; (17) his height, in feet and inches; (18) the color of his hair; (19) the color of his eyes; (20) the date of his birth.

(d) Such forms shall also contain the following affidavit form:

REGISTRATION AFFIDAVIT

State of Pennsylvania

ss:

County of

I hereby swear, or affirm, that I am a citizen of the United States, that on the day of the next election I shall be at least eighteen years of age, and shall have resided in the State of Pennsylvania thirty days and in the election district thirty days with intention of residing there permanently, that I am legally qualified to vote, that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct.

Signature of Voter

Subscribed and sworn to before me this day of 19

Notary Verification

(e) Any qualified person desiring to be registered may complete such an official registration form in quadruplicate and subscribe to the registration affidavit by oath or affirmation. The affidavit shall be attested by a notary public.

(f) A completed registration form shall be mailed or delivered to the county commission to which it is addressed. The commission shall stamp the time and date of receipt on the first copy which shall then be posted for inspection in the commission office for thirty days.

(g) The second and third copies of the completed form shall be mailed to the county chairmen of the principal political parties having nominated candidates at the preceding general election.

(h) Thirty days after the completed form shall have been received by the commission and posted for inspection, the registrant shall be enrolled unless challenged in accordance with the provisions of this act. Thereupon the fourth copy of the registration form shall be validated and mailed by first class mail to the registrant at the address given on the form. The envelope in which the

validated registration is mailed shall conspicuously carry the following instructions on its face:

"Do not forward. Return postage guaranteed. If not delivered in two days, return to County Registration Commission."

(i) Such validated copy of a registration form shall be evidence of an elector's registration in like manner as registration cards issued under other sections of this act.

Amend Sec. 3 (Sec. 18.1), page 8, line 2, by striking out "Mail"

Amend Sec. 3 (Sec. 18.1), page 8, line 8, by striking out "by mail"

Amend Sec. 3 (Sec. 18.1), page 8, line 20, by striking out the bracket before "make"

Amend Sec. 3 (Sec. 18.1), page 8, line 20, by striking out "]" submit"

Amend Sec. 3 (Sec. 18.1), page 8, line 21, by striking out the bracket before "for"

Amend Sec. 3 (Sec. 18.1), page 8, lines 21 to 23, by striking out "[an official registration" in line 21, all of line 22, and "prescribed by the Secretary of the Commonwealth." in line 23

Amend Sec. 3 (Sec. 18.1), page 8, line 25, by striking out the bracket before "as"

Amend Sec. 3 (Sec. 18.1), page 8, lines 26 and 27, by striking out "]" as a request for an official registration application card

Amend Sec. 3 (Sec. 18.1), page 8, line 29, by striking out the bracket before "a"

Amend Sec. 3 (Sec. 18.1), page 8, lines 29 and 30, by striking out "]" an official registration application card"

Amend Sec. 3 (Sec. 18.1), page 9, line 11, by striking out "official"

Amend Sec. 3 (Sec. 18.1), page 9, line 11, by striking out "application"

Amend Sec. 3 (Sec. 18.1), page 9, line 12, by striking out "the applicant, the signature of the applicant,"

Amend Sec. 3 (Sec. 18.1), page 10, lines 14 to 20, by striking out "(21) the designation by the elector" in line 14, all of lines 15 through 20

Amend Sec. 3 (Sec. 18.1), page 10, line 21, by striking out "official"

Amend Sec. 3 (Sec. 18.1), page 10, line 21, by striking out "application"

Amend Sec. 3 (Sec. 18.1), page 10, line 22, by striking out the bracket before "(21)"

Amend Sec. 3 (Sec. 18.1), page 10, lines 22 and 23, by striking out "]" (22)"

Amend Sec. 3 (Sec. 18.1), page 11, line 2, by striking out the bracket before "(22)"

Amend Sec. 3 (Sec. 18.1), page 11, lines 2 and 3, by striking out "]" (23)"

Amend Sec. 3 (Sec. 18.1), page 11, line 6, by striking out the bracket before "(23)"

Amend Sec. 3 (Sec. 18.1), page 11, line 6, by striking out "]" (24)"

Amend Sec. 3 (Sec. 18.1), page 11, line 8, by striking out the bracket after "card"

Amend Sec. 3 (Sec. 18.1), page 11, lines 10 through 13, by striking out "]" immediately following the spaces for inserting" in line 10, all of lines 11 through 13

Amend Sec. 3 (Sec. 18.1), page 11, line 14, by striking out the bracket before "registration"

Amend Sec. 3 (Sec. 18.1), page 11, lines 14 and 15, by striking out "]" official registration application"

Amend Sec. 3 (Sec. 18.1), page 11, line 16, by striking out the bracket before "affidavit"

Amend Sec. 3 (Sec. 18.1), page 11, lines 16 and 17, by striking out "]" Registration Declaration and Penalty for Falsifying Declaration"

Amend Sec. 3 (Sec. 18.1), page 12, line 22, by striking out the bracket before "Upon"

Amend Sec. 3 (Sec. 18.1), page 13, lines 4 through 8, by striking out "]" Any person" in line 4, all of lines 5 through 8

Amend Sec. 3 (Sec. 18.1), page 13, line 21, by striking out the bracket before "Registration"

Amend Sec. 3 (Sec. 18.1), page 13, line 21, by striking out "]" Official registration application"

Amend Sec. 3 (Sec. 18.1), page 13, line 28, by striking out "official"

Amend Sec. 3 (Sec. 18.1), page 13, line 28, by striking out "application"

Amend Bill, page 14, lines 1 through 30; page 15, lines 1 through 30; page 16, lines 1 through 30; page 17, lines 1 through 30; page 18, lines 1 through 30; page 19, lines 1 through 30; page 20, lines 1 through 30; page 21, lines 1 through 30; page 22, lines 1 through 21, by striking out all of said lines

Amend Sec. 6, page 22, line 22, by striking out "6." and inserting: 4.

Amend Sec. 7, page 24, line 9, by striking out "7." and inserting: 5.

Amend Sec. 8, page 24, line 26, by striking out "8." and inserting: 6.

Amend Sec. 9, page 25, line 26, by striking out "9." and inserting: 7.

Amend Sec. 10, page 27, line 22, by striking out "10." and inserting: 8.

Amend Sec. 11, page 29, line 7, by striking out "11." and inserting: 9.

Amend Sec. 12, page 30, line 27, by striking out "12." and inserting: 10.

Amend Sec. 13, page 33, line 25, by striking out "13." and inserting: 11.

Amend Sec. 14, page 34, line 28, by striking out "14." and inserting: 12.

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

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

Mr. O'CONNELL. Mr. Speaker, we would like to do the same as we attempted to do yesterday, and Mr. Zearfoss has a motion to divide the amendment. I would like to have him present the—

The SPEAKER. The Chair understands that the amendment is to be divided beginning after the word "home" and prior to the words "Section 1.1." Is that correct?

Mr. O'CONNELL. That is correct.

The SPEAKER. The question is on the amendments being offered by the gentleman, Mr. O'Connell, the first portion thereof being divided as indicated by the Chair on page 2.

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

Mr. ZEARFOSS. Mr. Speaker, rather than belabor the House today again, I would just like to point out that this amendment is the same amendment that was offered yesterday to House bill No. 1956. It would establish as a qualification for registration, "domicile" as opposed to "residence" in Pennsylvania, and the only difference, of course, is that this bill, House bill No. 1957, relates to the rest of us. The bill yesterday, House bill No. 1956, related only to the city of Philadelphia. This amendment would affect most of us here in the House, and I would suggest that an affirmative vote would be in order.

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

Mr. GREEN. Mr. Speaker, I rise in opposition to the amendment. This is a sister bill to House bill No. 1956 which includes uniformity in legislation. We should not have one type of voter registration for Philadelphia or the other 66 counties.

I think the question was resolved yesterday in defeat of the amendments to House bill No. 1956, and I ask for a negative vote on these amendments.

On the question,

Will the House agree to Part I of the O'Connell amendments?

The yeas and nays were required by Messrs. O'CONNELL and ZEARFOSS and were as follows:

YEAS—85

Anderson, J. H.	Gring	Mebus	Sirianni
Bittle	Hamilton, J. H.	Menhorn	Smith, E.
Brandt	Hasay	Milanovich	Smith, L.
Burns	Haskell	Miller, M. E., Jr.	Spencer
Butera	Hayes, D. S.	Moehlmann	Stahl
Cessar	Hayes, S. E.	Mrkoncic	Taddonio
Cimini	Hepford	Noye	Thomas
Crawford	Hill	O'Connell	Turner
Cumberland	Hopkins	Pancoast	Ustynoski
Deverter	Katz	Parker, H. S.	Vroon
Dietz	Kistler	Perri	Wagner
Dorr	Klingaman	Pitts	Weidner
Fawcett	Knepper	Polite	Westerberg
Fischer	Kusse	Pyles	Whelan
Fisher	Lehr	Renninger	Wilson
Foster, A.	Levi	Ryan	Wilt, R. W.
Foster, W.	Lynch	Salvatore	Wilt, W. W.
Fryer	Manmiller	Scheaffer	Worrlow
Gallen	McClatchy	Scirica	Wright
Geesey	McCue	Seltzer	Yohn
Gleason	McGinnis	Shuman	Zearfoss

NAYS—103

Abraham	George	McIntyre	Rieger
Arthurs	Giammarco	McLane	Ritter
Barber	Gillespie	Miller, M. E.	Ross
Bellomini	Gillette	Milliron	Ruggiero
Bennett	Gleeson	Miscevich	Saloom
Berlin	Goodman	Morris	Schmitt
Berson	Green	Mullen, M. P.	Schweder
Bonetto	Greenfield	Mullen	Shane
Bradley	Halverson	Musto	Shelton
Brunner	Hammock	Myers	Shupnik
Caputo	Hutchinson, A.	Novak	Stapleton
Cohen	Irvis	O'Brien	Stout
Cole	Itkin	O'Donnell	Taylor
Cowell	Johnson, J.	O'Keefe	Toll
DeMedio	Kelly, A. P.	Oliver	Trello
Dicarlo	Kernick	Perry	Valicenti
DiDonato	Kolter	Petrarca	Walsh, T. P.
Dombrowski	Kowalshyn	Plevsky	Wansacz
Doyle	LaMarca	Pratt	Wargo
Dreibelbis	Laughlin	Prendergast	Wojdak
Eckensberger	Lederer	Rappaport	Yahner
Englehart	Letterman	Ravenstahl	Zeller
Fee	Lincoln	Reed	Zwikel
Flaherty	Manderino	Renwick	
Gallagher	McCall	Rhodes	Fineman, Speaker
Garzia	McGraw	Richardson	
Geisler			

NOT VOTING—8

Beren	Dininni	Kelly, J. B.	Shelhamer
Davies	Hutchinson, W.	Laudadio	Zord

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

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

Mr. O'CONNELL. Mr. Speaker, the same arguments made yesterday would prevail today, with the addition of the fact that the registrar in Armstrong County has circulated a memo to all of the legislators indicating his concerns about this bill and the additional cost and the possibility of fraud. With all of those arguments that I made yesterday and with this one in addition to them, I would suggest that you vote affirmatively on it.

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

Mr. GREEN. Mr. Speaker, I would like to call attention to the gentleman that his amendment to House bill

No. 1957 does eliminate the penalty facilities. If you would look on page 5 of his amendment, you do eliminate the penalty section of House bill No. 1957. On that alone I would ask for a negative vote.

The SPEAKER. On the amendments, is the gentleman, Mr. O'Connell, prepared to proceed on a vote?

Mr. O'CONNELL. No. Roll the amendments.

On the question,

Will the House agree to Part II of the O'Connell amendments?

The yeas and nays were required by Messrs. O'CONNELL and GREEN and were as follows:

YEAS—79

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

NAYS—108

Abraham	George	Menhorn	Ritter
Arthurs	Giammarco	Miller, M. E.	Ross
Barber	Gillespie	Milliron	Ruggiero
Bellomini	Gillette	Miscevich	Saloom
Bennett	Gleeson	Morris	Schmitt
Berlin	Goodman	Mrkoncic	Schweder
Berson	Green	Mullen	Shane
Bonetto	Greenfield	Mullen, M. P.	Shelton
Bradley	Halverson	Musto	Shuman
Brunner	Hammock	Myers	Shupnik
Caputo	Hutchinson, A.	Novak	Stapleton
Cohen	Irvis	O'Brien	Stout
Cole	Itkin	O'Donnell	Taylor
Cowell	Johnson, J.	O'Keefe	Toll
DeMedio	Kelly, A. P.	Oliver	Trello
Dicarlo	Kernick	Perry	Valicenti
DiDonato	Kolter	Petrarca	Walsh, T. P.
Dombrowski	Kowalshyn	Plevsky	Wansacz
Doyle	LaMarca	Pratt	Wargo
Dreibelbis	Laudadio	Prendergast	Wojdak
Eckensberger	Laughlin	Rappaport	Worrlow
Englehart	Lederer	Ravenstahl	Yahner
Fee	Letterman	Reed	Zeller
Flaherty	Lincoln	Renwick	Zwikel
Fryer	Manderino	Rhodes	
Gallagher	McCall	Richardson	Fineman, Speaker
Garzia	McGraw	Rieger	
Geisler	McLane		

NOT VOTING—9

Beren	Hutchinson, W.	McIntyre	Shelhamer
Davies	Kelly, J. B.	Scirica	Zord
Dininni			

So the question was determined in the negative and Part II of the O'Connell amendments was not agreed to.

On the question,

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

Bill as amended was agreed to.

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

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

Mr. O'CONNELL. Mr. Speaker, I would like to have the comments that I made for the record yesterday inserted in today's record and, with that, I would ask a negative vote on the bill.

(Mr. O'Connell's remarks of April 5, 1976, were as follows:)

Mr. O'CONNELL. Mr. Speaker, thank you.

Just briefly in rebuttal to this point raised by Mr. Green and in support of my position in opposition to the bill: First of all, you cannot accurately stand here and compare the legislation of other states with that of Pennsylvania. It is conceivable that you may be comparing apples to oranges. We do not know particularly what is in those particular statutes that they may have adopted. It is my understanding that in some instances it is a may bill, that the counties had options of either accepting it or not. In other sections of the country, certain counties were mandated to adopt this while others had some prerogative.

There are those in amongst us who believe that perhaps mail registration would remove the fraud, and there are strong support indications for that in this particular bill. The exposure here is the fact that the domicile is not strengthened and is not set out and there is room for some abuse in that area.

Secondly, there is concern of a possible abuse by the fact that the minority party in any instance will not be notified. It is the intent and has been the intent of this legislature historically to provide minority representation. That is not provided for in this. My amendment would have provided that.

Finally, there is Federal legislation pending. It is conceivable that we will adopt this and be totally out of step with the Federal bill. It would not be bad judgment if you are interested in taxpayers and saving money to await the adoption of the Federal legislation. So we, in fact, may be parallel as opposed to being in conflict with it. For those reasons, I would ask a negative vote on the bill.

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

Mr. GREEN. Mr. Speaker, I believe that the two-hour debate yesterday answered most of the questions concerning House bills Nos. 1956 and 1957.

Mr. Speaker, this House has the opportunity to begin an election reform in Pennsylvania and, in my opinion, a mail voter registration will be a good start. The penalty provisions are severe and provides greater protection than our present system. In addition, these bills will provide considerable savings to each county. Mr. Speaker, I urge a "yes" vote.

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

Mr. REED. Mr. Speaker, would the gentleman, Mr. Green, consent to interrogation?

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

Mr. GREEN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. REED. Mr. Speaker, yesterday in reading the exact language of House bill No. 1956, now already passed, and in comparing it with House bill No. 1957, if my memory

serves me correctly, I recall that there was no reference in House bill No. 1957 now before us to provide for door-to-door canvassers throughout all of Pennsylvania. Such a provision was only contained in House bill No. 1956. Was that correct?

Mr. GREEN. Yes, Mr. Speaker. The reason for that, Mr. Speaker, was that there was a provision to be put in to include 25 inspectors to be employed and paid for by the Commonwealth and to work in the city of Philadelphia. This was eliminated. We thought this was unnecessary and we amended the bill in committee to take this out.

Mr. REED. House bill No. 1957 contains no reference to canvassers. Is that correct?

Mr. GREEN. That is correct.

Mr. REED. So as to establish legislative intent, I know that there are specific penalties provided for falsification of a postcard registration or a nonpersonal registration, as it is referred to. I know that the board of registration, which are the County Commissioners, are empowered to cause an investigation on any improprieties. So as to establish legislative intent, one of the recourses that the board of commissioners could undertake would be the employment in that county of persons to do door-to-door canvassing if such is necessary to correct any reported inequities.

Mr. GREEN. Yes, Mr. Speaker.

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

Mr. ZEARFOSS. Mr. Speaker, would Mr. Green consent to one question, please?

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

Mr. GREEN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ZEARFOSS. I would like to make sure of my understanding. Are you saying that canvassers are necessary in the rest of the state but not in Philadelphia?

Mr. GREEN. No, sir, I did not say that.

Mr. ZEARFOSS. You are saying that it is the other way around?

Mr. GREEN. What Philadelphia have their employed canvassers do is to check their registration lists. The other 66 counties have the authority in the Election Code that they do theirs through canvassing or mail check or through the purging.

Mr. ZEARFOSS. Thank you.

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

Mr. PANCOAST. Mr. Speaker, a brief comment on the bill: I think we should remember that this bill will constitute a decrease in the roll of the political party organization, and every decrease in the roll of the organization is in effect an increase in the roll of other political organizations rather than the political party organization. I think we should bear this in mind and I certainly think that we should try to improve the roll of the political party organization. Therefore, we should vote against this bill.

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

Mr. GREEN. Mr. Speaker, I share the gentleman's concern of more participation in the process and I believe that this is one attempt here to include more people in the election processes in this state. The records of other states indicate that this will happen, we will have

more people participating. I believe this is a good step for us here in the House of Representatives. I urge a "yes" vote, 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—129

Abraham	Gillespie	McIntyre	Ritter
Arthurs	Gillette	McLane	Ross
Barber	Gleason	Menhorn	Ruggiero
Bellomini	Gleeson	Milanovich	Saloom
Bennett	Goodman	Miller, M. E.	Scheaffer
Berlin	Green	Miller, M. E., Jr.	Schmitt
Berson	Greenfield	Milliron	Schweder
Bonetto	Halverson	Miscovich	Shane
Bradley	Hammock	Morris	Shelton
Brunner	Hasay	Mrkonic	Shuman
Burns	Haskell	Mullen, M. P.	Shupnik
Caputo	Hayes, D. S.	Mullen	Stapleton
Cessar	Hopkins	Musto	Stout
Cohen	Hutchinson, A.	Myers	Taddonio
Cole	Irvis	Novak	Taylor
Cowell	Itkin	O'Brien	Toll
DeMedio	Johnson, J.	O'Donnell	Trello
Dicario	Kelly, A. P.	O'Keefe	Walsh, T. P.
DiDonato	Kernick	Oliver	Warsacz
Dombrowald	Kistler	Parker, H. S.	Wargo
Doyle	Klingaman	Perry	Whelan
Eckensberger	Knepper	Petrarca	Wilson
Englehart	Kolter	Plevsky	Wojdak
Fee	Kowalyshyn	Pratt	Worrilow
Fischer	LaMarca	Pyles	Wright
Fisher	Laudadio	Rappaport	Yahner
Flaherty	Laughlin	Ravenstahl	Zearfoss
Gallagher	Lederer	Reed	Zeller
Garzia	Letterman	Renninger	Zwilk
Geesey	Lincoln	Renwick	
Geisler	Manderino	Rhodes	
George	McCall	Richardson	
Giammarco	McGraw	Rieger	Fineman, Speaker

NAYS—60

Anderson, J. H.	Gallen	McGinnis	Smith, E.
Bittle	Grieco	Mebus	Smith, L.
Brandt	Gring	Moehlmann	Spencer
Butera	Hamilton, J. H.	Noye	Stahl
Cimini	Hayes, S. E.	O'Connell	Thomas
Crawford	Hepford	Pancoast	Turner
Cumberland	Hill	Perri	Ustynowski
Deverter	Katz	Pitts	Valicenti
Dietz	Kusse	Polite	Vroon
Dorr	Lehr	Prendergast	Wagner
Dreibelbis	Levi	Ryan	Weidner
Fawcett	Lynch	Salvatore	Westerberg
Foster, A.	Manmiller	Scirica	Wilt, R. W.
Foster, W.	McClatchy	Seltzer	Wilt, W. W.
Fryer	McCue	Sirianni	Yohn

NOT VOTING—7

Beren	Dininni	Kelly, J. B.	Zord
Davies	Hutchinson, W.	Shelhamer	

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

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

HOUSE BILL 1492 TAKEN FROM TABLE

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

Mr. SALVATORE. Thank you, Mr. Speaker.

House bill No. 1492 was laid on the table. I would like to remove it from the table, and the Governor's veto message Mr. Speaker, so that we can act on it. I so move.

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

The clerk read the following veto message:

COMMONWEALTH OF PENNSYLVANIA
Governor's Office
Harrisburg

March 18, 1976

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

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

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

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

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

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

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

That veto was soundly sustained by the State Senate.

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

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

But that is exactly what this bill will produce.

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

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

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

MILTON J. SHAPP
GOVERNOR

On the question recurring,
Shall the bill become law, the objections of His Excellency, the Governor, to the contrary notwithstanding?

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

Mr. SALVATORE. Thank you, Mr. Speaker.

Mr. Speaker, I know we have belabored this issue over and over again, but I have to say a few things today.

First of all to the majority leader: My last name is Salvatore. In Latin it means savior. It is not Salvador-ee. I just wanted to correct you on that because I am proud of Salvatore, and I am not saying this to be facetious. I

just want to make a correction. You always say Salvator-ee.

Mr. IRVIS. Mr. Speaker, in Albany, New York, it would have been Salvator-ee. Over here I will stand corrected as Salvatore.

Mr. SALVATORE. I also would like to say to our majority leader, what he does with words, Michelangelo used to do with a brush.

The SPEAKER. And that is what you can do with a gavel.

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

Mr. SALVATORE. I think that the majority leader did not restrict himself to House bill No. 1492 in his remarks, and he went on to talk about his wife going to school in Georgia and the problems they had. I can tell him about the problems that we had when my mother and father came over in steerage. And they were called "wops," and that is, without papers, but we will not go into that today. That is another debate. Some other day, we will take it up on the floor.

I would like to also point out that Mr. Oliver, whom I respect very dearly, made a statement that someone who wanted to teach in the black areas could not teach in the black area but was assigned to the northeast. Well, that was not the school district's fault; that was the Human Relations Commission's fault because they took the school district of Philadelphia to court and said to that school district of Philadelphia, you must assign so many black teachers to the northeast or to the white neighborhoods, so they had to comply with that order.

Why do they not do that with doctors? Why do they not do that with lawyers? Why do they not say to doctors when they graduate from medical school and assign them to the black areas? They are professional people. School teachers are professional people, but they do not have that choice, because they made the unions write into the contract that "X" amount of teachers had to go to the northeast or to the white neighborhoods.

Now the school district of Philadelphia has been trying to build schools in the overcrowded areas. They have spent over \$300 million to try to rectify the situation. They built nice schools, and I think the purpose is to provide quality education in these schools.

Now there was another point made by the majority leader which I would like to just close with. He mentioned something about Rhodesia. Well, thank God, we do not have a Rhodesia. And he mentioned Lebanon where people are afraid to say that they are Christians or they are Moslems. People came to this country because they can have the right to say what they are, do what they want, go to the church of their choosing and be free Americans.

Now we have had in our area—and I think in Max Pievsky's district and I think Roland Greenfield's district—busing of black children for the last 5 years or maybe more, and we have never had an incident at those schools. And why were they sent up there? They were sent up there because there were overcrowded conditions in the schools in their neighborhood, and we had an area, such as the Oxford Circle, which had peaked. They did not have the children.

The school district many years ago did not have the foresight. There was poor planning. They built monstrosities, and we had an abundance of classrooms. So we

took children from overcrowded areas and bused them into the northeast, and no one objects to that. I think the only thing that people object to is saying to a person, my child cannot go to the school closest to my home.

I am going to close in hope. I want to apologize to the members of this House for getting up on the floor so many times on this issue, but I feel very strongly about this issue and I hope that you will forgive me for taking all of your time.

Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I will yield to the gentlemen, Mr. Barber and Mr. Oliver.

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

Mr. BARBER. Mr. Speaker, I did not know that Mr. Oliver was up, but I have known Frank for a long time. The majority leader is from New York and where I am from, I am afraid to say Salvatore because I will probably say it different from anyone else. But I would like to state this: that if the Human Relations did not have set rules, we would not get any place, because since slavery we have had to fight for everything we have accomplished and we were forced to get these things by the Supreme Court.

So when we make a statement of what will happen if this person wanted to teach in the northeast—she could not. If she wanted to teach in north Philadelphia, she could not. But the point of it is, we would not get the better teachers in the ghetto areas. So, therefore, that is the reason the Human Relations Commission fought so that we would get the better teachers.

I am saying to you today that my good friend, Frank, has been on the floor many times and, knowing him through the years, even before he and I became legislators, I cannot understand why he is fighting for this bill so hard. I am under the impression that he is doing this because it is election time. That I can understand, and I believe it is because it is expedient for him, but I must state and speak from my heart that I think this is because—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. GALLEN. Mr. Speaker, I do not think that Mr. Barber should impugn any other member's integrity on the floor of the House.

The SPEAKER. The point of order is well taken. No member is permitted to impugn the integrity of another member on the floor of this House or indeed elsewhere.

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

Mr. BARBER. I am very sorry about that, Mr. Speaker, because I have known Frank a long time and I know that Frank does not think that. But, as a politician, sometimes we all go overboard. I do not think it is the intention of Frank. That is the reason I keep calling him Frank

because we have known each other for the last 20—some years, and I am very sorry, Frank.

But I also believe that, as the majority leader stated that day last week, that we cannot get quality education in the ghetto areas. I look around and I happen to know this for a fact, the people who had a chance to go to the schools where you have the better teachers, the better labs, always come out on top. That is like comparing an Ivy League school with a school down south that you have never heard of. And the reason I mention the South is because I happened to be born in the South, and I know that when I came here as a young man, a young boy and as a small child, when I entered the elementary school, they had subjects that I never heard of. So it was impossible, it was impossible for me, to keep up with the people that had subjects for maybe 2 or 3 years that I had never heard of.

I am saying to you that I think it is a shame that we override the Governor's veto. Thank you very much, Mr. Speaker.

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

Mr. OLIVER. Mr. Speaker, Mr. Salvatore was correct in the statement that he said I made. He was absolutely right. But one thing he did not do, he did not finish the quote. I made that statement to bring out a point.

I was saying to Mr. Salvatore that a qualified black teacher was acceptable to the residents of northeast Philadelphia, but by the same token this same outstanding well qualified individual was being denied the opportunity to treat and to educate black young students.

Now Mr. Salvatore stated—these were his words—and he referred to some sections of the northeast with this situation and we do have it there and it is no problem. What I cannot understand today is, why would Mr. Salvatore be opposed to this throughout the entire northeast of Philadelphia? It is taking place. These were his words: "No problems whatsoever."

I often wonder what is the destiny of the black in this city. Years ago we could not eat in the same restaurants. Today, thank God, we can. Years ago we could not ride in the front of the buses. We had to ride in the rear. Today, we do not have to do that any longer. Now here again today black kids cannot be educated in certain areas in the city of Philadelphia. But yet, by the same token, you are saying to us, yes, send us your well qualified black teachers. They are acceptable, but black students cannot come in this area.

Thank you very much.

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

Mr. SALVATORE. Mr. Speaker, first of all, I believe in freedom of choice and I think everyone has the right to an education regardless of his color, race or creed. But I am saying that the Human Relations Commission has taken that qualified teacher who wanted to teach in a black area and—

The SPEAKER. The gentleman may proceed.

Mr. SALVATORE. All I am trying to say, Mr. Speaker, is that I believe that everyone has the right, black or white, to receive a quality education. Busing does not serve the purpose. Putting the teachers, the qualified teachers, into schools regardless of where they are, in the northeast, Columbia Avenue, south or wherever they are,

putting qualified teachers into schools so that people do get a qualified education is the answer.

Jim Barber knows me for 20 years and he knows I am not a racist, and if anybody thinks I am, then I honestly feel sorry for them.

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

Mr. CAPUTO. Mr. Speaker, thank you.

Mr. Speaker, I do not care what name I am called by, but for 10 years now, during my entire term in the legislature, I have been fighting the fight against forced busing.

Mr. Speaker, our School Code recognizes and mandates fairness in the schools and decries discrimination, and sometime after the enactment of the School Code in the case of Brown versus The Board of Education, the Supreme Court of the United States made it the law of this land, as well as the law of Pennsylvania, that there should be no discrimination in the placement of pupils in our schools. I am sure it is to that end that the Human Relations Commission has held hearings and prescribed the placement of students in the various schools throughout the Commonwealth of Pennsylvania.

However, I would like to point out that in the case of Brown versus The Board of Education, the issue was a young black girl who was forced to go past her neighborhood school, was not permitted to attend the classes in her neighborhood school, had to pass it, go through a freight yard, and had to be picked up to be taken to a segregated school. It was the injustice of this situation, in my opinion, that caused the Supreme Court to adopt what is now the law of this land, and I favor it.

In a statement made by our majority leader several years ago in answer to a television inquiry, I recall what he said and I lauded him for it. I believe that he said the right thing. He was asked the question of why he favored busing of students, and our distinguished leader answered that as a taxpayer of the city of Pittsburgh, as a person who supported the educational system in the city of Pittsburgh by the payment of his taxes, he felt that his child or any other child should be able to go to the school that had the best facilities and had the best teachers.

I cannot argue with that, Mr. Speaker. I agree that every citizen is entitled to have the best possible education offered to him in the school district in which he lives. However, there was one unanswered question on that program. The question that was not asked was, what do you do when you send Mr. Irvis' child or friend to a good school, the best school in the district, and is it proper to take some other child who lives close to that school, that excellent school, and send him back to the school that Mr. Irvis' child or friend's child should not be in? That seems grossly unfair, Mr. Speaker.

Now we have very, very capable men in this state and in this country, and I am sure that the majority of the citizens will not stand for segregation or discrimination. The question therefore before us today, Mr. Speaker, is whether or not the Supreme Court of this land and the courts of our Commonwealth and of our country have minds as good as the minds of the Pennsylvania Human Relations Commission. And I submit, Mr. Speaker, that they do. I cannot agree with the Governor when he says, or with the Catholic Conference when they say, that the Pennsylvania Human Relations Commission will give us a

better formula for integration of our schools than the courts of this land or those invested with the authority to prescribe integration in our classes.

I think this is a matter between the parents and students and the people of this Commonwealth. I would like to just suggest one illustration. I have two sons. My older son went to a Catholic school, a Catholic elementary school. I felt he needed a little bit of discipline when he graduated from the Catholic school and, since I was able to make a little bit of money and had a little money, I sent him to Valley Forge Military Academy where I thought he could get the discipline he needed. There was no court, no Human Relations Commission, no school board that said to me, you send him to South Hills High School, one of the schools in your city. They did not bother me because I had enough money to pay the tuition for my son wherever I wanted to send him. And I submit, Mr. Speaker, that when any board or Human Relations Commission says to anybody who is not as economically well off as I am, you send your child to this school, the one you do not want him to go to, I submit, Mr. Speaker, that we are not enjoying equal benefits under the law. I ask that we vote in the affirmative to override this veto.

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

Mr. SHANE. Mr. Speaker, I oppose the override of the veto, not for Pavlovian liberal reasons, but for what I consider to be rather hardheaded reasons, two basic reasons. The first reason is that I think the Human Relations Commission will probably deal with this thorny problem more pragmatically and with more sensitivity toward community feelings than Federal judges will deal with this thorny problem.

I would like the members to know that after last week's debate and vote, I did a little research up in the law library of the Legislative Reference Bureau and I came across an interesting Federal case from 1975 in the Federal District Court in Missouri. I regret that I do not have my Xerox copy of that case here so I could read you excerpts and give you the citation, but one sentence from that Federal court case stands out vividly in my mind where the judges wrote the following: "The borders of a school district are not sacrosanct when they come in conflict with the imperatives of the 14th Amendment of the United States Constitution." And with that sentence the Federal Court for Missouri ordered three school districts to merge for the purposes of racial balance and ordered busing across those three merged school districts. In effect, that Federal Court in Missouri ordered cross-district busing. Now, I do not have the case here, but I can look it up back on my desk if you do not believe me.

Now, to me, in my recollection, I do not recall any situation in Pennsylvania—perhaps a member can correct me. His memory may be better than mine, but I do not recollect a single case in Pennsylvania—where the Human Relations Commission has ordered cross-district busing such as this Missouri Federal Court did and two or three other Federal Courts have also done. So my first reason for opposing this veto override is that I think the Human Relations Commission will deal more pragmatically and more sensitively with this thorny issue than I believe the Federal Courts will.

The second reason I oppose a veto override is that I think it is in fact true that where the schools exist in a

state of racial imbalance, unequal educational opportunities exist. And I say to you members from Allegheny County, check out what I am saying. Do not take what I am saying at face value. Check it out. I am going to tell you about racial imbalance in Allegheny County.

As I told you last week, I have friends who teach at Fifth Avenue High School in Allegheny County and I have friends who teach at Squirrel Hill, at the Taylor-Alderdice High School in Allegheny County. It is a fact that there are no educational supplies available for the teachers in Fifth Avenue High School, a predominately black high school, and there are educational supplies available for the teachers in Taylor-Alderdice High School. I know the school board will tell you it is not true. The superintendent will tell you it is not true. I am telling you and I challenge you, check it out with the teachers of those two schools.

It is a fact of human nature that a white-dominated school board will tend to favor predominately white schools, and the vice versa, I am sure, is equally true. A black-dominated school board will tend to favor predominantly black schools. So it is not out of any childish, juvenile liberal impulse I am favoring the opposition of the veto override. It is sheer practicality that you are not going to have equal educational opportunity unless there is some effort at racial balancing in the schools.

For these two, what I believe to be solid, reasons, I ask you to vote "no" on this veto override.

ANNOUNCEMENT

The SPEAKER. The Chair will advise the members that Channel 10, WTHA-TV in Altoona, has been granted permission to take some photographs on the floor, some footage.

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

Mr. CAPUTO. Mr. Speaker, because Mr. Shane mentioned Allegheny County, I felt it incumbent that I once again come to the microphone.

First of all, I would like to clear him up. When I talk, I am talking about the Pittsburgh School Board, and it is in the city of Pittsburgh and not in Allegheny County as a whole. I agree with Mr. Shane that supplies were lacking in Fifth Avenue High School, but if he knew any of the teachers from some of the other schools, he would find out also that supplies were in short supply and were lacking in schools in my own legislative district, Carmalt School, Overbrook School, West Liberty School, and several other schools. Mr. Shane is informed only by the teachers he knows at two schools, and I am sure he does not know the conditions at the other schools.

I might also point out that at one of the schools he mentioned, Fifth Avenue High School, which is the home of the state basketball champions of Pennsylvania, will be moved, all of their students. It is phased out to a school about a quarter of a mile from my home, and I am very proud that my district will be blessed with the state champions of the State of Pennsylvania. I might point out also, I am not only proud that they are the state champions, but every member of that team is black.

Mr. Speaker, we welcome those in another school that was predominantly black—Gladstone School to the Beechview district—the district in which I live.

I would also point out to Mr. Shane and I, too, could

say that I do not know of any cases where the Pennsylvania Human Relations Commission has ordered cross-district busing. However, I would point out to Mr. Shane that the Human Relations Commission does not prescribe the nature of the placement of students in the school districts. They merely look at and approve the program made up by the school board of that particular school district to decide whether the program adopted by the district meets the requirements of racial balance. So we are not talking about the Human Relations Commission in that respect.

Mr. Speaker, he indicated that there is no cross-district busing. I have just told you about the two new schools and the student body of two schools who are going to be phased out and are coming to a new school in my district. The only problem with that, Mr. Speaker, is that those schools are going to be crossing a district to get to their school in my district. I do not object to it except that I think it might be somewhat unnecessary because of the cost factor involved. I might also point out, and I am sure when Mr. Irvis takes the mike, he is going to tell you that there are some schools that were built and designated as open-enrollment schools in the city of Pittsburgh, and if it was located in the neighborhood predominantly black, they had difficulty getting white students to enroll. If it was located in a section that was predominantly white, they had difficulty finding black students to enroll. This is not a black-and-white issue, but it is a fact, Mr. Speaker, that neither—and maybe I am a little bit ashamed to say it and a little ashamed of the fact that it is a fact that neither—the white nor the black will go out of their way to impose themselves on the other group in education.

I hope that that will somewhat clear up the statements made by Mr. Shane. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker—

The SPEAKER. Does the gentleman desire to yield to the gentleman, Mr. Richardson?

Mr. IRVIS. I shall, Mr. Speaker.

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

Mr. RICHARDSON. Thank you very much, Mr. Irvis. Thank you, Mr. Speaker.

Mr. Speaker, I rise again today to discuss this very important matter that is presently before us. It seems as though we have been debating this issue for quite some time over the past couple of weeks. I have some major concerns that have come to my mind that seemingly did not get across last week when I rose on the floor of this House and spoke to this bill. My concerns are of my constituency and my community.

I would like to know whether or not I can get some clarification from Mr. Salvatore as to one part of the intent of this bill, if he would submit to a brief interrogation.

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

Mr. SALVATORE. Yes, Mr. Speaker. I did not hear the question.

The SPEAKER. Will the gentleman, Mr. Richardson, repeat his interrogation of the gentleman?

Mr. RICHARDSON. Mr. Speaker, I did not ask it yet.

Mr. Speaker, I am concerned with the House bill No. 1492 on the third page, which relates to the whole question of where we stand today on the busing question. I read this twice and I did not see anything in there that would indicate that we are talking about not busing children out of their communities at all and not busing them anywhere. I am just trying to get some clarity now and I want to find out from you whether or not you feel that in this bill—although it did not discuss transportation; it did not discuss the bus—there is any validity to our intent of keeping neighborhood schools together and of making sure that we are not talking about schools that are primarily in the same area. If a child wants to go to that school and if it is in walking distance, does that also involve the student who can walk to the same school that is in that area?

Mr. SALVATORE. Right. Yes.

If you read the bill, at the bottom, Mr. Speaker, the only time a child would be not allowed to go to the school nearest his home would be if you had an over-crowded situation. If you had an over-crowded situation, then the child could be bused to a school away from his home.

Now the intent of the school district, the local school district, from what I understand, is to try to keep spending the money in the over-crowded areas and to put the schools there. They have been doing so. Looking to the future, they have been trying to plan a little better than they have planned it in the past.

Mr. RICHARDSON. If, Mr. Speaker, there was a school adjacent to the same school in the area, although it was not over-crowded, would that also apply to those individuals who might, due to parent consent, send their child to that particular school? Would that be permissible or would that be in violation?

Mr. SALVATORE. That would be permissible.

Mr. RICHARDSON. Thank you very much. I wanted to get two points on that.

Mr. Speaker, I would like to be recognized to make a statement.

The SPEAKER. The gentleman may proceed.

THE SPEAKER PRO TEMPORE (Patrick A. Gleason) IN THE CHAIR

Mr. RICHARDSON. Mr. Speaker, today, as you all know, there is probably coming through this House of Representatives one of the most important pieces of legislation that has entered this House concerning the whole question of where we stand on these so-called busing issues. I say "so called" because I have a major concern, and that concern is that we have put ourselves in the position of talking about busing and not talking about quality education.

My first concern and commitment is to the young people of this Commonwealth and to assure the opportunities that each young person gets the type of education that they are supposed to get.

In the city of Philadelphia, as you know, we have eight school districts and across those eight school districts, it seems to me, there is a very sincere problem in parts of the district that give credence to giving education in total.

I think that we are in a position today to begin to look at the eight school districts across the city of Philadelphia to get some clear understanding as to why it is that in certain parts of the city of Philadelphia, the educational components in that district are being taught and being

made to work, but in other parts of the city they are not. There must be a reason for that.

I raise the question today to the members of this House and challenge them again, once again, that it is certainly our responsibility to begin to assert ourselves as the vanguard and the leadership in assuming the responsibility for not getting those individuals who are in charge to do the job that they are supposed to do about giving quality education to our young people. I am totally confused when I hear people talk about busing and talk about busing is the issue, when we have known for years that they have bused throughout this Commonwealth, across this country, and that busing has never been the issue relative to the education. I just think that it is important for us to recognize that leadership that has been delegated to us in order to begin to stamp out some of the underlying factors that really relate to our overall situation.

As I was saying, it is not the question of the bus; it is the question of us asserting ourselves to not only those who are educators and teachers and administrators and community people and the Human Relations Commission and the Federal courts and the legislative body, but all of those components collectively dealing with the real issue of what do we do about making sure that each one of those school districts gets the type of education they are supposed to.

I have gone over this issue in my district since last week, and there is a grave concern about where is the legislature. Where are they in terms of their commitment to making sure that the young people are being taught what they are supposed to be taught, raising the question as to why is it that we are saying to our own young people that we must bus young children to northeast or have them bused into North Philadelphia, that to sit next to a black child or to sit next to a white child will make them learn faster or better is erroneous.

I submit today to this House that this is the attitude that we carry as individuals who are moving sincerely about a question that really deals with our own commitment to the question as to where do we send our own children. How many members of this House send our children to public schools whether or not they are involved in the crisis that exists? Because I foresee another Boston, as I stand here on this floor, coming about without the proper modes and the proper directions given towards a commitment of making sure the young persons of this Commonwealth come first. They are my top priority.

I am wondering how many of those persons are playing political football with the lives of the young people around the busing issue and is it their top priority in dealing specifically with where we go?

I have to raise that question and challenge again the members of this House to specifically look at what they are doing today. It is the beginning of saying, all right let us eliminate the board of the Human Relations Commission; let us do away with it. But at the same time we talk about the fact that we are for desegregation.

I am not against desegregation and I am not against the Human Relations Commission Board. I want to make that very clear. But I think that our stand must be one that begins to indicate that this state, and the Governor included, has not taken its responsibility towards mandating the Secretary of Education of this Commonwealth to begin to deal with the real components of giving the type of accountability that is necessary.

Why is it that educators and those involved in the educational system across this state are the only individuals who do not have to be accountable to anyone, to no one? We as legislators sit back and do nothing about that. I want to know when we are going to take on that battle to begin to talk about where do our children go. If they can teach aerospace in the northeast, they can certainly teach it in North Philadelphia. That is not happening right now in Philadelphia. That is not happening at all.

For me to tell you that I want my daughter bused up to the northeast and saying that if she sits next to a white child that she will learn better, I have to tell you that that is not the issue. That can never be the issue. But it should be the right of each and every child in the school district of the city of Philadelphia to be able to go to school and learn in the area that they live in without having to be told that they have to be shipped somewhere else in order to learn.

Now when are we going to get down to the bare facts of our own responsibility, or when are we going to get down to the facts of recognizing that we can no longer continue to skirt this issue? We must deal with it in its proper perspective.

I am only saying today to the members of this House that when you vote today, let us be conscious of what we are doing; let us be conscious and understand the position that we are putting ourselves into to destroy a commission, to wipe it out as far as its being involved in any decision making, when we, ourselves, have not asserted ourselves in any decision making to deal with the problem that exists. We are all then a part of the destruction of our own young people. We are really not a part of their progression, but we are part of their regression.

I see that those individuals who have talked before on this issue have talked around the whole bit of defining quality education. I think that we have not put a key definition or have redefined ourselves as to what the real concern is. I do feel that it is something that we cannot overlook.

And that concern of redefining the whole question around what is quality education brings a concern to me. And I do feel that it is something we cannot overlook.

I have risen on several occasions on this floor to discuss this particular matter and I believe this is one of the underlying factors that brings in the whole question. The underlying factor, the blind thing, that you cannot see, the racism, whether it is subtle or overt, is still being thrust upon us as not being looked at in its true vein. Today it is busing; tomorrow it will be something else; but it still never gets down to our dealing with the root cause of the problem that faces our community, our constituency and, overall, our young people.

We are using them again as guinea pigs to get away from the reality of what we are supposed to do. It seems to me that a bill like House bill No. 1492 should be thrown out and should be put aside until the real question is dealt with around quality education. I know that other individuals feel that my position relative to this is synonymous with theirs, but I want to make it clear today so that there can be no question that the position I am taking is relative to the fact that until we, as members of this House, move to put together a piece of legislation that deals specifically around quality education and making sure that not only the school districts of Philadelphia but across the Commonwealth deal specifically

with making sure that teachers, who are put into those districts, do the job that they are supposed to do and that the administrators, who are responsible for heading up those particular individuals and those particular schools, do the job that they are supposed to do.

If we do not assert ourselves in relationship to those particular leaders of a community going out and explaining that to our own community organizations, having them come in and watch what goes on in the schools, you can bus all you want but it will never change the situation that presently exists within the school districts today.

I submit again in closing, Mr. Speaker, that until we raise a question in our own minds, saying that we are going to bring about a total change, a radical change and a radical departure from what we have seen as being a norm, what has been a part of the status quo, that has been synonymous with racists and racist intentions, that we will not ever get down to the real issue that is before us today.

Again, I am going to put it in front of you: the question is not busing. It is we that the responsibility of busing will lie on and that regardless of which way you vote today, you can rest assured it is going to be we again who are going to be made responsible to deal with this question. If it falls in the hands of the Federal court or the state Supreme Court, it does not matter, because in our own communities where the rumbling and the fighting and the violence and what-have-you are going to take place, we must remember that we did not take the initiative ourselves to begin to work out the solutions towards developing the type of quality education that really could be taught in terms of clarifying our own issues and our own problems without throwing it off on somebody else to do.

Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Bellomini.

Mr. BELLOMINI. Mr. Speaker, just for clarification, my colleague did mention that the legislature saw in its wisdom as to eliminating the Human Relations Commission. Twenty-some odd years ago we instituted this type of legislation. There is a need for the Human Relations Commission in our society. But I pointed this out before.

The Human Relations Commission came into Erie County and in 3 days said we had to do certain things about busing. We worked on this for about 2 years, and our own board decided they had implemented a different system of busing, which indicated a cost factor in our area. The Human Relations Commission came into our area and in 3 days said, no, we have to do it this way, not realizing the cost to our constituents and to our area.

We find that the Human Relations Commission does belong in our society but does not belong in the educational programs especially in my district.

I say again, they are not qualified to come in to tell us what is quality education and what is not. Let us leave it up to the Department of Education. Let us override this veto.

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

Mr. HAMMOCK. Mr. Speaker, I rise to support the statement made by Mr. Richardson.

I find it strange that in 1976, 20 years after the doctrine of separate but equal schools having been struck down, 20 years later I am standing on the floor of the House of

Representatives in Pennsylvania supporting the concept that we ought to stop busing.

I think the concept has not worked. I have been to Boston. I have been to places in Florida. I have been to places in North Carolina.

Busing has worked in some places and it has not worked in others. But it certainly has not worked in Boston and I would not want to see the city of Philadelphia thrown into a chaotic situation like the city of Boston.

Secondly, I would like to say that education, especially quality education, does not come at the end of the bus ride. It comes when there are dedicated people, as Mr. Richardson has pointed out, who take a sincere review of their educational needs in their own back yard and commit the resources to bringing the educational point of view into fruition. If it is quality education that we want, if it is quality education that we need, then the legislature ought to put up that money or go to the Federal Government and have the Federal Government required to spend that money back in our state and in our cities for real quality education.

There is a broad range of views on this issue. I belong to several organizations that have an orientation towards black and poor people and minority communities. One of those groups, the NAACP, nationally across the country, supports the concept of busing to achieve integration. However, I also belong to several local groups with that same orientation who are saying that we do not want busing because it does not provide for quality education. We do not want our children leaving our neighborhoods.

So even within certain ranks there are certain differences of opinions, but I think that each and every one of us has to face this question. I have had to face it down. Each and every one of us here will have to continue to face it down, not only as members of the House but as individuals who live in individual communities.

So for me, I do not believe that busing has worked. I have seen the devastation in Boston, and where it has worked, the situation is different. I do not want another Boston in the city of Philadelphia. Therefore, I address my remarks to that and the choice is yours, ladies and gentlemen.

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

Mr. IRVIS. Thank you, Mr. Speaker.

First of all, I want to thank Mr. Salvatore for comparing me with one of my ancestors, Michelangelo.

Secondly, Mr. Speaker, I think probably enough has already been said on this issue. I really want to talk to a man who was reported to me as having said recently, "Mr. LeRoy Irvis is only interested in blacks and minorities." That man is within hearing of my voice. I say to him that he is either an ignorant observer of LeRoy Irvis or a stupid one, or a combination of the two, for I have spent the vast majority of my years in battles for people regardless of race or religion. There have been times when I regretted that. There have been times when I could have more easily looked upon myself as a black leader rather than a leader. It would have been more advantageous for me politically to have been in that posture, and I have refused to take that posture.

I have tried to educate my two children in the posture I have taken for many years. I have said to them, "It is more important for you to be a human being than for you to be black or any other color." I have said, "I want

you to be proud of the black people who have fathered and mothered you, but I want you to be aware of the fact that there are other races and colors on the face of the earth. If you were going to be living on an earth solely populated by blacks, then it would be fine to be merely black. But you are not. You are going to have to compete with and live with children and grownups of all religious creeds, all colors, and in your generation it is going to be far more complicated than it ever was in mine."

I have not contested on this floor, nor shall I ever, that a school which is all black is inherently inferior. But I do say to you that if we continue to educate our children in isolation, one from the other, Jew from Christian, Catholic from Protestant, white from black, rich from poor, we cannot build a society of people in the United States.

We will succeed only in fragmenting the United States into separate and desperately hostile units which eventually will destroy us. That is what I plead for. I do not care whether the Human Relations Commission orders busing or not. That is not the issue. The issue is a battle that we are engaged in and some of you want to take a weapon away from us. That weapon may not be perfect; it may dull; it may not have been wielded correctly; but it is a possible weapon in the war to keep the unity of the United States.

Those of you who think that, by overriding the Governor's veto today, you will eliminate the threat of busing, disabuse yourself of that. It will remain, no matter how you vote, unless you think by voting you can override the Supreme Court of the United States, unless you think by your vote here today you can nullify the Federal District Courts, and you cannot.

What Mr. Shane said to you, and perhaps you did not hear him, is that the Federal courts have already said, we do not care what lines you draw around your school districts. If those lines conflict with the 14th Amendment, we will ignore them. That is what their edict is, and that means that they will do it regardless of what you say here today. Boston was not brought about by the Human Relations Commission. The courts seized the school system for part of it in Boston. They may seize part of the school system in Philadelphia. If they do, I want you gentlemen from Philadelphia to come to me and tell me how you are going to stop it. I would be interested in knowing because there have been things that the Federal courts have done which I wanted to stop and I have not found the device yet. You may know a great deal more about it than I. But you come and tell me how you are going to do that.

You tell me from Delaware and Bucks Counties what you are going to do if the Federal courts say, we are going to send black children from Philadelphia into Bucks and into Delaware? Are you going to mount the barricades? Are you going to rip down the pillars of the courthouse? Are you going to pass resolutions memorializing Congress? Go ahead and see how far it will get you. The courts have said very plainly, we will do so if we find it necessary under the imperatives of the 14th Amendment.

We are not here discussing the elimination of the Human Relations Commission. We are only discussing, do we take a weapon away from this unit which we control and leave it weaponless? If we do that, we automatically turn the decision over to the next agency, and

that next agency is going to be a Federal agency which we in no way can control.

Mr. Speaker, all of you, I think, have had passed to your desks a memorandum issued by the Pennsylvania Catholic Conference and the Pennsylvania Council of Churches. The concluding paragraph of which is this: "Considering that there is both a moral and a constitutional obligation to continue working on the elimination of de facto segregation in American public schools and that Pennsylvania's Commonwealth Court recognizes that this obligation has to be met realistically with due regard for human and economic factors in Pennsylvania's larger cities, House bill No. 1492 will contribute nothing constructive and should not be passed over the Governor's veto."

It should not be, ladies and gentlemen. Some of you propose this here out of a sincere belief, and I hasten to put that in the record. I have not heard one man debate this or one woman debate this whose sincerity I question. I think Mr. Hammock, Mr. Richardson, Mr. Salvatore and others want to get to the same position that I want. I think they all want quality education. The Human Relations Commission wants the same thing. Those are its instructions. Busing may be a method of gaining that quality education. Because to answer Mr. Caputo, who is my very close personal friend and has been for many years, one of the reasons that society will change that bad school will be when the white children of our society are sent to that bad school. That bad school will either be upgraded or eliminated. That is what will happen. That is the history of schools in this land. That is the present position of schools in this land. I fight here today so that it will not be the future of the schools of this land.

I think with Mr. Richardson that children ought to be able to go to any school and get a quality education. I agree with that. I agree with Mr. Salvatore who told about his grandparents coming over in steerage and fighting for a chance for freedom. I agree with that.

If all men could be depended upon to deal justly with all other men, as they themselves would ask to be dealt with, we would have no need of meeting here. There would be no need for a legislature and no need for laws. But men are not that way. There are those among us who forget our obligations to others, and that is the reason laws must be passed, and that is the reason we must empower agencies to act so that those who forget the needs and the wants and the sensitivities of others are reminded that society will not permit them to forget that.

I ask you today to vote in the negative on the question of the override, because I believe that someday this will be one nation.

If you think we are one nation now, I point out one last fact to you. More than 112 years ago, the 13th Amendment to the United States Constitution abolishing slavery, was agreed to as part of the Constitution. I am informed that the State of Kentucky just ratified that amendment in the year 1976. We are not yet one nation. I fight to make this one. I know you do, too. I think my way will bring it about. I know you do, too.

Mr. Speaker, I ask for the House to decide the measure.

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

Mr. BUTERA. Mr. Speaker, I had not intended to debate this subject today because I think we have had an adequate debate on it. I cannot help but comment on

the gentleman's remarks today because I think most of us in this House stand with him. I think our argument is much more on a parallel line today than it was in the past. I was happy to hear him make it very clear that in no way can we, or should we, attempt to change the law of the land in the area of racially balancing our schools.

The issue is, I think, and why I ask for a "yes" vote is that the very argument that the gentleman makes about this issue residing in the courts, Federal and/or state, should this override pass, defeats his entire premise. That is where the issue is being decided today in every part of this nation. I submit that there is no way that we, in this General Assembly or in any other branch of this government, can prevent that provided we continue to adopt the same procedure to achieve the goal of which he speaks, which I share.

It has failed, and it seems that we should acknowledge that and take a different approach to the problem, acknowledging the lofty goal that those in the Human Relations Commission and elsewhere support. I do not think it is necessarily the fault of the Human Relations Commission that it fails. I think it is the fault of the system, which adds fuel to the fire that is stoked by those who do not want integration at any cost.

What we should be doing is changing our approach to this problem, not ignoring it. We will then distinguish ourselves from every other state and Federal Government which to date has ignored this question. That is the reason we should vote "yes." And I think it totally supports the goals of the majority leader, and for that reason alone, I ask that we vote "yes" on the override, and then take the next step in positively dealing with this question and analyzing all of its aspects, which is not now the case.

The SPEAKER pro tempore. The question recurs, Shall House bill No. 1492, printer's No. 2568 become a law, the objections of the Governor to the contrary notwithstanding? Those in favor of the bill becoming law will vote "aye." Those in favor of sustaining the Governor's veto will vote "no."

On the question recurring,

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Would you kindly have only those in their seats recorded?

The SPEAKER pro tempore. The Chair will once again announce that only those members in their seats are privileged to vote.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, will you be as assiduous with your side as you usually are with mine?

Mr. RYAN. Are you suggesting that I am prejudiced, Mr. Speaker?

Mr. IRVIS. Yes. I think you do not like Democrats.

Mr. RYAN. Individually, yes. Politically, no.

Mr. Manderino has done an excellent job of policing us today, Mr. Speaker. I yield to him.

Mr. IRVIS. I thought you would, Mr. Speaker.

On the question recurring,

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

Agreeable to the provisions of the constitution, the yeas

and nays were taken and were as follows:

YEAS—135

Abraham	Gallen	McCall	Salvatore
Anderson, J. H.	Garza	McClatchy	Scheaffer
Bellomini	Geesey	McCue	Schweder
Bittle	Geisler	McGraw	Scirca
Bradley	Giammarco	McIntyre	Seltzer
Brandt	Gillespie	Miller, M. E.	Shuman
Burns	Gleason	Miller, M. E., Jr.	Sirianni
Butera	Gleeson	Miscevich	Smith, E.
Caputo	Goodman	Moehlmann	Smith, L.
Cessar	Greenfield	Mrkonic	Spencer
Cimini	Grieco	Mullen	Stahl
Cohen	Gring	Myers	Stapleton
Cole	Halverson	Novak	Taddonio
Cowell	Hamilton, J. H.	Noye	Thomas
Crawford	Hammock	O'Connell	Trelo
Cumberland	Hasay	O'Donnell	Turner
Davies	Hayes, D. S.	O'Keefe	Ustynoski
DeMedio	Hayes, S. E.	Pancoast	Vallenti
Deverter	Hepford	Parker, H. S.	Vron
DiDonato	Hill	Perri	Wagner
Dietz	Hopkins	Perry	Wansacz
Dombrowski	Itkin	Plevsky	Weldner
Dorr	Katz	Pitts	Westerberg
Doyle	Kernick	Polite	Whelan
Dreibelbis	Kistler	Pratt	Wilson
Eckensberger	Klingaman	Pyles	Wilt, W. W.
Engelhart	Knepper	Ravenstahl	Wojdak
Fee	Kowalshyn	Renninger	Worrlow
Fisher	Kusse	Richardson	Wright
Flaherty	Lederer	Rieger	Yahner
Foster, A.	Lehr	Ritter	Zearfoss
Foster, W.	Levi	Ruggiero	Zeller
Fryer	Lynch	Ryan	Zwikl
Gallagher	Manmiller	Saloom	

NAYS—49

Arthurs	Irvis	Mullen, M. P.	Shelton
Barber	Johnson, J.	Musto	Shupnik
Bennett	Kelly, A. P.	O'Brien	Stout
Berlin	Kolter	Oliver	Taylor
Berson	LaMarca	Petrarca	Toll
Bonetto	Laudadio	Prendergast	Walsh, T. P.
Dicarlo	Laughlin	Rappaport	Wargo
Fischer	Letterman	Reed	Wilt, R. W.
George	Manderino	Renwick	Yohn
Gillette	McLane	Rhodes	
Green	Milanovich	Ross	Fineman,
Haskell	Milliron	Schmitt	Speaker
Hutchinson, A.	Morris	Shane	

NOT VOTING—12

Beren	Fawcett	Lincoln	Menhorn
Brunner	Hutchinson, W.	McGinnis	Shelhamer
Dininni	Kelly, J. B.	Mebus	Zord

Less than the two-thirds majority of the elected members having voted in the affirmative, the question was determined in the negative, that the bill become a law, the objections of His Excellency, the Governor, to the contrary notwithstanding.

ANNOUNCEMENT

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

Mr. WOJDAK. Mr. Speaker, may I make an announcement?

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

Mr. WOJDAK. Mr. Speaker, members of the Committee of Conference on House bill No. 568 will meet in the Appropriations Committee room in 10 minutes.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. MENHORN. Mr. Speaker, just prior to the time that the vote was taken on the override of House bill No. 1492, I was called from the floor. I would like the record to show that had I been in my seat, I would have voted "yes" to override.

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

PARLIAMENTARY INQUIRIES

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

Mr. CAPUTO. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CAPUTO. Is it a required vote of two-thirds of the number of members elected to the House?

The SPEAKER pro tempore. The answer to that question is, yes. Two-thirds of the elected members of the House.

Mr. CAPUTO. What is the number of the elected members to the House at the present time, Mr. Speaker?

The SPEAKER pro tempore. There are 203.

Mr. CAPUTO. No, there are not, Mr. Speaker.

The SPEAKER pro tempore. I have been advised by the Parliamentarian that that is the ruling of the Chair of the House of Representatives, that we consider there to be 203 regardless of the fact there may be vacancies or absences in the membership.

The Chair recognizes the minority whip.

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RYAN. Mr. Speaker, it is my recollection, and this is along the lines that Mr. Caputo has raised, going back a few years when I believe there was a sales tax vote in the Senate that precedent was set to the extent that they took the two-thirds vote based on those presently serving. I believe it was Senator Snyder who, if I am not mistaken, was not then a member. Could the Chair advise me if that is so?

The SPEAKER pro tempore. I am advised by the Parliamentarian that that may have been a precedent that is set in the other body, but it does not appear to be one here, historically or traditionally, in this House.

Mr. RYAN. All right.

Assuming that was so in the Senate, who would decide whether or not that would be the rule of this House?

The SPEAKER pro tempore. Will the gentleman yield for just a moment?

Mr. RYAN. Mr. Speaker, I realize that you are in conference. I would like to add one more thing for you to further consider. I would like to just add something.

It is my recollection, and I do not recall whether it was the present Speaker or some other Speaker had this very point of order raised as to the way the Senate handled that matter, and, if I am not mistaken, it was passed on in the House by one of the Speakers that what the Senate did was proper. Further, that there was some, I believe, case law on it that the court upheld it. I am not sure of that and I see the Speaker nodding his head no. I am satisfied that his recollection is probably better than mine. I will retire to my earlier question.

The SPEAKER pro tempore. The gentleman will yield for a moment.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman, Mr. Gleason, for temporarily presiding and regrets exceedingly that he chose to vacate the Chair before an important decision was made.

For the benefit of the gentleman, Mr. Ryan, who raised the question of a precedent set by the Senate, I would bring to the gentleman's attention that the issue in the Senate at that time was one that concerned the current elected Senators, one not having been installed in office since he did not receive a certificate of election. That was the Senator from York County, Mr. Leader, or whatever the gentleman's name was. That was a question of the Senator not having ever been seated. This is an entirely different situation, where seats were filled and then subsequently vacated.

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

Mr. SALVATORE. Mr. Speaker, can I appeal the ruling of the Chair?

The SPEAKER. If Mr. Salvatore would yield, the Chair has not ruled yet.

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

Mr. RYAN. I am awaiting the ruling of the Chair, Mr. Speaker.

The SPEAKER. Okay. The Chair would read the comment that was made during the Senate debate over the question of the numbers of senators who were elected:

"In view of the fact that no senator has been elected from the 28th senatorial district and that this Senate, since convening the session, has never had more than 49 members elected, therefore, the majority of members elected at that term used in the constitution shall be at the present time 25 members."

We are dealing with an entirely different situation since the members in the seats in question in this House had been filled by election.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. Mr. Speaker, perhaps I can solve this problem in a quicker, easier fashion. It is my understanding that there was a member who was not present on the floor of the House at the time the vote was taken. I would at this time ask that the vote by which the veto override failed be reconsidered and I will hand in a written motion to that effect. Is that appropriate?

The SPEAKER. The motion would be inappropriate since no question defeated may be twice considered. The question has been twice considered.

Mr. RYAN. Then I would ask that the rules be suspended to permit it to be considered the third time.

The SPEAKER. The motion to suspend the rules would be in order.

Mr. RYAN. I so move.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I oppose the suspension of the

rules. I think we have debated this over and over again and I would like to see us end the debate now.

I would ask this side to vote in the negative.

The SPEAKER. The members will proceed to vote.

On the question,

Will the House agree to the motion?

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

YEAS—120

Table listing names of members who voted 'YEAS' (120 total). Includes names like Abraham, Anderson, Bellomini, Bittle, Brandt, Burns, Butera, Caputo, Cessar, Cimini, Cohen, Cowell, Crawford, Cumberland, Davies, Deverter, Dietz, Dombrowski, Dorr, Doyle, Dreibeibis, Eckensberger, Fee, Fisher, Flaherty, Foster, Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, Giammarco, Gillespie, Gleason, Gleeson, Greenfield, Grieco, Gring, Halverson, Hamilton, Hasay, Haskell, Hayes, Hepford, Hill, Hopkins, Itkin, Katz, Kernick, Kistler, Klingaman, Knepper, Kusse, Lederer, Lehr, Levi, Lynch, Manmiller, McClatchy, McCue, McGraw, McIntyre, Mebus, Miller, Moehlmann, Mrkonc, Mullen, Novak, Noye, O'Connell, O'Keefe, Pancoast, Parker, Perri, Plevsky, Pitta, Polite, Pyles, Ravenstahl, Renninger, Ritter, Ryan, Salvatore, Scheaffer, Schweder, Scirica, Seltzer, Shuman, Sirianni, Smith, Spence, Stahl, Stapleton, Taddonio, Thomas, Trello, Turner, Ustynowski, Valicenti, Vroon, Wagner, Weidner, Westberg, Whelan, Wilson, Wilt, Wilt, Wojdak, Worriow, Wright, Yohn, Zearfoss, Zeller, Zwick.

NAYS—63

Table listing names of members who voted 'NAYS' (63 total). Includes names like Arthurs, Barber, Bennett, Berlin, Berson, Bonetto, Bradley, Brunner, Coie, DeMedio, Dicarolo, Englehart, Fischer, George, Gillette, Goodman, Green, Hutchinson, Irvis, Johnson, Kelly, Kolter, Kowalyszyn, LaMarca, Laudadio, Laughlin, Letterman, Manderino, McCall, McLane, Menhorn, Milanovich, Milliron, Morris, Mullen, Musto, O'Brien, O'Donnell, Oliver, Petrarca, Pratt, Prendergast, Rappaport, Reed, Renwick, Rhodes, Richardson, Rieger, Ross, Ruggiero, Saloom, Schmitt, Shane, Shelton, Shupnik, Stout, Taylor, Toll, Walsh, Wansacz, Wargo, Yahner, Fineman, Speaker.

NOT VOTING—13

Table listing names of members who did not vote (13 total). Includes names like Beren, DiDonato, Dininni, Fawcett, Hammock, Hutchinson, Kelly, Lincoln, McGinnis, Myers, Perry, Shelhamer, Zord.

So the question was determined in the affirmative, and the motion was agreed to.

PARLIAMENTARY INQUIRIES

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, on the position that you stated concerning the Senate, did not that same condition exist following the death of the late Senator George Wade,

which left that body with 49 members? The policy was that the 26 majority vote, which was still needed in that body even with the vacancy of a member by death, would be confirmatory of the position taken by the Chair.

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

Mr. CAPUTO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. Mr. Speaker, since the rules have been waived and the question is now appropriate, is it proper to make a motion to lay the bill on the table for final passage?

The SPEAKER. A motion to place upon the table is in order.

MOTION TO TABLE

Mr. CAPUTO. I so move, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Caputo, moves that the bill, along with the veto message, be placed upon the table.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I would like to resolve the problem once and for all, but we do have many other things to do in the House. So unless those members, who are devoted to voting this over and over again, object to it, I would agree that we table the motion to override and get on with the rest of the calendar.

On the question,

Will the House agree to the motion?

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

YEAS—98

Table listing names of members who voted 'YEAS' (98 total). Includes names like Abraham, Arthurs, Barber, Bennett, Berlin, Berson, Bonetto, Bradley, Brunner, Caputo, Cohen, Coie, Cowell, Deverter, DiDonato, Dombrowski, Dreibeibis, Eckensberger, Englehart, Fee, Flaherty, Fryer, Gallen, Geisler, George, Gillette, Gleason, Goodman, Green, Greenfield, Hamilton, Hammock, Hasay, Haskell, Hopkins, Irvis, Itkin, Johnson, Kelly, Kernick, Kowalyszyn, LaMarca, Laughlin, Lederer, Letterman, Manderino, McCall, McGraw, McIntyre, McLane, Menhorn, Milanovich, Milliron, Morris, Mullen, Musto, Myers, Novak, O'Brien, Oliver, Perry, Petrarca, Pratt, Prendergast, Rappaport, Ravenstahl, Reed, Renwick, Rhodes, Richardson, Rieger, Ross, Ruggiero, Saloom, Schmitt, Schweder, Scirica, Shane, Shuman, Shupnik, Stout, Taddonio, Taylor, Toll, Trello, Valicenti, Walsh, Wansacz, Wargo, Whelan, Wilt, Yahnner, Yohn, Zearfoss, Zwick, Fineman, Speaker.

NAYS—88

Table listing names of members who voted 'NAYS' (88 total). Includes names like Anderson, Bittle, Brandt, Burns, Butera, Cessar, Cimini, Crawford, Cumberland, Davies, DeMedio, Dicarolo, Dietz, Giammarco, Gillespie, Gleason, Grieco, Gring, Halverson, Hayes, Hepford, Hill, Hutchinson, Katz, Kistler, McCue, Mebus, Miller, Miller, Moehlmann, Mrkonc, Noye, O'Connell, O'Donnell, O'Keefe, Pancoast, Parker, Scheaffer, Seltzer, Shelton, Sirianni, Smith, Spence, Stahl, Stapleton, Thomas, Turner, Ustynowski, Vroon.

Dorr	Klingaman	Perri	Wagner
Doyle	Knepper	Pievsky	Weidner
Fischer	Kolter	Pitts	Westerberg
Fisher	Kusse	Polite	Wilson
Foster, A.	Lehr	Pyles	Wilt, E. W.
Foster, W.	Levi	Renninger	Wojdak
Gallagher	Lynch	Ritter	WorriLOW
Garzia	Manmiller	Ryan	Wright
Geesey	McClatchy	Salvatore	Zeller

NOT VOTING—10

Bellommi	Fawcett	Lincoln	Shelhamer
Beren	Hutchinson, W.	McGinnis	Zord
Dinnini	Kelly, J. B.		

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. 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. Will you please change my vote to the negative on the motion to table House bill No. 1492?

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

URBAN AFFAIRS COMMITTEE MEETING

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

Mr. CAPUTO. Mr. Speaker, may I make an announcement?

The SPEAKER. The gentleman will proceed.

Mr. CAPUTO. I presume there will be a recess. I would like to announce that the Urban Affairs Committee will meet in the minority caucus room immediately upon the declaration of the recess.

The SPEAKER. If the proponents of the proposition who believe that the required two-thirds membership in the House to override is based on the current active membership in this House and are firm believers in that proposition, we will follow it when we come to the adoption of the budget.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think Mr. Caputo ought to choose another room for his meeting because we are going to be caucusing in the minority caucus room. I wonder if he could explain the purpose of his meeting so our members have some idea about it.

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

Mr. CAPUTO. Mr. Speaker, we had made arrangements for a room in the event the caucus rooms were busy. The Urban Affairs Committee will meet in room 401. The purpose of the meeting is to consider Philadelphia bills and other bills that have been listed on the agenda.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY THE HOUSE

The clerk of the Senate, being introduced, informed

that the Senate has insisted upon its amendments non-concurred in by the House of Representatives to **HOUSE BILL No. 568**, 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.

And has appointed Messrs. CIANFRANI, NOLAN and TILGHMAN a committee to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

HOUSE BILLS INTRODUCED AND REFERRED
TO COMMITTEES

By Messrs. GRIECO, ZELLER, RENWICK, SALVATORE, CIMINI, CUMBERLAND, USTYNOSKI, KATZ, TURNER, REED, BRADLEY, BRANDT, KUSSE, WESTERBERG, CESSAR, WAGNER, WHELAN, W. W. FOSTER, LETTERMAN, HALVERSON, KLINGAMAN, HOPKINS and D. S. HAYES **HOUSE BILL No. 2321**

An Act prohibiting prosecutions for the use of weapons in the defense of a person's dwelling or his life.

Referred to Committee on Law and Justice.

By Messrs. HASAY, R. W. WILT, McCLATCHY, W. W. FOSTER, WEIDNER, McGINNIS, O'CONNELL, Miss SIRIANNI, Messrs. E. H. SMITH, MUSTO, BITTLE, M. E. MILLER, JR., NOYE, L. E. SMITH, VROON, PITTS, Mrs. FAWCETT, Messrs. USTYNOSKI, WHELAN, LEVI and CESSAR **HOUSE BILL No. 2322**

An Act amending the act of May 22, 1933 (P. L. 851, No. 153), entitled "An act fixing the pay and mileage of jurors and witnesses," increasing the compensation of jurors.

Referred to Committee on Law and Justice.

By Messrs. STAPLETON, ABRAHAM, TRELLO, Mrs. GILLETTE, Messrs. TAYLOR, GREEN, Mrs. TOLL, Messrs. ROSS, GILLESPIE, O'KEEFE, FEE, GARZIA, BERLIN, MILLIRON, MILANOVICH, BERSON, PERRY, GALLAGHER, ENGLEHART, O'DONNELL, SHANE, GIAMMARCO, LEDERER, DiDONATO, COHEN, Mrs. KERNICK, Messrs. McINTYRE, SALOOM, ZEARFOSS, WORRILOW, SCIRICA and PRATT **HOUSE BILL No. 2323**

An Act creating the Commission on Cable Television; conferring duties and powers on the commission; providing for payment of costs incurred by the commission; authorizing municipalities to franchise cable television systems; providing for the transfer, renewal, or for future franchises; establishing classifications and rates of service; prohibiting cable television companies from abandoning service; establishing obligations of an owner of property containing cable television facilities; creating liability for slander or libel; and creating a municipal advisory council.

Referred to Committee on State Government.

By Messrs. REED, SCHWEDER, LAUGHLIN, MILLIRON, PRATT and COLE **HOUSE BILL No. 2324**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing penalties for violations involving certain documents.

Referred to Committee on Transportation.

By Messrs. REED, LAUGHLIN, MILLIRON, PRATT
and COLE **HOUSE BILL No. 2325**

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), further providing for the disposition of forfeited property.

Referred to Committee on Health and Welfare.

By Messrs. REED, CAPUTO, SCHWEDER,
RICHARDSON, MILLIRON and PRATT
HOUSE BILL No. 2326

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), changing authorized penalties for violations of certain ordinances.

Referred to Committee on Urban Affairs.

By Messrs. GILLESPIE, VALICENTI, GARZIA,
DOMBROWSKI, BELLOMINI, BERLIN,
GALLAGHER, GIAMMARCO, LEDERER, FEE,
O'KEEFE, DiDONATO, COHEN, SALOOM, NOVAK,
BRADLEY, McINTYRE, STAPLETON and
HASKELL **HOUSE BILL No. 2327**

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), further providing for ineligibility for compensation.

Referred to Committee on Labor Relations.

SENATE MESSAGE BILLS FOR CONCURRENCE

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

SENATE BILL No. 1183

An Act repealing section 2 of the act of December 13, 1974 (P. L. 962, No. 316), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey land situate in the City of Carbondale, Lackawanna County, to the Carbondale Re-development Authority."

Referred to Committee on State Government.

SENATE BILL No. 1383

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting routes in Allegheny County.

Referred to Committee on Transportation.

SENATE BILL No. 1390

An Act amending the act of January 22, 1968 (P. L. 27, No. 7), entitled "The Pennsylvania Transportation Assistance Authority Act of 1967," authorizing designator for certain members of the authority and further providing for staff of the governing body.

Referred to Committee on Transportation.

SENATE BILL No. 1394

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board 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.

SENATE BILL No. 1395

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board 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.

SENATE BILL No. 1396

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Referred to Committee on Appropriations.

SENATE BILL No. 1397

An Act providing for adoption of capital projects to be financed from current revenues of the Fish Fund, Boating Fund and the Game Fund.

Referred to Committee on Appropriations.

SENATE BILL No. 1398

An Act making an appropriation to the Department of Labor and Industry from the Workmen's Compensation Administration Fund to provide for the expenses of administering the Pennsylvania Workmen's Compensation Act and the Pennsylvania Occupational Disease Act 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.

SENATE BILL No. 1399

An Act making an appropriation to the Department of General Services out of various funds for payment of rental charges to The General State Authority.

Referred to Committee on Appropriations.

SENATE BILL No. 1400

An Act making an appropriation to the Department of Environmental Resources out of various funds for payment of annual fixed charges in lieu of taxes to political subdivisions or school districts on lands acquired by the Commonwealth for Project 70.

Referred to Committee on Appropriations.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. BERLIN, FINEMAN, IRVIS,
MANDERINO, GALLAGHER, GARZIA, RYAN,
BUTERA and MILLIRON **RESOLUTION No. 240**

The House of Representatives directs the Joint State Government Commission to appoint a task force to conduct a comprehensive review and study of the Good Samaritan laws of adjacent states.

Referred to Committee on Rules.

By Mr. ZEARFOSS **RESOLUTION No. 241**

The House of Representatives directs its Law and Justice Committee to investigate the incident that occurred on March 19, 1976 at the offices of the Philadelphia Newspapers Inc.

Referred to Committee on Rules.

ANNOUNCEMENT

The SPEAKER. There will be some important announcements concerning the program for the balance of this day. If the members start to filter out of the room, they will not be able to have the benefit of the information that the majority leader will be announcing very shortly.

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

Mr. RICHARDSON. Mr. Speaker, maybe I did not hear you but I would just like to know whether or not we are returning here this evening for further votes.

The SPEAKER. As I understand the program for this evening, we will be recessing very, very shortly, hopefully, to return to the floor by 5:30 or 5:45 to vote finally on the adoption of a conference committee report.

Following that, the arrangements have been concluded for a dinner for the members at 6 o'clock. Following dinner, we will return to the floor to finish up the balance of the calendar as is indicated on the voting schedule prepared by the majority leader.

HOUSE SCHEDULE

The SPEAKER. For the benefit of the information of the members—and the Chair will shortly recognize the minority leader—in the absence of the majority leader, the Chair would inform the members that it is our plan to recess at this time.

There will be a Republican caucus, as the minority leader will indicate. The Chair is informed by the majority leader that there is no need for a Democratic caucus. We will return to the floor at 5:30 p.m., hopefully to be able to vote upon a conference committee report and then take up such other matters as we can prior to a further recess for dinner.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I would appreciate the Republican members proceeding immediately to the caucus room. We have to go over the several amendments which I am going to offer to the Pennsylvania Housing Finance Agency law as well as other things. I just hope that everybody will proceed to the caucus immediately. It is a very important caucus.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, did I understand you to say that we are going to recess now for a caucus and then come back and we will have several votes, and then we are going to recess again for dinner and then come back after that?

The SPEAKER. That is correct.

Mr. W. W. WILT. In other words, it appears it will be late this evening until we are finished?

The SPEAKER. The balance of the bills to be voted

on do not appear to be extremely controversial. We may be able to dispose of them very rapidly.

Mr. W. W. WILT. Could you give us an idea? The purpose of my question, Mr. Speaker, is to try to learn if I should check out of the motel.

The SPEAKER. I would suspect that it would be prudent to make such provisions.

Mr. W. W. WILT. Thank you, sir.

RECESS

The SPEAKER. Without objection, the Chair now declares the House in recess until 5:30 p.m.

The Chair hears no objection.

AFTER RECESS

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

**THE SPEAKER (Herbert Fineman)
IN THE CHAIR****REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 568**

Mr. WOJDAK presented the report of the Committee of Conference on House bill No. 568.

The SPEAKER. The report will be laid over for printing under the rules.

RECESS EXTENDED

The SPEAKER. The Chair would advise the membership of the House that the recess has been continued until 7 p.m. The members will report to the floor promptly at 7 p.m. The House continues to remain in recess.

AFTER RECESS

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

**THE SPEAKER (Herbert Fineman)
IN THE CHAIR****SENATE MESSAGE****AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned:

HOUSE BILL No. 77

An Act amending the act of April 29, 1959 (P. L. 58, No. 32), entitled "The Vehicle Code," directing the issuance of special registration plates exempt from all registration fees to certain disabled veterans; exempting motor vehicles bearing such plates from certain parking restrictions for limited times; and prescribing penalties.

HOUSE BILL No. 314

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further defining "dividends" and "compensation" and providing for taxation as personal income on installment payments of real and personal property and further providing for tax returns.

HOUSE BILL No. 580

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the exclusion to sexual offenses because of a spousal relationship and rules of evidence relating to sexual offenses; changing the age requirements for the offense of statutory rape and amending the indecent assault provisions.

HOUSE BILL No. 1461

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

HOUSE BILL No. 2154

An Act amending the act of January 10, 1968 (1967, P. L. 925, No. 417), entitled "Legislative Officers and Employees Law," further providing for a cost-of-living increase.

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

The SPEAKER. The bills will appear on the calendar.

BILLS REPORTED FROM COMMITTEES

SENATE BILL No. 1278 By Mr. RAPPAPORT

An Act authorizing cities of the first class to impose taxes for revenue purposes for the fiscal year ending June 30, 1976 and for a limited period of time thereafter on hotel occupancies and on food and beverages sold at retail; to provide for their levy and collection; and to provide for the imposition of interest and penalties.

Reported from Committee on Urban Affairs.

SENATE BILL No. 1279 (Amended)
By Mr. RAPPAPORT

An Act authorizing cities of the first class to increase the rates of certain taxes imposed or levied for the fiscal year ending June 30, 1976 for authorized purposes; to impose certain additional taxes for the fiscal year ending June 30, 1976 for authorized purposes; and to provide for the levy, assessment and collection of such taxes and for the imposition of interest and penalties.

Reported from Committee on Urban Affairs.

SENATE BILL No. 1277 (Amended)
By Mr. RAPPAPORT

An Act authorizing cities of the first class to impose for revenue purposes for the fiscal year ending June 30, 1976 and for subsequent fiscal years a tax on certain vending machines; to provide for its levy and collection; and to provide for the imposition of interest and penalties.

Reported from Committee on Urban Affairs.

CALENDAR

TAX BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2114, printer's No. 2738**, entitled:

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

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—187

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

NAYS—0

NOT VOTING—9

Dininni	Kelly, J. B.	McGraw	Shelhamer
Dreibelbis	McGinnis	O'Donnell	Zord
Hutchinson, W.			

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.

LABOR RELATIONS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2118, printer's No. 2857**, entitled:

An Act amending the "Boiler Regulation Law," approved May 2, 1929 (P. L. 1513, No. 451), providing for the acceptance of boilers and pressure vessels construct-

ed or installed for original use outside this Commonwealth under certain conditions.

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—185

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

NAYS—1

Gillespie

NOT VOTING—10

- Dininni Hutchinson, W. McGraw Shelhamer
Dreibelbis Johnson, J. O'Donnell Zord
Fawcett Kelly, J. B.

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.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order, The House proceeded to third consideration of House bill No. 2203, printer's No. 2884, entitled:

An Act amending the act of December 11, 1967 (P. L.

707, No. 331), referred to as the State Horse Racing Law, further providing for incorporation.

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—177

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

NAYS—2

Musto Shuman

NOT VOTING—17

- Brandt Hammock McGraw Trello
Brunner Hutchinson, W. O'Donnell Vroon
Dininni Johnson, J. Richardson Zearfoss
Dreibelbis Kelly, J. B. Shelhamer Zord
Geisler

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

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

SENATE BILL No. 1429 PASSED OVER TEMPORARILY

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

Mr. DORR. Mr. Speaker, I had an amendment prepared for Senate bill No. 1429.

The SPEAKER. Is the gentleman, Mr. Bennett, in the hall of the House?

This bill will be temporarily passed over. We will return to this bill as soon as Mr. Bennett appears on the floor.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RENNINGER. Mr. Speaker, checking through the voting records, on House resolution No. 219, printer's No. 3003, I was apparently recorded in the negative. I would like to be recorded in the affirmative on that resolution.

Thank you very much, Mr. Speaker.

The SPEAKER. The gentleman's remarks will be spread upon the record.

BUSINESS AND COMMERCE BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 1280, printer's No. 1729**, entitled:

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), entitled, as amended, "Housing Finance Agency Law," changing the membership of the agency, granting additional powers to the agency, limiting the powers of the agency to issue bond anticipation notes and make rental housing program mortgage loans, requiring approval of the Governor for the issuance of bonds and notes, requiring notices to the Governor and to the General Assembly in additional instances, and empowering the agency to establish separate capital reserve funds and accounts.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, prior to offering a series of amendments to this bill, I would like to address a few remarks to the House and then make a motion.

The SPEAKER. The gentleman will proceed.

Mr. BUTERA. Mr. Speaker, Senate bill No. 1280 is the bill which seeks to amend in several ways the Pennsylvania Housing Finance Agency law.

I rise as one who supports the agency but opposes this bill. The reason I oppose the bill is that it appears to me that there are provisions in this bill which will lead to the ultimate destruction of the Housing Agency which, it appears, most people now want to preserve.

Shortly after the passage of the "bail out" legislation in early February, there was an immediate call for abolition of the agency by the Governor as well as several members of the Senate. I opposed that call on their part as being irresponsible and suggested that what we ought to do is take a look at what problems the Housing Agency has had and attempt to correct them rather than to abolish the agency without deliberation.

This bill should simply not be considered tonight under these circumstances without the kind of deliberate thought which should surround the controversy and the conflicts which so many of us have regarding this kind of independent agency.

Shortly after we agreed to bail out the noteholders of the agency with tax dollars, the agency commissioned a consultant to analyze the problems which the agency was having to attempt to place the proper perspective on the Housing Agency so that each of us could then take a considered opinion as to whether we wanted to continue the business of the agency.

We are asked to vote very major changes to the Housing Finance Agency law tonight without even having a copy of the report of the consultant, which was ordered by the Governor, and who was hired by the board of the agency. Secondly, we are asked to make major substantive changes in the way the agency operates without having a public hearing, without hearing from the professional staff of the agency, without hearing from the total board of the agency.

Some of us have had the privilege, I suppose, of talking with at least one member of the board of the agency, Secretary Wilcox, and, to my knowledge, that is about the extent of the understanding that we have as to the direction in which the Housing Agency is going.

The Housing Agency intends to go into the bond market, as I understand it, on April 15, to attempt to recover some of the money which it owes the general fund. On February 21, there was issued, either by the Housing Agency or its financial consultant, a preliminary resolution which, I presume, is an invitation or a statement of some type to prospective purchasers that the agency is contemplating a bond issue. On March 31, the agency or members representing the agency met with both Moody's and Standard and Poor's to, I presume, discuss the present bond ratings which those institutions give to the Pennsylvania Housing Finance Agency.

All of this was done prior to our receiving a bill tonight under these circumstances, which has attached to it, at the very least, a suggestion that we pass it; at the very most, a threat that we pass the bill because the passage of this bill in some way affects the prospective sale of the bonds on April 15.

Now this is just not the right way to go about running the business affairs of this Commonwealth or of an independent agency of this Commonwealth. It seems to me that if this bill in any way even remotely would affect the sale of bonds on April 15, prior to a date being set for the issuance of bonds or the attempted sale of bonds, that the legislation should be brought to this legislature. We should have ample opportunity to analyze it, pass it, amend it, or defeat it, and then the agency should attempt to go into the bond market to raise these necessary dollars. Anything less than that is sloppy. We should not be a party to this kind of action.

I submit that there is no urgency to pass this bill, particularly in its present form; that we should be given time to understand it and to take whatever deliberate action this body deems to take rather than be forced under the gun, be the threat veiled or real, as we are being asked to do tonight.

It is absolutely impossible for me to discuss this any further. It is obviously a waste of time. I just hope that after you defeat my motion this time, you insist that those

people who are demanding that this kind of action be taken by this House stop it, because they are making fools of all of us and, in the process, they are asking us to become a party to the eventual elimination of the Housing Agency.

MOTION TO TABLE

Mr. BUTERA. Mr. Speaker, I move that this bill be tabled and just get over with the damn vote because it is already fixed.

The SPEAKER. The gentleman, Mr. Butera, moves that Senate bill No. 1280 be placed upon the table.

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

Mr. BENNETT. Mr. Speaker, I would urge the members of this body to oppose the motion made by the minority leader to table Senate bill No. 1280. It is a very important piece of legislation and should be voted at this time. I am certain that the minority leader, in his obvious haste to make a motion to table, feels that he is doing the right thing.

Mr. Speaker, I would oppose the motion to table and suggest to the members of this body that we ought to debate this bill at this time.

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

Mr. RITTER. Mr. Speaker, I do not see the urgency of debating this bill today. We did not discuss it in caucus at all. It is only on the second day on the calendar. I, frankly, do not want to get sucked into another deal on the Pennsylvania Housing Financing Agency as I did the last time. I intend to vote to table the bill.

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

Mr. BENNETT. Mr. Speaker, if I may, just in brief rebuttal to the gentleman from Lehigh, suggest to the gentleman and to the members of this body that there is an urgency to Senate bill No. 1280. If I may, Mr. Speaker, I might suggest to the gentleman that a bond issue will be presented by the Housing Authority on April 14. In relation to that, it is my information that—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. McCLATCHY. Mr. Speaker, I thought the motion to table was not debatable.

The SPEAKER. The gentleman is quite correct, but in fairness to all of the parties and in view of the fact that the motion made by the minority leader was preceded by a statement on the merits of the bill, I think equity dictates that the gentleman be given an opportunity to respond.

Mr. BUTERA. I support that ruling, Mr. Speaker. This issue is much too important to put it off. I made my motion in haste, but I should give everybody a chance to respond.

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

Mr. BENNETT. I certainly thank the minority leader

for admitting to the membership of this body that the motion was made in haste, because I am sure that he knows as well as I do that it is an issue that ought to be discussed here this evening. It is an important issue. It is important to all of the people of this Commonwealth.

I would ask the minority leader, if he would, to withdraw his motion to table.

Mr. BUTERA. Oh, certainly. What I would like to do is engage in some interrogation with the gentleman. I can withdraw the motion and offer it after we are fully exhausted, which will be in about 2 minutes.

The SPEAKER. As I understand the thrust of the gentleman's request, it was to consider the bill on its merits rather than to table. Is that correct?

Mr. BUTERA. Yes. I will offer my motion prior to offering my amendments.

MOTION TO TABLE WITHDRAWN

The SPEAKER. Does the gentleman withdraw his motion to table?

Mr. BUTERA. Yes.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Butera, now offers an amendment, which the clerk will read.

Mr. BUTERA. No. What I would like to do is to clearly exhaust the issue and then I am going to make a motion.

The SPEAKER. The Chair would ask the minority leader to pose the situation as he would like to have it.

Mr. BUTERA. Mr. Speaker, what I would like to do is discuss the merits of the bill first and give Mr. Bennett the opportunity to do the same and then I want to ask him a couple of questions. After we are completed with that, I would like to make a motion. I will then offer the amendments if the motion fails.

The SPEAKER. The gentleman desires then to proceed nevertheless with the motion to table eventually?

Mr. BUTERA. Yes.

The SPEAKER. The Chair would appreciate that the gentleman offer his motion now. If your motion prevails, that is the end of the debate and we will have saved some time.

Mr. BUTERA. Fine, as long as I have the privilege of debating the merits before offering my amendments, because I think that will have a bearing on the amendments.

The SPEAKER. The gentleman will be recognized.

MOTION TO TABLE

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I move that Senate bill No. 1280, be placed upon the table.

The SPEAKER. There will be no debate on the motion.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

VOTE CHALLENGED

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Is the gentleman, Mr. Pievsky, in the hall of the House? Here we go.

The SPEAKER. Is the gentleman, Mr. Pievsky, in the hall of the House?

The Chair is unable to hear the gentleman, Mr. Caputo. Mr. CAPUTO. He is here. He just went to Mr. Wojdak's office. Here he is now.

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

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—86

Anderson, J. H.	Gring	Mebus	Sirianni
Beren	Halverson	Miller, M. E.	Smith, E.
Bittle	Hamilton, J. H.	Miller, M. E., Jr.	Stahl
Brandt	Hasay	Moehlmann	Taddonio
Burns	Haskell	Mullen, M. P.	Thomas
Butera	Hayes, D. S.	Noye	Turner
Cessar	Hayes, S. E.	O'Connell	Ustynoski
Cimini	Hepford	Pancoast	Vroon
Crawford	Hill	Perri	Wagner
Cumberland	Hopkins	Pitts	Walsh, T. P.
Davies	Katz	Polite	Weidner
Dietz	Kistler	Pyles	Westerberg
Eckensberger	Klingaman	Renninger	Whelan
Fawcett	Kusse	Ritter	Wilson
Fisher	LaMarca	Ruggiero	Wilt, R. W.
Foster, A.	Lehr	Ryan	Wilt, W. W.
Foster, W.	Levi	Salvatore	Worrlow
Fryer	Lynch	Scheaffer	Wright
Gallen	McClatchy	Scirica	Yohn
Geesey	McCue	Seltzer	Zearfoss
Gleason	McGinnis	Shuman	Zeller
Grieco	Manmiller		

NAYS—102

Abraham	Gallagher	Manderino	Reed
Arthurs	Garzia	McCall	Renwick
Barber	Geisler	McIntyre	Rhodes
Bellomini	George	McLane	Rieger
Bennett	Giammarco	Menhorn	Ross
Berlin	Gillespie	Milanovich	Saloom
Berson	Gillette	Millron	Schmitt
Bonetto	Gleeson	Miscevich	Schweder
Bradley	Goodman	Morris	Shane
Brunner	Green	Mrkonje	Shelton
Caputo	Greenfield	Mullen	Shupnik
Cohen	Hammock	Musto	Smith, L.
Cole	Hutchinson, A.	Myers	Stapleton
Cowell	Irvis	Novak	Stout
DeMedio	Itkin	O'Brien	Taylor
Deverter	Johnson, J.	O'Donnell	Toll
Dicarlo	Kelly, A. P.	O'Keefe	Trello
DiDonato	Kernick	Oliver	Valicenti
Dombrowski	Knepper	Parker, H. S.	Wansacz
Dorr	Kolter	Petrarca	Wargo
Doyle	Kowalshyn	Plevsky	Wojdak
Dreibelbis	Laudadio	Pratt	Yahner
Engelhart	Laughlin	Prendergast	Zwikel
Fee	Lederer	Rappaport	
Fischer	Letterman	Ravenstahl	Fineman,
Flaherty	Lincoln		Speaker

NOT VOTING—8

Dininni	Kelly, J. B.	Richardson	Spencer
Hutchinson, W.	McGraw	Shelhamer	Zord

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

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. BUTERA requested and obtained unanimous consent to offer the following amendments, which were read:

- Amend Sec. 4 (Sec. 501-A), page 6, line 7, by striking out "and"
- Amend Sec. 4 (Sec. 501-A), page 6, line 8, by striking out "SUBJECT TO THE WRITTEN APPROVAL OF the Governor"

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

The SPEAKER. The Chair recognizes the minority leader.

The clerk has read the amendments of the gentleman. Does the gentleman desire to address himself to the merits of the bill?

Mr. BUTERA. Mr. Speaker—
Mr. BENNETT. Mr. Speaker, is the gentleman now offering his amendments? Is this what is before the body?

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

Mr. BENNETT. Mr. Speaker, would the minority leader yield to me?

The SPEAKER. Would the minority leader yield to Mr. Bennett?

Mr. BUTERA. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Butera, has yielded to the gentleman, Mr. Bennett. The Chair recognizes the gentleman, Mr. Bennett.

Mr. BENNETT. Thank you, Mr. Speaker.

There is, apparently, before this body, confusion as to what Senate bill No. 1280 would do.

I thank the minority leader for yielding to me. I would attempt to speak to the merits, if I am in order, of what the bill does.

The amendments to the Pennsylvania Housing Finance Agency enabling legislation do several things:

Number one, they require future PHFA mortgage financing activities to be in conjunction with the Federal Housing Assistance program. Section 103 (19) defines the term, "Federal housing assistance program," and section 401-A establishes limitations.

Now to be exempted from the limitation, all Pennsylvania Housing Agency loans shall be in conjunction with Federal programs—those 34 developments to which the agency's board had issued a written commitment or feasibility approval prior to January 1, 1976.

Mr. Speaker, those 34 developments represent a total of 3,800 housing units. Of that total, some 2,900 have been assigned annual section 8, or Federal housing subsidies which amount to \$17 million per year and are to be paid over a 40-year period. In addition, a total of 960 of these units have either a partial or no Federal subsidy title.

The second thing that Senate bill No. 1280 would do would be to prohibit the sale of any additional bond anticipation notes, the so-called banks. It would prohibit the sale of those additional bond anticipation notes to support the mortgage financing activities of that agency. However, the power to renew outstanding notes is specifically granted. The renewal of notes must be carried out by resolution of the agency, the agency board, and subject to the written approval of the Governor.

On that note, Mr. Speaker, let me say to the members of this House of Representatives that I disagreed vehemently with the Governor's statement that this state is out of the housing business. I do not believe that we ought to be out of the housing business, and it is to that extent that we are discussing Senate bill No. 1280.

Now those limitations that I was speaking of a moment ago are established in section 501-A, and the amount of renewal notes heretofore issued by the Pennsylvania Housing Finance Agency total \$63.4 million in federally guaranteed construction loan notes.

The third thing that Senate bill No. 1280 would do is this: It would add the State Treasurer, the Secretary of Banking, and the Secretary of Commerce to the Housing

Finance Agency Board. In addition, the Secretary of Community Affairs, already the permanent chairperson of the board, would remain as such. These changes are effected in section 202.

Additionally, it would provide for more than one capital reserve fund, giving the agency the opportunity to market bonds that have assets of a specific development or a complex of developments pledged to them.

I would suggest to the members of this body that, as the law now reads, the agency has only one reserve fund. The holder of an obligation or a bond of PHFA thus has pledged to that obligation assets of proportional value from the total assets of the agency. The agency's bond counsel has advised that the ability to have multiple capital reserve funds will increase the marketability of the obligation. In particular, negotiated sales of bonds will be more likely since the local financial institutions would be able to directly invest in a local PHFA development rather than owning a proportional share of all PHFA mortgage developments. These changes are effected in sections 503-A and 504-A, which have been adapted from similar language incorporated in Senate bill No. 457.

Number five in Senate bill No. 1280 is this feature: It expands the moral commitment notice to the Governor and the General Assembly, thus giving us here in the General Assembly some measure of say-so in PHFA. It would provide for a more timely annual report of the agency's activities. Specifically, in section 504-A there is a requirement that 30 days before the start of each session, the agency, the PHFA, will give the Governor and the General Assembly a report on its outstanding obligations and how it intends to meet them in the coming 12 months.

Mr. Speaker, the basic thrust of these amendments is that they impose a combination of controls that would prevent the agency from getting where it was a short time ago, in a note overhang or a short-term credit crisis from which it had to be rescued.

It appears to be both administratively responsible, reasonable and financially prudent to limit the agency's financing to participate at this time in federally supported developments and specifically require that all financing be on long-term bonds. These changes should bring about no diminution of the agency's ability to live up to its public purpose; namely, that public purpose of financing the construction of housing for low and moderate income persons. I would add that HUD—Housing and Urban Development—is shortly expected to implement section 244 for co-insurance programs created by the Housing and Community Development Act of 1974. I believe that this will have the Federal Government guaranteeing a significant portion of the obligations of state housing finance agencies, including our own Pennsylvania Housing Finance Agency.

Additionally, the expanded board of the agency, with two more cabinet officers and the independently elected State Treasurer serving on it, underscores that the agency's activities really are on behalf of the Commonwealth.

Mr. Speaker, I thank the minority leader for yielding to me and for giving me the opportunity to explain to my good friend, Mr. Mullen, and to others what I consider are the salient points in Senate bill No. 1280.

At this time, Mr. Speaker, I would yield to the minority leader.

The SPEAKER. The Chair recognizes the minority leader.

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

The SPEAKER. Will the gentleman consent to interrogation?

Mr. BENNETT. I will, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. BUTERA. Mr. Speaker, is it the gentleman's position that Senate bill No. 1280 has to be debated and we have to go through the amendment process tonight because of the effect of the bill which he just outlined?

Mr. BENNETT. That, in addition, Mr. Minority Leader, to the aforementioned.

Mr. Speaker, I will attempt to answer the minority leader if I can hear his question. Would you repeat it, Mr. Minority Leader?

Mr. BUTERA. Mr. Speaker, will the gentleman advise me as to why we have to debate this bill and possibly pass it this evening?

Mr. BENNETT. Mr. Speaker, it is my belief that we must debate this bill tonight for the aforementioned reason that there is, as I understand it, a bond sale that will commence, I believe, on April 14. Now it is my further information that Moody's Investors Service will not rate the agency until such time as disposition is made of Senate bill No. 1280.

Further, Mr. Speaker, it is my understanding that Moody's had rated us, if I am correct, with a AAA rating previous to the problems that were faced by the PHFA, and now there is a question of the rating.

Evidently, Mr. Speaker, the action that was taken by the General Assembly recently—I believe sometime in February—in passing legislation that would give the \$61.6 million to the agency to bail them out will be repaid. And I would say this to my good lady friend, Miss Sirianni, if she happens to be listening, in relation to a private conversation that she and I had: In relation to the minority leader's question, it is my belief that if Senate bill No. 1280 is passed tonight, we can and will repay that necessary amount of money that the General Assembly saw fit to give to that agency by the sale of the bond issue on April 12.

So in essence, Mr. Speaker, what I am saying is that if we pass Senate bill No. 1280 tonight, it would be my opinion, on the basis of the information that I have been given, that Moody's Investors Service would again hold us in high esteem. We could then sell the bonds that are needed and we could repay to the general fund those moneys that were lent to that agency.

Mr. BUTERA. Mr. Speaker, is it not true that that same effect, that is, the issuance and sale of bonds and repayment to the general fund, could take effect without the passage of this bill at this time?

Mr. BENNETT. As I have answered the gentleman previously, Mr. Speaker—and I can only base my answers on the information that is given to me—Moody's Investors Service, a well-respected agency, nationally known, will rate the Pennsylvania Housing Finance Agency on the basis of the action that is taken here tonight as was previously taken when this General Assembly saw fit to bail out the PHFA of the obligation of some \$61.6 million.

Mr. BUTERA. Mr. Speaker, is it not true that the

rating services to which the gentleman refers have refused to commit what they will do with regard to the rating of these bonds whether this bill passes or fails?

Mr. BENNETT. Oh, no. It is my information, Mr. Speaker, that Moody's—and I base this on information that has been given to me—only refuses to rate PHFA until Senate bill No. 1280 is passed.

Mr. BUTERA. But, Mr. Speaker, has Moody's or any other rating service committed itself that it will raise the rating of the Housing Finance Agency bonds if this bill passes?

Mr. BENNETT. I cannot say to the gentleman, Mr. Speaker, that a commitment has been made. However, it is my understanding—again, based on hearsay, if you will, or whatever grapevine—that Moody's will look favorably upon PHFA upon the passage of Senate bill No. 1280. That is pure conjecture on my part.

Mr. BUTERA. Okay. That is a better reply, because it is my information that they refuse to commit in advance on the rating of any bond.

Mr. BENNETT. I would agree with the gentleman that they refuse to make a commitment in advance, and, as I indicated to the gentleman, it is my information that they will look favorably upon us upon the passage of Senate bill No. 1280. However, the gentleman is correct, they refuse to commit themselves previously.

Mr. BUTERA. Mr. Speaker, will the gentleman tell us where he gets his information?

Mr. BENNETT. Mr. Speaker, the gentleman gets his information from sources that are available to him; some of those being persons intimately concerned with PHFA; persons on the opposite side of the aisle, whom the gentleman has had some conversation with; from various sources, Mr. Speaker.

Mr. BUTERA. Mr. Speaker, has the gentleman's committee ever held a hearing on this part of the issue?

Mr. BENNETT. Yes, Mr. Speaker.

Mr. BUTERA. Has the gentleman met with people from various bonding-rating services?

Mr. BENNETT. Excuse me, Mr. Speaker, I did not hear that.

Mr. BUTERA. Has the gentleman or members of his committee met with representatives of the various bonding-rating services?

Mr. BENNETT. No.

Mr. BUTERA. Mr. Speaker, in the gentleman's analysis of the bill, he indicated that bond counsel has stated that the marketability of the proposed bond sale later on this month would be increased if this bill were passed. Was that accurate?

Mr. BENNETT. The gentleman's statement is substantially correct.

Mr. BUTERA. Well, Mr. Speaker, is it not true that the proposed issuance of bonds only goes to those projects which have already been approved by the agency?

Mr. BENNETT. Not necessarily.

Mr. BUTERA. Mr. Speaker, am I then to believe that the agency seeks or is going to go to the bond market to seek funds to engage in new projects?

Mr. BENNETT. I believe I might have misunderstood the gentleman's previous question. Would he restate it?

Mr. BUTERA. The previous question was: Is it not true that the proposed sale of bonds on April 14 or 15—I am not sure what the date is—only seeks to fund projects

which have already been approved by the agency prior to January 1, 1976?

Mr. BENNETT. I beg the gentleman's pardon, Mr. Speaker. I did misunderstand his question and I did answer it incorrectly. Yes, Mr. Speaker, they would fund only those federally subsidized projects under section 8. I believe there are 34 which have been previously approved.

Mr. BUTERA. Approved prior to January 1, 1976?

Mr. BENNETT. I believe that is the date.

Mr. BUTERA. Then would the gentleman please explain, if the agency only seeks funds to finance projects which have already been approved, why the passage of this bill has any effect whatsoever on the effort to be made by the agency to seek additional funds for the bond market?

Mr. BENNETT. It is my understanding, Mr. Speaker, that if the Pennsylvania Housing Finance Agency fails in its efforts to save those 34—whatever number it happens to be; I think it is 34—projects that have been previously approved, that we stand to lose some \$17 million in Federal funds. Therefore, Mr. Speaker, the urgency for Senate bill No. 1280.

Mr. BUTERA. Mr. Speaker, let me ask the question again: If the agency is only seeking additional funds to finance projects which have already been approved, then why does Senate bill No. 1280 affect that proposed bond issue?

Mr. BENNETT. Mr. Speaker, if I am might—

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

Mr. BENNETT. Mr. Speaker, if I might, could I yield to the gentleman, Mr. Smith?

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

Mr. L. E. SMITH. Mr. Speaker, first of all, of the \$60-plus million that was advanced to the agency, they have drawn down \$30 million of that.

It is their intention that this bond issue that will be floated on the 14th of April will first of all repay that \$30 million, and next it will fund the 30-some projects that have already been approved which are now in suspension.

Mr. BUTERA. Mr. Speaker, is that in addition to those which have already been approved?

Mr. L. E. SMITH. No; I do not know exactly. It is 30-plus projects that are already approved that are now in suspension.

Mr. BUTERA. Okay. Then would somebody please advise this House why this bill has an effect on this proposed bond issue if there is nothing new, that is, in the way of projects which are being sought to be financed, but rather we are merely picking up, so to speak, those which have already been approved and funded by the taxpayers of Pennsylvania?

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

Mr. BENNETT. Mr. Speaker, I will attempt to respond to the gentleman's query in this way: A certain gentleman in the other body indicated to the media that the Pennsylvania Housing Finance Agency ought to go jump in the lake. I disagreed with the gentleman; I disagreed with the Governor. I stand here and tell the members of this body that I disagreed with the majority leader

in the Senate and I disagreed with the Governor, and it is my opinion at this time that Senate bill No. 1280 does as I have enumerated and in addition tells the people from Moody's and tells the people in this Commonwealth that this House of Representatives has faith in the Pennsylvania Housing Finance Agency and believes that it is a viable and exciting agency that ought to continue in existence, and Senate bill No. 1280 is a restoration of that faith.

Mr. Speaker, I believe that the minority leader in his wisdom would agree with me that PHFA must remain and must continue to be that viable instrument of state government that says to the people of this Commonwealth that we believe in you and we will help you. To that end, Mr. Speaker, I ask for support of Senate bill No. 1280.

I would yield to the gentleman, if he would introduce his amendments. Let us debate those amendments on their merits and continue with the debate and get on with the business of this House.

Mr. BUTERA. It is precisely that kind of action that I am objecting to. The gentleman cannot answer the question because nowhere in Senate bill No. 1280 is the problem which he adverts to and which I support, that the agency must continue; nowhere is that concept addressed.

The haste and the nondeliberate action which is being attempted tonight, I think, serves the agency poorly. If we are trying to protect the agency, let us protect it and make it better, but let us not deal in generalities, that we are trying to show that we still have faith in the agency when there is nothing in this bill which indicates that.

The bond issue which is contemplated does not seek to further the activities of the agency. It merely seeks to repay, as I understand it, some of the money which this General Assembly has put up to help bail it out. I just think that we are dealing with major legislation which is improperly thought out for the wrong reasons. So far the gentleman has confirmed that belief of mine because he refuses to answer the questions.

The SPEAKER. Will the gentleman yield?

At this point the Chair wants to put a question to the House. The Chair has allowed the widest latitude in permitting the members to engage in debate on the merits while an amendment is posing.

The question now before the House is, Will the House agree to the amendments? We are voting on the amendments offered by the gentleman, Mr. Butera.

Is the gentleman ready to address himself to the amendments at this point?

AMENDMENT No. 1 WITHDRAWN

Mr. BUTERA. Well, I suppose so. You know—

We have already started out on a false premise, Mr. Speaker, which I was attempting to correct by interrogation. The first amendment which I have offered, I will have to postpone until I finish the others because I am having it redrafted. It is in error, and the reason that it is in error is because this whole thing has been done in such haste that I overlooked a clause in the amendment.

So I will offer amendment number 2.

The SPEAKER. The gentleman is withdrawing his first amendment?

Mr. BUTERA. Yes. I will replace that. I think that it will be down by the time that—

The SPEAKER. The gentleman is offering a second amendment which the clerk will read.

The SPEAKER. For what purpose does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. Mr. Speaker, I would like to ask Mr. Bennett a question since he cited me in his debate there.

The SPEAKER. The Chair will recognize the lady in due course.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 2 (Sec. 202), page 3, line 5, by inserting a bracket before "The"

Amend Sec. 2 (Sec. 202), page 3, line 6, by striking out the bracket before "his"

Amend Sec. 2 (Sec. 202), page 3, lines 7 through 9, by striking out "[THE STATE TREASURER, the Secretary of Commerce and the" in line 7, all of line 8, and "each of them" in line 9

Amend Sec. 2 (Sec. 202), page 3, line 9, by inserting a bracket after "members" and inserting immediately thereafter: The agency shall consist of seven members

Amend Sec. 2 (Sec. 202), page 3, lines 10 and 11, by striking out "The Secretary of Community Affairs shall serve as chairperson."

On the question,

Will the House agree to the amendments?

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

Mr. BENNETT. Excuse me, Mr. Speaker, if I might?

The SPEAKER. Does the gentleman, Mr. Butera, yield to the gentleman, Mr. Bennett?

Mr. BUTERA. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BENNETT. It is my understanding, Mr. Speaker, that the minority leader has some nine amendments to offer. Is that correct?

Mr. BUTERA. Or thereabouts.

I am not certain. It depends on how the votes go as to which ones I am going to offer, because some of them are duplicates.

Mr. BENNETT. Okay. Mr. Speaker, if you would just, for the benefit of the members of the House and for my benefit, tell us the number. I understand that you have numbered your amendments. Would you just tell us which ones they are?

Mr. BUTERA. I have just said that I am now going to offer amendment No. 2.

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

Mr. BUTERA. Yes, Mr. Speaker, amendment No. 2 seeks to amend the composition of the board. The amendment would remove from the present circumstance the Secretary of Community Affairs, and further would remove the Secretary of Commerce and the State Treasurer from the composition of the board should this bill pass. In other words, presently there is only one cabinet officer on the board. This bill seeks to increase that to three.

What I am proposing is that the bill seeks to increase cabinet members from one, the Secretary of Community Affairs, to four. That is, it wants to add the State Treasurer, the Secretary of Commerce and the Secretary of Banking.

I am suggesting that the board hereafter consist of

seven members appointed by the Governor, with no members of the official family on the board. My purpose for offering that amendment is this: As you may recall, the Pennsylvania Housing Agency is an independent agency created by the Commonwealth which does not have the full faith and credit of the Commonwealth behind its bonds. It merely has what is termed, "a moral obligation."

I am seeking, first, to make it clear that the state government is not involved in any way in the running of the affairs of the Housing Agency.

Secondly, I am attempting to create a board for this agency similar to the Industrial Development Authority Boards, with which most of us are familiar, which are created by local governments and county governments.

As you know, the County Industrial Development Authority does not have a county commissioner or anyone of the official family mandatorily a member of that board. I think there is good reason for that. I think we have used our wisdom properly in creating those boards in not involving governmental people, so as to make it clear that the security for any bonds offered by the agency are the projects involved rather than the state government.

Thirdly, it is absolutely mandatory, if we are to preserve this agency, that we eliminate the possible political influence in the awarding of projects to be financed by this agency. The fact that we have cabinet officers on the board only serves to confuse that part of the legitimate work done by this agency.

I think it is in our best interest and in the Housing Agency's best interest if we eliminate governmental officials from the board and make it truly independent.

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

Mr. BENNETT. I would rise to oppose the amendment offered by the minority leader and I would submit to the members of this House that the amendment proposed by the minority leader is a further attempt by the minority leader to remove the Secretary of Community Affairs as the chairperson of that particular agency.

Mr. Speaker, I would say to the members of this House that my committee has already held a hearing on the Pennsylvania Housing Finance Agency. If needed, we will hold further hearings.

At this time, Mr. Speaker, I will yield to the majority whip for some comments on this particular amendment.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Thank you, Mr. Speaker.

As I understand the effect of the amendment offered by Mr. Butera, he would seek to remove the elected state treasurer from the board, remove the Secretary of Commerce from the board and remove the Secretary of Community Affairs as the chairperson of the board.

The whole purpose of the board's consisting of those members that we have designated in the act—

Mr. BUTERA. Oh, no, we have not designated those people in the act. It is in the bill.

Mr. MANDERINO. It is in the bill? It is in this bill, the proposed act. Bob, I will let you talk when it is your turn.

The reason that this bill, Senate bill No. 1280, suggests that these people be in it two-fold. One, we think it is a

safeguard, for instance, to put the elected state treasurer on. We think that we ought to have accountability of this agency and we ought to be able to tie accountability to direct appointments of the Governor. That is why the two cabinet officials.

More importantly than that, and I know Mr. Butera is aware of this, the Federal Government is taking a hard look at all of the bonds that are being issued from the standpoint of the IRS where those bonds are exempt from the payment of taxes on the income of those bonds. I know Mr. Butera is familiar with this.

What they are saying is that the agency that issues those bonds better be very closely tied to the state. Now what he is suggesting is that seven members, not necessarily any one of them having any relationship to the state, be on the board.

I am saying that you would jeopardize the tax-free status of the income from those bonds. There is a proposed regulation of the IRS, which I am sure Mr. Butera is aware of, that would require that these boards be closely tied to the state that issue these bonds. We are preparing for that. We are also guarding against the effect of the IRS because we know they are looking closely at these and we do not want to be put into a position that these bonds become unattractive and are not able to be sold because we have taken the state, the issuing agency, too far away from the board controlling the bonds.

Mr. BUTERA. Mr. Speaker, the Federal Government is not saying what the gentleman just said it is saying.

There is a proposed regulation which, if one stops to analyze the vast number of industrial development and like organizations in this state and in this country, will never prevail the rule-making procedure by the IRS. In that it might mandate that *ex officio* governmental officials be members of all boards, it does not stand a prayer to pass the Internal Revenue Service.

Should it so deem some years from now—and those of us familiar with the passage of those regulations know that it does take years before a proposal ever becomes law—we will have plenty of time to change the composition of this board if the Federal Government mandates that we do so. But it does not mandate that today. It has merely made a proposal and has not even yet received comments on that proposal.

I think it is misleading to the members of this House to indicate that there is some threat from the Federal Government that we must have governmental officials on these boards. That is not the case. If it ever is the case, we will be given time to amend this law. But in the interim, I suggest that we take the politicians off the board and make it truly independent to help serve the housing needs without interference.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I am sure that the minority leader has read the proposed regulation, but I would like to read in part from the proposed regulation:

The proposed amendment requires a close connection between the authority and the governmental unit including control of the authority's board and organizational or supervisory control over the authority by the governmental unit.

Also from the proposed regulation:

Effective date. The provisions of this paragraph apply to obligations issued on or after 180 days after the adoption of this paragraph by a Treasury decision, or, at the option of the State or local governmental unit, to obligations issued on or after February 2, 1976.

What we are making provision for in this bill clearly is something that we should be doing.

I urge every member in the House who is interested in getting that \$61 million back to this General Assembly to defeat Mr. Butera's amendment, which I term is without merit, and the provisions of the bill that he attempts to remove were put there with much thought and should be there and should remain there.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Kowalyszyn.

Mr. KOWALYSHYN. Mr. Speaker, I would appreciate having your attention for a few minutes.

I have been following the Pennsylvania Finance Housing Agency problem very closely. I would like to state by way of introduction that I feel that the minority leader is way off base on these amendments, and particularly his statement, and I want to quote it, that the state is not involved in the running of the agency. What about the General Assembly that had to come up with 61-plus million dollars? Are we not the state?

Therefore, I suggest that we take a look at these amendments. I want to point out that there are two principle problems that have been shown to exist with regard to this agency. This bill is directed to correct those two defects. One is the use of short-term creation of debt. The city of New York has gotten into serious financial problems because of their series of short-term debts. That is what happened in the case of this agency. It marketed short-term anticipation notes and then was unable to meet the payments.

The correction that is made in this bill is that short-term notes and obligations hereafter will be invalidated. The only obligations that can be valid will be those that are long-term bonds.

The other main defect has been the lack of connection between this agency and the general fund. That is the general fund that came to the rescue of this agency. That is the reason these state officers—the State Treasurer, the Secretary of Commerce, the Secretary of Community Affairs and also the Governor of the Commonwealth—are involved because they are connected with the preparation of the general fund budget. And if anything goes wrong, the general fund comes in. So this has been corrected as well, the connection with the general fund.

Therefore, I would like to state that the amendment that was withdrawn by the minority leader, namely, that the written approval of the Governor is necessary, is an essential part of this corrective legislation because it provides the tie-in with the general fund. This is something that we are interested in. I think we properly are interested in it to make this agency work.

I believe that the bill in its present form corrects the most serious defects. It will make this agency's obligations salable. It will raise the rating of this agency and I believe that we are giving this agency the biggest protection that we can by defeating these amendments and then voting for the bill.

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

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—79

Anderson, J. H.	Geesey	McClatchy	Seltzer
Beren	Gleason	McCue	Sirianni
Bittle	Grileo	McGinnis	Smith, E.
Brandt	Gring	Mebus	Spencer
Burns	Hamilton, J. H.	Miller, M. E.	Stahl
Butera	Hasay	Miller, M. E., Jr.	Taddonio
Cessar	Haskell	Moehlmann	Thomas
Cimini	Hayes, D. S.	Noye	Turner
Crawford	Hayes, S. E.	O'Connell	Ustynoski
Cumberland	Hepford	Pancoast	Vroom
Deverter	Hill	Parker, H. S.	Weidner
Dietz	Hopkins	Perri	Westerberg
Dorr	Katz	Pitts	Whelan
Fawcett	Kistler	Polite	Wilson
Fischer	Klingaman	Pyles	Wilt, R. W.
Fisher	Kusse	Renninger	Wilt, W. W.
Foster, A.	LaMarca	Ryan	Wright
Foster, W.	Lehr	Salvatore	Yohn
Fryer	Levi	Scheaffer	Zearfoss
Gallen	Manmiller	Scirca	

NAYS—108

Abraham	Giammarco	Milanovich	Ross
Arthurs	Gillespie	Milliron	Ruggiero
Barber	Gillette	Miscevich	Saloom
Bellomini	Gleason	Morris	Schmitt
Bennett	Goodman	Mrkonic	Schweder
Berlin	Green	Mullen, M. P.	Shane
Berson	Greenfield	Mullen	Shelton
Bonetto	Halverson	Musto	Shuman
Bradley	Hammock	Myers	Shupnik
Brunner	Hutchinson, A.	Novak	Smith, L.
Caputo	Irvic	O'Brien	Stapleton
Cohen	Itkin	O'Donnell	Stout
Cole	Johnson, J.	O'Keefe	Taylor
Cowell	Kernick	Oliver	Toil
DeMedio	Knepper	Perry	Trello
Dicarlo	Kolter	Petrarca	Valicenti
DiDonato	Kowalyszyn	Pievsky	Wagner
Dombrowski	Laudadio	Pratt	Walsh, T. P.
Doyle	Laughlin	Prendergast	Wansacz
Dreibelbis	Lederer	Rappaport	Wargo
Eckensberger	Letterman	Ravenstahl	Wojdak
Englehart	Lincoln	Reed	Worrlow
Fee	Lynch	Renwick	Zeller
Flaherty	Manderino	Rhodes	Zwikl
Gallagher	McCall	Richardson	
Garzia	McIntyre	Rieger	Fineman, Speaker
Geisler	McLane	Ritter	
George	Menhorn		

NOT VOTING—9

Davies	Kelly, A. P.	McGraw	Yahner
Dinanti	Kelly, J. B.	Shelhamer	Zord
Hutchinson, W.			

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. YAHNER. Mr. Speaker, I would like to be recorded in the negative on the second Butera amendment to Senate bill No. 1280.

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

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

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

Amend Sec. 2, page 3, lines 2 and 3 by striking out "and clauses (2) and (5) of section 205"

Amend Sec. 2 (Sec. 202), page 3, lines 10 and 11 by striking out "The Secretary of Community Affairs shall serve as chairperson." and inserting: The chairman of the agency shall be selected from the non-ex-officio members appointed by the Governor.

Amend Bill, page 3, by inserting between lines 25 and 26:

Section 3. Section 203 of the act is amended to read:

Section 203. Agency Governing Body.—The governing body of the agency shall be a board, consisting of the members of the agency. The board shall elect a chairman from among [its] the non-ex-officio members at the first meeting of the board, and at its first meeting in each year thereafter. A majority of the members shall constitute a quorum for the purpose of organizing the agency, conducting its business and exercising all powers of the agency. A vote of the majority of the members present shall be sufficient for all actions of the board, unless the bylaws require a greater number.

Section 4. Clauses (2) and (5) of section 205 of the act, amended December 5, 1972 (P. L. 1259, No. 282), are amended to read:

Amend Sec. 3, page 4, line 13 by striking out "3." and inserting: 5.

Amend Sec. 4, page 5, line 3 by striking out "4." and inserting: 6.

Amend Sec. 5, page 13, line 28 by striking out "5." and inserting: 7.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, this is amendment No. 4. This amendment simply states that the chairman of the agency shall not be the Secretary of Community Affairs but, rather, shall be one of the independent members of the board appointed by the Governor.

Again the same rationale—we have got to separate the state government from this agency if we ever expect it to be independent. We have to strive to eliminate the potential of people having projects approved through political purposes rather than on their merit.

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

Mr. BENNETT. Mr. Speaker, I oppose the amendments. It is an obvious intent by the minority leader to remove the Secretary of Community Affairs as chairperson. I would ask all the members to oppose the amendments.

Mr. BUTERA. Of course, it is an intent to remove. I wonder if you would explain what you mean by "obvious intent."

The purpose is to remove so as to make this agency independent of the unfortunate political pressures to which it has already been subjected and to which it will certainly be subjected to in the future.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—82

Anderson, J. H. Grieco McGinnis Seltzer
Beren Gring Mebus Shuman
Bittle Hamilton, J. H. Milanovich Strianni
Brandt Hasay Miller, M. E. Smith, E.

Burns Haskell Miller, M. E., Jr. Spencer
Butera Hayes, D. S. Moehmann Stahl
Cessar Hayes, S. E. Noye Turner
Cimini Hepford O'Connell Ustynoski
Crawford Hill Pancoast Vroon
Cumberland Hopkins Parker, H. S. Wagner
Dietz Katz Perri Weidner
Dorr Kistler Pitts Westerberg
Fawcett Klingaman Poite Whelan
Fischer Kusse Pyles Wilson
Fisher LaMarca Renninger Wilt, R. W.
Foister, A. Lehr Ritter Wilt, W. W.
Foster, W. Levi Ryan Worriow
Fryer Lynch Salvatore Wright
Gallen Manmiller Scheaffer Yohn
Geesey McClatchy Scirica Zearfos
Gleason McCue

NAYS—105

Abraham Geisler McIntyre Rieger
Arthur George McLane Ross
Barber Giammarco Menhorn Ruggiero
Bellomini Gillespie Millron Saloom
Bennett Gillette Miscovich Schmitt
Berlin Gleeson Morris Schweder
Berson Goodman Mrkonc Shane
Bonetto Green Mullen, M. P. Shelton
Bradley Greenfield Mullen Shupnik
Brunner Halverson Musto Smith, L.
Caputo Hammock Myers Stapleton
Cohen Hutchinson, A. Novak Stout
Cole Irvis O'Brien Thomas
Cowell Itkin O'Donnell Toll
DeMedio Johnson, J. O'Keefe Trello
Deverter Kelly, A. P. Oliver Valicenti
Dicarlo Kernick Perry Walsh, T. P.
DiDonato Knepper Petarca Wansacz
Dombrowski Kolter Pievsky Wargo
Doyle Kowalshyn Pratt Wojdak
Dreibelbis Laudadio Prendergast Yahner
Eckensberger Laughlin Rappaport Zeller
Engelhart Lederer Ravenstahl Zwicki
Fee Letterman Reed Fineman,
Flaherty Lincoln Renwick Rhodes Speaker
Gallagher Manderino Rhoades
Garzia McCall Richardson

NOT VOTING—9

Davies Kelly, J. B. Shelhamer Taylor
Dininni McGraw Taddonio Zord
Hutchinson, W.

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 4, page 5, line 3, by inserting after "401-A," subsection (a) of section 402-A,

Amend Bill, page 5, by inserting between lines 22 and 23:

Section 402-A. Mortgage Loans.—(a) Purpose. The agency may make mortgage loans to mortgagors for such projects as in the judgment of the agency have promise of supplying well planned, well designed apartment units which will provide housing for low and moderate income persons or families or the elderly and others in locations where there is a need for such housing. In determining areas where there is a need for such housing, the agency shall consider the relative housing needs of the various geographical regions within the Commonwealth and shall carefully weigh both the design characteristics of the proposed development and the severity of housing needs in the various regions. Such loans may include construction loans as well as permanent loans. The agency shall require the mortgagor receiving a loan or its contractor to post labor and materials, and construction performance, surety bonds in amounts related to the project cost as established by regulation or to execute other assurances and guarantees as the agency may deem necessary and may require its principals or stockholders to also execute such other assurances and guarantees as the agency may deem necessary.

On the question
Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, this is amendment No. 5, which amends the purpose clause of the agency to provide that the agency shall consider in approving projects, "... the relative housing needs of the various geographical regions within the Commonwealth. . . ."

Now it is a fact that the agency has more applications for approval than it has the availability of funding. In other words, it cannot meet all the requests that are made of it. Roughly, 20 percent of the projects which the agency has approved to date are in one county.

All this amendment seeks to do is require the agency to consider the geographic regions of the Commonwealth prior to approving projects which would be equal in viability and thus at least attempt to stimulate the housing market and provide the need for housing in all parts of the state rather than only in those parts where some group may be more successful than some other group.

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

Mr. BENNETT. Mr. Speaker, I oppose the amendment offered by the minority leader.

The intent that the minority leader has is not done administratively. It is absolutely unnecessary and I ask for a "no" vote.

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

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—83

Anderson, J. H.	Gleason	McCue	Seltzer
Beren	Grleco	McGinnis	Sirianni
Bittle	Gring	Mebus	Smith, E.
Brandt	Halverson	Milanovich	Spencer
Burns	Hamilton, J. H.	Miller, M. E.	Stahl
Butera	Hasay	Miller, M. E., Jr.	Taddonio
Cassar	Hayes, D. S.	Moehlmann	Thomas
Cimrini	Hayes, S. E.	Noye	Turner
Crawford	Hepford	O'Connell	Ustynoski
Cumberland	Hill	Pancoast	Vroon
Deverter	Hopkins	Parker, H. S.	Wagner
Dietz	Katz	Perri	Weldner
Dorr	Kistler	Pitts	Westerberg
Fawcett	Klingaman	Polite	Whelan
Fischer	Kusse	Pyles	Wilson
Fisher	LaMarca	Renninger	Wilt, R. W.
Foster, A.	Lehr	Rieger	Wilt, W. W.
Foster, W.	Levi	Ryan	Worrlow
Fryer	Lynch	Salvatore	Yohn
Gallen	Manmiller	Scheaffer	Zearfoss
Geesey	McClatchy	Scirica	

NAYS—105

Abraham	George	McLane	Ross
Arthurs	Giammarco	Menhorn	Ruggiero
Barber	Gillespie	Milliron	Saloom
Bellomini	Gillette	Miscevich	Schmitt
Bennett	Gleeson	Morris	Schweder
Berlin	Goodman	Mrkonje	Shane
Berson	Green	Mullen, M. P.	Shelton
Bonetto	Greenfield	Mullen	Shuman
Bradley	Hammock	Musto	Shupnik
Brunner	Haskell	Myers	Smith, L.
Caputo	Hutchinson, A.	Novak	Stapleton
Cohen	Iris	O'Brien	Stout
Cole	Itkin	O'Donnell	Taylor
Cowell	Johnson, J.	O'Keefe	Toll
DeMedio	Kelly, A. P.	Oliver	Trello
Dicarlo	Kernick	Perry	Valicenti
DiDonato	Knepper	Petrarca	Walsh, T. P.

Dombrowski	Koller	Pievsky	Wansacr
Doyle	Kowalshyn	Pratt	Wargo
Oreibelbis	Laudadio	Prendergast	Wojdak
Eckensberger	Laughlin	Rappaport	Yabner
Englehart	Lederer	Ravenstahl	Zeller
Fee	Letterman	Reed	Zwickl
Flaherty	Lincoln	Renwick	
Gallagher	Manderino	Rhodes	Fineman,
Garzia	McCall	Richardson	Speaker
Geisler	McIntyre	Ritter	

NOT VOTING—8

Davies	Hutchinson, W.	McGraw	Wright
Dininni	Kelly, J. B.	Sheinamer	Zord

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

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. BUTERA requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 4, page 5, line 3, by inserting after "401-A," subsection (h) of section 402-A.

Amend Bill, page 5, by inserting between lines 22 and 23:

Section 402-A. Mortgage Loans.—* * *

(h) Project Cost Certification. No loan shall be made unless the mortgagor agrees (i) [to certify upon completion of project construction or rehabilitation, subject to audit and determination by the agency, the actual total project cost as defined herein,] to submit to an independent appraisal of costs of any proposed development prior to initial closing of the construction contract, and to provide upon completion, an independent certification of the costs of project construction or rehabilitation, subject to audit and determination by the agency, the actual total project cost as defined herein, and (ii) to pay forthwith to the agency, for application to reduction of the principal of the loan, the amount, if any, subject to audit and determination by the agency, of loan proceeds received in excess of the allowable loan based upon the percentage of loan to total project cost authorized by the agency. Notwithstanding the provisions of this subsection, the agency may accept, in lieu of any certification of total project cost as provided herein, such other assurances of the said total project cost, in any form or manner whatsoever, as will enable the agency to determine with reasonable accuracy the amount of said total project cost.

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, amendment No. 6 would require by law that an applicant of the agency would have to submit to an independent appraisal of costs, the costs being the projections which the applicant makes to the agency when seeking approval. This is absolutely essential so as to protect the integrity of each project.

If an agency or if an applicant has to subject itself or himself, whichever is the case, to an independent cost analysis, we have a better possibility of control over each individual project than we do without an independent cost appraisal. That is all its does. It makes for better control and a better protection of the investment which the people of Pennsylvania have in this agency. It does not hurt anybody.

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

Mr. BENNETT. Mr. Speaker, I rise to oppose the amendment offered by the minority leader and would say to the members of this House that this is also not done

administratively. The agency now requires the cost audit by the developer at his expense; not at state expense, at his expense.

Further, there are many points that the agency checks out the project costs, including site visitation. I would ask for a "no" vote.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, that is precisely the point. The agency presently requires an independent appraisal of costs, administratively. And what I am asking to do is to have this General Assembly require by law that there be an independent appraisal of costs.

If the agency does it today and if you support the agency, then you must conclude that this is a worthwhile amendment to protect the integrity of each individual project, and I strongly urge that you support the amendment.

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

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—92

Anderson, J. H.	Geesey	McClatchy	Shuman
Beren	Gleason	McCue	Sirianni
Bittle	Grieco	Mebus	Smith, E.
Brandt	Gring	Miller, M. E.	Spencer
Burns	Halverson	Miller, M. E., Jr.	Stahl
Butera	Hamilton, J. H.	Moehlmann	Stapleton
Cessar	Hasay	Noye	Taddonio
Cimini	Haskell	O'Connell	Thomas
Crawford	Hayes, D. S.	Pancoast	Turner
Cumberland	Hayes, S. E.	Parker, H. S.	Ustynoski
Deverter	Hepford	Perri	Vroon
Dicarlo	Hill	Pollte	Wagner
Dietz	Hopkins	Poyles	Weidner
Dorr	Katz	Reed	Westerberg
Dreibelbis	Kistler	Reed	Whelan
Eckensberger	Klingaman	Renninger	Wilson
Fawcett	Knepper	Ritter	Wilt, R. W.
Fischer	Kusse	Ryan	Wilt, W. W.
Fisher	LaMarca	Salvatore	WorriLOW
Foster, A.	Lehr	Scheaffer	Yohn
Foster, W.	Levi	Schweder	Zearfoss
Fryer	Lynch	Scirica	Zeller
Gallen	Manmiller	Seltzer	Zwikl

NAYS—95

Abraham	Giammarco	McLane	Rhodes
Arthurs	Gillespie	Menhorn	Richardson
Barber	Gillette	Milanovich	Rieger
Bellomini	Gleason	Milliron	Ross
Bennett	Goodman	Miscevich	Ruggiero
Berlin	Green	Morris	Saloom
Berson	Greenfield	Mrkonc	Schmitt
Bonetto	Hammock	Mullen, M. P.	Shane
Bradley	Hutchinson, A.	Mullen	Shelton
Brunner	Irvis	Musto	Shupnik
Caputo	Itkin	Myers	Smith, L.
Cohen	Johnson, J.	Novak	Stout
Cole	Kelly, A. P.	O'Brien	Taylor
Cowell	Kernick	O'Donnell	Toll
DeMedio	Kolter	O'Keefe	Trello
DiDonato	Kowalyszyn	Oliver	Valicenti
Dombrowaki	Laudadio	Perry	Walsh, T. P.
Doyle	Laughlin	Petrarca	Wansacz
Englehart	Lcderer	Pievsky	Wargo
Fee	Letterman	Pratt	Wojdak
Flaherty	Lincoln	Prendergast	Yahner
Gallagher	Manderino	Rappaport	
Garzia	McCall	Ravenstahl	Fineman, Speaker
Geisler	McIntyre	Renwick	
George			

NOT VOTING—9

Davies	Kelly, J. B.	McGraw	Wright
Dininni	McGinnis	Shelhamer	Zord
Hutchinson, W.			

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

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. BUTERA requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 2, page 3, line 2, by striking out "and (5)" and inserting: , (5) and (14)

Amend Sec. 2, (Sec. 205), page 4, by inserting between lines 12 and 13:

(14) Employ an executive director and such other officers, agents, employes, professional and business advisers as may from time to time be necessary in its judgment [and to], fix their compensation, establish by regulation the classes of employes and the training, experience or education necessary for employment, and to promote and discharge such officers, employes and agents based solely on merit as determined by the agency.

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, this amendment merely requires that the employes that are hired by the agency—

Mr. BENNETT. Mr. Speaker, excuse me, what number?

Mr. BUTERA. Number seven.

Mr. BENNETT. Thank you.

Mr. BUTERA. This amendment requires that the agency establish by regulation—the agency establishes by regulation; not us, not the Governor, not anybody else—the classes of employes and the training, experience and education necessary to fill the various positions.

All I am asking here is that you guard against this agency from becoming a patronage mill, an agency which is dominated by any administration and it does not matter which one, and asking that you please insist that the people working at the agency are professional in the housing business. This has been the tradition of the agency to date. I am not seeking any change. I am merely seeking a protection for us.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I ask for a negative vote on this amendment. I do not believe that what Mr. Butera is asking for in the amendment is necessary. This agency—and I am sure that Mr. Butera is familiar with the personnel there—has housing professionals doing the work of the agency. I would not in principle disagree with the content of the amendment, although I do not think it is necessary for the working of that agency.

I would urge all members of the House, because of the importance of this bill, to vote negatively on this amendment, so that this Senate bill can be sent to the Governor and so that the bond issue on the 14th can be favorably effected by our passage of the legislation. I frankly do not want to take a chance of the delay.

Should this amendment be proposed as a separate bill, Mr. Speaker, I would have perhaps no objection at all to it. I frankly do not think that there is anything going on in the agency or any practices over there that make the thing necessary. I do not think that it would be bad to have it as a safeguard, but I must urge every member of the House to vote "no" so that we do not take a chance

on losing Senate bill No. 1280 and we can send it to the Governor for signature.

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

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

YEAS—83

Anderson, J. H.	Gleason	Manmiller	Seltzer
Beren	Grieco	McClatchy	Sirianni
Bittle	Gring	McCue	Smith, E.
Brandt	Halverson	Mebus	Spencer
Burns	Hamilton, J. H.	Milanovich	Stahl
Butera	Hasay	Miller, M. E.	Taddonio
Cessar	Haskell	Miller, M. E., Jr.	Thomas
Cimini	Hayes, D. S.	Moehlmann	Turner
Crawford	Hayes, S. E.	Noye	Ustynoski
Cumberland	Hepford	O'Connell	Vroon
Deverter	Hill	Pancoast	Wagner
Dietz	Hopkins	Parker, H. S.	Weidner
Dorr	Katz	Perri	Westerberg
Fawcett	Kistler	Pitts	Whelan
Fischer	Klingaman	Polite	Wilson
Fisher	Knepper	Pyles	Wilt, R. W.
Foster, A.	Kusse	Renninger	Wilt, W. W.
Foster, W.	LaMarca	Ryan	Worrlow
Fryer	Lehr	Salvatore	Yohn
Gallen	Levi	Scheaffer	Zearfoss
Geesey	Lynch	Scrica	

NAYS—103

Abraham	George	Menhorn	Ross
Arthurs	Giammarco	Milliron	Ruggiero
Barber	Gillespie	Miscevich	Saloom
Bellomini	Gillette	Morris	Schmitt
Bennett	Gleeson	Mrkonjc	Schweder
Berlin	Goodman	Mullen, M. P.	Shane
Berson	Green	Mullen	Shelton
Bonetto	Greenfield	Musto	Shuman
Bradley	Hammock	Myers	Shupnik
Brunner	Hutchinson, A.	Novak	Smith, L.
Caputo	Irvis	O'Brien	Stapleton
Cohen	Itkin	O'Donnell	Stout
Cole	Johnson, J.	O'Keefe	Taylor
Cowell	Kelly, A. P.	Oliver	Toll
DeMedio	Kernick	Perry	Trello
Dicarlo	Kolter	Petrarca	Valicenti
DiDonato	Kowalyszyn	Pievsky	Walsh, T. P.
Dombrowski	Laudadio	Pratt	Wansacz
Doyle	Laughlin	Prendergast	Wargo
Dreifelbits	Lederer	Rappaport	Wojdak
Eckensberger	Letterman	Ravenstahl	Yahner
Englehart	Lincoln	Reed	Zeller
Fee	Manderino	Renwick	Zwikl
Flaherty	McCall	Richardson	
Gallagher	McIntyre	Rieger	Fineman, Speaker
Garzia	McLane	Ritter	
Geisler			

NOT VOTING—10

Davies	Kelly, J. B.	Rhodes	Wright
Dinnini	McGinnis	Shelhamer	Zord
Hutchinson, W.	McGraw		

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

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

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

Amend Sec. 4, page 5, lines 3 and 4 by striking out "subsections (a) and (b) of section 501-A, sections 503-A and 504-A"

Amend Sec. 4, page 5, line 5 by striking out "are" and inserting: is

Amend Bill, page 5, by inserting between lines 22 and 23:

Section 5. Section 402-A of the act is amended by adding a subsection to read:

Section 402-A. Mortgage Loans.—* * *

(i) Management Agreement. The agency shall have the

right of approval over any contract between the mortgagor and the parties managing a rental development. This management agreement, whether between the mortgagor and the manager or between the agency and manager, shall provide sufficient provisions to protect the agency's interest in the rental properties. The contract shall include a provision requiring the manager to submit its premises and its financial records to inspection by the agency or its designates and such other provisions as the agency deems necessary to protect its interests. The designates of the agency may include, where agreed upon, representatives of the local governments wherein the development is located and any other State agency, department, board or bureau of government.

Section 6. Subsections (a) and (b) of section 501-A, sections 503-A and 504-A of the act, added December 5, 1972 (P. L. 1259, No. 282), are amended to read:

Amend Sec. 5, page 13, line 28 by striking out "5" and inserting: 7

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, this is amendment No. 8, and it seeks to require anyone who has a management agreement covering any project approved by the agency to submit its books and records to the agency's scrutiny.

There is presently at least one project approved by the agency to date where there is a management agreement and where the people who hold the management agreement are refusing to show their books and records to the agency upon the agency's request.

I am seeking to strengthen the control of the agency over the individual projects by making it clear that anyone holding a management agreement must submit to this kind of scrutiny again. I am merely substantiating the present posture of the agency and making it mandatory on those third parties, over whom we have no control, to adhere to a very simple management-control technique. And I urge the adoption of this amendment, which does not in any way affect the viability of the agency, the continuity of the agency. It merely strengthens it.

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

Mr. BENNETT. I rise to oppose the amendment offered by the minority leader.

The majority whip, in his previous rebuttal to the minority leader on the previous amendment, indicated the possibility of a repercussion on some problems in the April 14th bond issue. If the minority leader would, as the majority whip indicated, propose this amendment in a separate piece of legislation, I think that I would be inclined to agree with the gentleman.

I have told the minority leader that my committee has held a hearing on this and intends to hold another one and will offer in the very near future, substantial amendments to PHFA—Pennsylvania Housing Finance Agency—and at that time I would be happy to join the minority leader in his efforts.

At this time, in due respect to the April 14th bond issue, I would ask all of the members of this body to oppose the amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. I noticed that the defense of the amend-

ment is more and more gravitating toward the alleged crisis. On the one hand, there are assertions that this bill does not materially affect this proposed bond issue. On the other hand, you are being asked to vote against the amendments because it may affect our proposed bond issue.

I say that is the very reason why we should be considering this bill, and it is absolutely the wrong reason why these amendments should not be supported.

I would like to know when the gentleman intends to hold a hearing and when he intends to take up this particular issue because I would like to be present. This will be the only vehicle, I predict, in this session for me to amend these worthwhile amendments which so far both defenders have agreed to.

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

Mr. BENNETT. If the gentleman, Mr. Manderino, would yield, I would attempt to answer the minority leader.

The tentative date for the next hearing, Mr. Speaker, I believe, is June 17th and I certainly do invite the minority leader to attend that hearing. I will now yield the microphone to Mr. Manderino.

Mr. BUTERA. Why June 17? That is late enough and nothing will happen.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the minority leader, I think, characterizes our defense of Senate bill No. 1280 and our asking the members to vote against these amendments incorrectly.

We are not saying, Mr. Speaker, that there is a crisis and that is the reason that we ask you not to place these amendments. We are telling you, Mr. Speaker, that we do not see the necessity of these amendments as tied to any of the operations of that agency. For instance, this amendment here, amendment 8, are safeguards that you are asking to be put in. These safeguards are presently being implemented administratively, and you alluded very quickly to one particular management agreement.

My information from that agency is they have had no problem with the implementation of their policies in the matter. They have had no problems with the management agreements that you speak to.

So far as the second of your amendment here that seems to direct the housing more to low income, there has already been a policy instituted in the agencies. What we are saying to you is that we do not see the imperative nature or the imminent nature of any problems that your amendments address themselves to. And what we are saying is there is the possibility that we can sell the bonds at a better rate, see the bonds in a larger amount, if we have this legislation. Presently anybody looking at the bonds offered by this agency would have to look at the action of this General Assembly and what we did when we bailed the agency out and we lent them \$61 million. We actually tied, with our resolution, the hands of that agency, telling the bond market really that you cannot know, after we pass this resolution, what the General Assembly intends regarding that agency.

What we are trying to tell the bond market by the passage of this legislation is that the General Assembly does in fact want the existence of the Pennsylvania Housing

Finance Agency on the terms spelled out in this bill, and on those terms we feel confident that we will get a better interest rate and we will get a better chance to market bonds in larger amounts so we can get that money back to the General Assembly.

So I am saying to you, it is more important that House bill No. 1280 passes than that your amendments go in.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, that argument falls by, I believe, the admission that the proposed bond issue that we have heard so much about merely seeks to fund projects which have already been approved and does not in any way project this agency into additional business. It only seeks to fund those projects which are already approved and being built or built and that whole argument falls, and we should not be called upon under these circumstances to look at this kind of substantive legislation.

I think that the opposition is blind and just is dealing another blow to the very agency that we are purportedly attempting to save.

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

Mr. VROON. Mr. Speaker, I would like to add a short argument to the argument of the minority leader and I would like to rebut the majority whip when he said that these bonds will sell more readily if this bill is passed in its present form. I will tell you very emphatically that if I were a bond underwriter, I would much rather have this bill amended and strengthened in the manner that the minority leader is recommending. The more safeguards that you put into an instrument, the more desirable that instrument becomes for sale. This is an established fact. And anybody who knows his way around in the financial world knows this.

So the practice of amending this bill to insert safeguards, to protect the bondholder, there is nothing but solemn practice. Consequently, in my opinion, there cannot be any doubt whatsoever about the desirability of these amendments, and I urge every member to understand that they are helping the cause and not hurting it by voting for these amendments.

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

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—85

Anderson, J. H.	Gleason	Manmiller	Scitica
Beren	Grieco	McClatchy	Seltzer
Bittle	Gring	McCue	Sirianni
Brandt	Halverson	Mebus	Smith, E.
Burns	Hamilton, J. H.	Mihanovitch	Spencer
Butera	Hasay	Miller, M. E.	Stahl
Cessar	Haskell	Miller, M. E., Jr.	Taddonio
Cimini	Hayes, D. S.	Moehlmann	Thomas
Crawford	Hayes, S. E.	Nove	Turner
Cumberland	Hepford	O'Connell	Ustynoski
Davies	Hill	Pancoast	Vroon
Deverter	Hopkins	Parker, H. S.	Wagner
Dietz	Katz	Perri	Weidner
Dorr	Kistler	Pitts	Westerberg
Fawcett	Klingaman	Polite	Whelan
Fischer	Knepper	Pratt	Wilson
Fisher	Kusse	Pyles	Wilt, R. W.
Foster, A.	LaMarca	Ronninger	Wilt, W. W.
Foster, W.	Lehr	Ryan	Worrlow
Fryer	Levi	Salvatore	Yohn

Gallen	Lynch	Scheaffer	Zearfoss
Geesey			
NAYS—101			
Abraham	George	Milliron	Ruggiero
Arthur	Gianmarco	Miscevich	Saloom
Barber	Gillespie	Morris	Schmitt
Bellomini	Gillette	Mrkonjc	Schweder
Bennett	Gleeson	Mullen, M. P.	Shane
Berlin	Goodman	Mullen	Shelton
Berson	Green	Musto	Shuman
Bonetto	Greenfield	Myers	Shupnik
Brunner	Hanock	Novak	Smith, L.
Caputo	Hutchinson, A.	O'Brien	Stapleton
Cohen	Irvin	O'Donnell	Stout
Cole	Itkin	O'Keefe	Taylor
Cowell	Johnson, J.	Oliver	Toil
DeMedio	Kelly, A. P.	Perry	Trelio
Dicarlo	Kernick	Petrarca	Valicenti
DiDonato	Kotler	Pievsky	Walsh, T. P.
Dombrowski	Kowalshyn	Prendergast	Wansacz
Doyle	Laudadio	Rappaport	Wargo
Dreibelbia	Lederer	Ravenstahl	Wojdak
Eckensberger	Letterman	Reed	Yabner
Englehart	Lincoln	Renwick	Zeller
Fee	Mandertino	Rhodes	Zwickl
Flaherty	McCall	Richardson	
Gallagher	McIntyre	Rieger	Fineman,
Garzia	McLane	Ritter	Speaker
Gelsier	Menhorn	Ross	

NOT VOTING—10

Bradley	Kelly, J. B.	McGraw	Wright
Dininni	Laughlin	Shelhamer	Zord
Hutchinson, W.	McGinnis		

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 4, page 5, line 3 by inserting after "401-A," subsection (c) of section 402-A,

Amend Bill, page 5, by inserting between lines 22 and 23:

Section 402-A. Mortgage Loans.—* * *

(c) Limited Profit. A mortgagor may not make distributions in any one year, with respect to a project financed by the agency, in excess of eight per cent of the mortgagor's equity in such project [except that the right to such distribution shall be cumulative] as determined by an independent cost appraisal prior to initial closing, plus or minus four per cent of the change in equity rising out of the difference between initial cost certification and the results of the independent cost appraisal conducted prior to the final construction payout, or any lower per cents of original equity and the change in equity as are determined by the agency to represent comparable profit levels experienced by private developers in similar projects. The mortgagor's equity in a project shall consist of the difference between the mortgage loan and the total project cost. A loan may be in an amount not to exceed one hundred per cent of the project cost as approved by the agency in the case of a non-profit mortgagor and in an amount not to exceed ninety per cent of the project cost as approved by the agency in all other cases. With respect to every project, the agency shall, pursuant to regulations adopted by it, establish the mortgagor's equity at the time of the making of the final mortgage advance and for purposes of this paragraph, that figure shall remain constant during the life of the agency's mortgage on such project. In the case of a nonprofit mortgagor receiving a mortgage loan in the amount of one hundred per cent of the total project cost, no distributions shall be permitted.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, this is amendment No. 9, which addresses itself to the question of excess profit. Presently under the law, the agency permits an applicant an 8 percent profit.

This amendment maintains that maximum 8 percent profit, but gives the agency the additional authority and responsibility to reduce that profit if market conditions are such that 8 percent is excessive.

Furthermore, it gives the agency the power to better control cost overruns over initial cost estimates by limiting the profit which can be paid to an applicant, if that applicant spends more ultimately than it suggested it would spend at the initial closing.

The way the law is presently, we actually reward a sloppy developer who underestimates his cost by guaranteeing him an 8 percent profit on any cost overruns that he may experience during dependency of a project, and I think that is backward logic. We should give the agency the power and the responsibility and the duty to again protect, not only the bondholders, but the taxpayers on this particular item dealing with the possibility of excess profit. I do not see how anybody could oppose this kind of amendment.

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

Mr. BENNETT. Mr. Speaker, I again rise to oppose the amendments offered by the minority leader. I would suggest to the members of this body that the minority leader is in error. In effect, what his amendment proposes to do would be to create a new section limiting profits. And I think this ought to be read with the original law, because what the minority leader's amendment does is to redefine an 8 percent profit in terms of an 8 percent equity instead of an 8 percent return on the project cost.

It is my opinion, Mr. Speaker, that this amendment that is now offered by the minority leader would cause the bill to go to a conference committee and, again, would have dire consequences on that April 14th bond issue. I would ask every member of this body to oppose the amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, the only redefinition is what I indicated of equity, and the equity in a project upon which the 8 percent is figured shall be computed at the initial closing, thus ruling out the unscrupulous developer who will submit false figures initially to get approval, then have a cost overrun and have his profit computed on a new equity, which has to do with actual cost rather than a certified cost at initial closing.

It is a sound amendment and it further protects the bondholders and the Commonwealth funds, which are presently in that agency.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—87

Anderson, J. H.	Gleason	McClatchy	Seltzer
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Beren	Greenfield	McCue	Strianni
Bittle	Grieco	Mebus	Smith, E.
Burns	Gring	Milanovich	Spencer
Butera	Halverson	Miller, M. E.	Stahl
Cessar	Hamilton, J. H.	Miller, M. E., Jr.	Stapleton
Cimini	Hasay	Moehlmann	Taddonio
Crawford	Haskell	Noye	Thomas
Cumberland	Hayes, D. S.	O'Connell	Turner
Davies	Hayes, S. E.	Pancoast	Ustynoski
Deverter	Hepford	Parker, H. S.	Vroon
Dicarlo	Hopkins	Perri	Wagner
Dietz	Katz	Pitts	Weidner
Dorr	Kistler	Polite	Westerberg
Fawcett	Klingaman	Pratt	Whelan
Fischer	Knepper	Pyles	Wilson
Fisher	Kusse	Reed	Wilt, R. W.
Foster, A.	LaMarca	Renninger	Wilt, W. W.
Foster, W.	Lehr	Ryan	Worriow
Fryer	Levi	Salvatore	Yohn
Gallen	Lynch	Scheaffer	Zearfoss
Geesey	Manmiller	Scirica	

NAYS—96

Abraham	George	Menhorn	Ritter
Arthur	Giammarco	Milliron	Ross
Barber	Gillespie	Miscevich	Ruggiero
Bellomini	Gillette	Morris	Saloom
Bennett	Gleeson	Mrkonic	Schmitt
Berlin	Goodman	Mullen, M. P.	Schweder
Berson	Green	Mullen	Shane
Bonetto	Hammock	Musto	Shelton
Brunner	Hutchinson, A.	Myers	Shuman
Caputo	Irvin	Novak	Shupnik
Cohen	Itkin	O'Brien	Stout
Coie	Johnson, J.	O'Donnell	Taylor
Cowell	Kelly, A. P.	O'Keefe	Toll
DeMedio	Kernick	Oliver	Treilo
DiDonato	Kolter	Perry	Vallcanti
Dombrowaki	Kowalyszyn	Petrarca	Walsh, T. P.
Doyle	Laudadio	Plevsky	Wansacz
Dreibelbis	Laughlin	Prendergast	Wargo
Eckensberger	Lederer	Rappaport	Yahner
Engelhart	Letterman	Ravenstahl	Zeller
Fee	Lincoln	Renwick	Zwilk
Flaherty	Manderino	Rhodes	
Gallagher	McCall	Richardson	Fineman, Speaker
Garzia	McIntyre	Rieger	
Geisler	McLane		

NOT VOTING—13

Bradley	Hutchinson, W.	McGraw	Wojdak
Brandt	Kelly, J. B.	Shelhamer	Wright
Dininni	McGinnis	Smith, L.	Zord
Hill			

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

The SPEAKER. The Chair recognizes the minority leader.

Does the gentleman have additional amendments to offer?

Mr. BUTERA. Yes, Mr. Speaker, the final amendment is entitled, Replacement No. 1, and has just been circulated.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 4 (Sec. 501-A), page 5, lines 25 and 26 by striking out all of line 25 and "by the Governor" in line 26

Amend Sec. 4 (Sec. 501-A), page 6, lines 7 and 8 by striking out "and SUBJECT TO THE WRITTEN APPROVAL OF the Governor"

On the question,

Will the House agree to the amendments?

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

Mr. BENNETT. Mr. Speaker, a question to the minority leader. Mr. Speaker, where are we? Which one are we on?

Mr. BUTERA. This is called Replacement No. 1 and removes the approval of the veto power of the Governor over a bond issue.

Mr. Speaker, this amendment is the most important amendment of them all.

The bill adds a clause which would give the Governor of the Commonwealth a veto power over any bond issue by the housing agency. My amendment seeks to remove that veto power and places the total responsibility of when and how to issue bonds on the agency.

This House has indicated that it wants four cabinet officers to be on this board. My plea is that you not inject the artificial veto power on the Chief Executive of this state in the issuance of bonds on the housing agency for the obvious reason that you are placing the Governor of the Commonwealth in the unenviable position of having an effect to approve each project that is applied for. You are placing him in a situation where he will be subjected to every conceivable pressure to have projects approved or rejected, and I say that this clause specifically will be the reason why this agency ultimately will fail.

On the one hand, we claim that we are creating an independent housing agency to help meet the housing needs of the Commonwealth, independent of the full faith and credit of the Commonwealth. On the other hand, we are saying to the professionals, whom we hire to the allegedly professional board who make the decisions, that their decisions are meaningless and that all of the power over the approval of projects of this agency will rest with one person. I suggest that we are defeating our stated purpose by doing this and we must remove this clause from the bill if we ever expect this agency to do what it is supposed to do.

We cannot tolerate this kind of potential influence which this amendment cries for. I would just hope that you would think about this particular aspect of this bill and remove the gubernatorial veto. It has no place in this bill unless we intend the bonds to have the full faith and credit of the Commonwealth behind them.

I suggest to you that this clause more than any other clause will force us in this General Assembly to someday bail this agency out again.

I say that it is wrong to have this much influence by the executive branch of this government in this agency where it does not belong. It will help those who will someday make the argument on this floor that we must bail this agency out because after all, the Governor approved the bond issue or the Governor approved the projects or whatever argument they will use. It is self-defeating.

I suggest that we abolish the agency before we write this kind of language into the law governing the agency. I wonder, I wonder if the prospectus which has gone out to prospective buyers tells them that the Governor of the Commonwealth will have a veto power over the issuance of any bonds of the agency, which we know, as politically astute people, means he will also have to approve every project for which bonds will be issued. I think that is so wrong for us to do in light of all of the problems which the housing agencies in this country have undergone.

If we can do anything to strengthen the agency, it will be to remove this clause from this bill. I wonder also what the whole board of this agency and the professional staff feel, really, about this particular aspect of this bill. I would bet that they would almost universally reject it. I suggest that we do that for them.

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

Mr. BENNETT. Mr. Speaker, I am not a betting man ordinarily, and I do not believe that I would bet that the minority leader is attempting to mislead the members of this body. I know him too well and I respect him too much. But, Mr. Speaker, I think he is wrong in this. There is no veto power by the Governor. All that Senate bill No. 1280 attempts to do is to give the Governor the same prerogatives that he has in the Turnpike Commission and other boards and agencies, and that is, the scheduling of the bond sale. I do not think there is any veto power.

Mr. Speaker, I would ask all the members of this House to oppose the amendment.

The SPEAKER. Does the minority leader desire to be recognized? The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I am not trying to mislead anybody. I thought that you said I was trying to mislead. What I am saying is that if we are attempting to make this agency stand on its own feet and back up its bond issues with projects that it approves, that we should make every effort to remove members of this government, particularly the Chief Executive, from all of the decisions which go into the written approval, which is a veto power over a bond issue.

It is so simplistic that we should never, ever cloud the agency with this kind of a cloud. We do not do it with any of our local Industrial Development Authorities for good reason, and they operate beautifully without governmental interference.

I would suggest to you that one of the basic problems in this agency is that it has too much governmental interference. If we are to write the Governor in with having to have written approval, why have we not written in this General Assembly, which is the body which is called upon to bail the agency out if it is in trouble. When it gets in trouble next time, if it does, this will be the argument used against all of us to put up tax dollars to bail out this agency. I hope we never compound that error.

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

The yeas and nays were required by Messrs. BUTERA and BENNETT and were as follows:

YEAS—84

Anderson, J. H.	Gresey	Lynch	Scirica
Beren	Gleason	Manmiller	Seltzer
Bittle	Grieco	McClatchy	Strianni
Brandt	Gring	McCue	Smith, E.
Burns	Halverson	Mebus	Spencer
Butera	Hamilton, J. H.	Milanovich	Stahl
Cessar	Hasay	Miller, M. E.	Taddonio
Cimint	Haskell	Miller, M. E., Jr.	Thomas
Crawford	Hayes, D. S.	Mochlmann	Turner
Cumberland	Hayes, S. E.	Nove	Ustynoski
Davies	Hepford	O'Connell	Vroon
Deverter	Hill	Pancoast	Wagner
Dietz	Hopkins	Parker, H. S.	Weidner
Dorr	Katz	Ferri	Westerberg
Fawcett	Kistler	Pitts	Whelan
Fischer	Klingaman	Polite	Wilson

Fisher	Knepper	Pyles	Wilt, R. W.
Foster, A.	Kusse	Renninger	Wilt, W. W.
Foster, W.	LaMarca	Ryan	Worriow
Fryer	Lehr	Salvatore	Yohn
Gallen	Levi	Scheaffer	Zearfoss

NAYS—104

Abraham	George	Milliron	Ross
Arthurs	Giammarco	Miscevich	Ruggiero
Barber	Gillespie	Morris	Saloom
Bellomini	Gillette	Mrkonic	Schmitt
Bennett	Gleeson	Mullen, M. P.	Schweder
Berlin	Goodman	Mullen	Shane
Berson	Green	Musto	Shelton
Bonetto	Greenfield	Myers	Shuman
Bradley	Hammock	Novak	Shupnik
Brunner	Hutchinson, A.	O'Brien	Smith, L.
Caputo	Irvis	O'Donnell	Stapleton
Cohen	Itkin	O'Keefe	Stout
Cole	Johnson, J.	Oliver	Taylor
Cowell	Kelly, A. P.	Perry	Toll
DeMedio	Kernick	Putrarca	Trelle
Dicarlo	Kolter	Pievsky	Valicenti
DiDonato	Kowalyszyn	Pratt	Walsh, T. P.
Dombrowski	Laudadio	Prendergast	Wansacz
Doyle	Laughlin	Rappaport	Wargo
Dreibelbis	Lederer	Ravenstahl	Wojdak
Eckensberger	Letterman	Reed	Yahner
Engelhart	Lincoln	Renwick	Zeller
Fee	Manderino	Rhodes	Zwick
Flaherty	McCall	Richardson	
Gallagher	McIntyre	Rieger	Fineman,
Garzia	McLane	Ritter	Speaker
Geisler	Menhorn		

NOT VOTING—8

Dinnitt	Kelly, J. B.	McGraw	Wright
Hutchinson, W.	McGinnis	Snelhamer	Zord

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

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

Mr. BUTERA. Mr. Speaker, one simple plea, since it is obvious how the vote is going: My plea to those of you—

The SPEAKER. For what purpose does the gentleman, Mr. Bennett, rise?

Mr. BENNETT. Mr. Speaker, the minority leader has some important things to say, and I would like to hear them.

The SPEAKER. The gentleman is correct.

The Chair recognizes the minority leader.
The gentleman may proceed.

Mr. BUTERA. Mr. Speaker, my one plea in discussing the final passage to those of you who are much closer to this agency than I am is that you please get the message through to the Pennsylvania Housing Finance Agency not to do this to us again. They have done it to us now twice in 2½ months. They have put us under the gun and under the veiled threat. Not the overt threat and not the real threat, but the veiled threat, that unless we do something precipitously, there is going to be a catastrophe on a very important aspect of state government.

I just hope that you get through to them that what they are doing, in their improper timing, in their hasty action, is contributing toward the demise of an agency

which could serve the people of this Commonwealth very well. I suggest that it will not serve properly under the structure created by this bill.

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

Mr. BENNETT. Mr. Speaker, just briefly. This General Assembly bailed out the Pennsylvania Housing Finance Agency. This is the chance to get our money back. Vote for Senate bill No. 1280.

The SPEAKER. For what purpose does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. Remember I arose before and you told me that I would have an opportunity to ask Mr. Bennett a question?

The SPEAKER. The clerk will strike the vote from the board. The Chair recognizes the lady.

Miss SIRIANNI. Mr. Speaker, may I ask Mr. Bennett a question?

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

Mr. BENNETT. Yes, Mr. Speaker.

The SPEAKER. The lady will proceed.

Miss SIRIANNI. Mr. Speaker, when you first started to debate this bill, you addressed a remark to me that from a conversation that we had had, this bill would show that the money would be repaid. I do not quite recall the conversation. Would it be in order for you to tell me. Perhaps, it would help determine my vote?

Mr. BENNETT. Certainly, I would be happy to.

I believe it was in the lower hallway outside of the office of the television studio that I indicated to you that Senate bill No. 1280 would pay the money back, and that is the conversation that I had reference to.

Miss SIRIANNI. Was that the extent of our conversation?

Mr. Speaker, did you not say that it would be paid back by April? Did the conversation not go on further, and I told you that last year I had lost \$5,000, and I will not state in which bank because I do not want you all to pull your money out of the bank. The Pennsylvania taxpayers did not pick up my tab, and the people who had invested in this \$61 million were far more sophisticated than I am. After all, I am just a little hick from the boondocks.

Mr. BENNETT. Well, you said that, Carmel. I mean, I do not think that you are. I really do not think you are a little hick from the boondocks.

Miss SIRIANNI. Well, what did you say that would convince me that I should vote for this? You know, I do not have any housing and I would like some.

Mr. BENNETT. Mr. Speaker.

The SPEAKER. Yes.

Mr. BENNETT. Let the lady's conscience be her guide. Let us vote in favor of the bill.

On the question recurring,
Shall the bill pass finally?

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

YEAS—134

Abraham	Garzia	Manderino	Rieger
Anderson, J. H.	Geisler	Manmiller	Ross
Arthurs	George	McCall	Ruggiero
Barber	Giammarco	McIntyre	Saloom

Bellommi	Gillespie	McLane	Schmitt
Bennett	Gillette	Menhorn	Schweder
Berlin	Gleeson	Millanovich	Shane
Berson	Goodman	Milliron	Shelton
Bonetto	Green	Miscevich	Shuman
Bradley	Greenfield	Morris	Shupnik
Brunner	Grieco	Mrkoncic	Smith, L.
Burns	Halverson	Mullen	Spencer
Caputo	Hammock	Mullen, M. P.	Stapleton
Cessar	Haskell	Musto	Stout
Cohen	Hayes, D. S.	Myers	Taddonio
Cole	Hayes, S. E.	Novak	Taylor
Cowell	Hepford	O'Brien	Thomas
DeMedio	Hutchinson, A.	O'Donnell	Toll
Deverter	Irvis	O'Keefe	Trello
Dicarlo	Itkin	Oliver	Ustynoski
DiDonato	Johnson, J.	Pancoast	Valcenti
Dietz	Kelly, A. P.	Parker, H. S.	Walsh, T. P.
Dombrowski	Kernick	Perry	Wansacz
Dorr	Klingaman	Petrarca	Wargo
Doyle	Knepper	Pievscky	Wilson
Dreibelbts	Kolter	Polite	Wilt, R. W.
Eckensberger	Kowalshyn	Pratt	Wojdak
Englehart	Laudadio	Prendergast	Worrilow
Fee	Laughlin	Rappaport	Yahner
Fischer	Lederer	Ravenstahl	Zeller
Fisher	Lehr	Reed	Zwinkl
Flaherty	Letterman	Renwick	
Poster, W.	Levi	Rhodes	Fineman,
Gallagher	Lincoln	Richardson	Speaker

NAYS—54

Beren	Gring	Miller, M. E., Jr.	Seltzer
Bittle	Hamilton, J. H.	Moehmann	Sirianni
Brandt	Hasay	Noye	Smith, E.
Butera	Hill	O'Connell	Stahl
Cimini	Hopkins	Perri	Turner
Crawford	Katz	Pitts	Vroon
Cumberland	Kistler	Pyles	Wagner
Davies	Kusse	Renninger	Weidner
Fawcett	LaMarca	Ritter	Westerberg
Foster, A.	Lynch	Ryan	Whelan
Fryer	McClatchy	Salvatore	Wilt, W. W.
Gallen	McCue	Scheaffer	Yohn
Geesey	Mebus	Scirica	Zearfoss
Gleason	Miller, M. E.		

NOT VOTING—8

Dininni	Kelly, J. B.	McGraw	Wright
Hutchinson, W.	McGinnis	Shelhamer	Zord

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. WAGNER. Thank you, Mr. Speaker.

I would like to clarify my vote on Senate bill No. 1280. I would like the record to show that I voted "aye."

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

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 1429, printer's No. 1774, entitled:

An Act amending the act of August 23, 1967 (P. L. 251, No. 102), entitled, as amended, "Industrial and Commercial Development Authority Law," further providing for certain exemptions from taxation.

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 York, Mr. Dorr.

Mr. DORR. Mr. Speaker, would the gentleman, Mr. Bennett, consent to interrogation?

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

Mr. BENNETT. Yes, Mr. Speaker.

The SPEAKER. Is the gentleman, Mr. Dorr, going to offer the amendments or will he be satisfied with interrogation?

Mr. DORR. I do not know, Mr. Speaker. It depends on the answers to the questions.

The SPEAKER. The gentleman may proceed with the interrogation.

Mr. DORR. Mr. Speaker, perhaps I could just open up originally with a statement as to why I am asking the questions.

This bill, for the members who have not had an opportunity to take a look at it, was introduced in the Senate on March 29, was reported out of committee in the Senate on March 29, was read for the first day, the second day and the third day, and was passed on March 31. It was referred to committee in the House on March 31. That committee had a meeting on April 1 and reported it out, and it is on third reading today for final passage. In other words, as fast as possible, this legislation has been introduced, put through the committee process, if you can call it that, and reported to this floor and members are being asked to vote on it today.

The reason I have questions is that I have not been able to resolve some of the questions that I had when I originally looked at the bill, in spite of the fact that we had a committee meeting on it and the people from the department were there. I would like to ask the chairman of the committee some questions if I may.

The SPEAKER. The gentleman may proceed.

Mr. DORR. Mr. Speaker, is the reason for this bill an allegation that there would be a considerable loss of revenue if the bill is not passed?

Mr. BENNETT. Mr. Speaker, I apologize—

The SPEAKER. The gentleman has asked, is the reason for the bill the allegation that there would be a considerable loss of revenue if the bill is not passed?

Mr. BENNETT. Yes.

Mr. DORR. Can the Speaker tell us which taxes are involved in the loss of revenue, which particular taxes imposed by the Commonwealth?

Mr. BENNETT. The bank shares tax and the mutual thrift tax.

Mr. DORR. Mr. Speaker, this bill attempts to delete from Act 165 of last year language which is clarifying only, but in its clarification specifically refers to three types of taxes. Property taxes is one. Excise taxes, for the privilege of doing business is the second—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. GALLEN. Mr. Speaker, is it all right if people are on this floor who are not members of staff or members of this House?

The SPEAKER. No such persons have the privilege of the floor. Only staff persons and members of this chamber are permitted access to this floor during session. Those persons who are not within those categories will please remove themselves from the floor.

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

Mr. BENNETT. Mr. Speaker, the gentleman, Mr. Gallen, I would assume, is correct that only members of the immediate staff and members of this House are privileged to stand on this floor and I appreciate the comments of the gentleman. However, I would say to the gentleman that I would admit to him publicly and to the members of this House that I do not pretend to be an expert on all matters, as some do, and I have asked for some help, if you will, in the debate on this particular piece of legislation. I believe that I understand the ramifications of the legislature—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, would you please instruct once again that these people respond to interrogation and stick to that, and let us leave all this other rhetoric out of here?

The SPEAKER. Will you please stick to the point?

Mr. BENNETT. I will stick to the point.

I yield back to the gentleman who purports to interrogate me.

Mr. DORR. Mr. Speaker, the three taxes are: property taxes; excise taxes for the privilege of doing business; and taxes measured or determined by income or net earnings is three.

Mr. Speaker, would you tell us, if you can, which of those three taxes is the bank shares taxes?

Mr. BENNETT. Which of the three taxes are the bank shares taxes?

Mr. DORR. That is the question.

Mr. BENNETT. I would believe it is the property tax.

Mr. DORR. Pardon me?

Mr. BENNETT. I would believe that it is the property tax.

Mr. DORR. It is a property tax?

Mr. BENNETT. It is the property tax. In answer to the gentleman's question, yes.

Mr. DORR. All right. Let me just follow up with the second question: Which of the three taxes is the mutual thrift institutions tax?

And then I would ask the Speaker if he would not reconsider and maybe declare both of them to be excise taxes for the privilege of doing business.

Mr. MANDERINO. Mr. Speaker, do you know the answers to the questions that you are asking?

Mr. DORR. No; I am asking you what your feeling is,

or I am asking Mr. Bennett. If you want to respond to the interrogation, that is all right with me.

Mr. Speaker, I am asking for your opinion. Which of the three taxes specifically delineated in lines 19 through 21 of the bill, on page 2, are the bank shares tax and the mutual thrift institutions tax?

Mr. MANDERINO. Mr. Bennett gave you the answer to the first, the property tax.

Mr. DORR. Then my next question, Mr. Speaker, is, for what purpose are we deleting from that explanatory language excise taxes for the privilege of doing business and taxes measured or determined by income or net earnings?

Mr. MANDERINO. It is my understanding that the bank shares tax and the mutual thrift tax are all that we are removing from the exemption, and the language there is the language that the technicians in the Budget Offices said is necessary to accomplish this. We are relying on the budget office who indicated to us that that is the language necessary to accomplish the removal of the exemption that we gave to the industrial revenue bonds in Act 165.

Mr. DORR. Okay. Thank you, Mr. Speaker.

Mr. Speaker, may I make a statement?

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

Mr. DORR. I do not intend to offer the amendment, Mr. Speaker, but I would just like to caution the members. This bill, as I indicated before, was introduced to the legislature last Monday, a week ago yesterday. It comes flying over here with all kinds of, again, pressure behind it to vote for this measure because there are going to be dire consequences if we do not.

Mr. Speaker, we had a committee meeting. The people of the department were there. We have had conversations with people who are involved in this particular legislation, the particular kinds of taxes that are involved here or allegedly involved. We have talked with people who are respected Philadelphia counsel and who represent those people, who do not believe they are involved at all.

I would just caution the members that, in my opinion, the bill is not needed at all. The revenue estimate that was made as to loss of revenue, it was admitted in the committee meeting the other day, was about five times too high. And I would suggest that the members vote "no" on this bill at least until we have some better explanation for the reasons behind it.

I would further caution the members that a very important aspect of industrial development corporation bonds is their tax-free status. Now I recognize that this may be a little bit technical an argument but I think it is important to make.

The tax-free status of these bonds was declared in the original language of the act. The act was amended to further clarify that, and the tax-free status as to income taxes—that is the key—was specifically delineated by the terms of Act 165. That language I might read again: "Taxes measured or determined by income or net earnings."

Now the effect of this bill is to delete that language from this bill and from the act, and I suggest to the members that it would not be an unreasonable interpretation by a court to say that the legislature has, therefore, indicated its intention that these taxes not be free from

income tax and that they, therefore, would lose their tax-free status, and we would place in jeopardy the whole system of industrial development corporation bonding.

I would suggest to you that that probably is not the intention of the department. It certainly should not be the intention of this legislature. But that is the kind of sloppy drafting, in my judgment, that occurs when you try to pass legislation in a period of 7 or 8 days.

I would suggest to the members that they vote "no" on this bill. We can do what is absolutely necessary after we have the time to thoroughly examine it, and I suggest that ought to be the tactic we take.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, Mr. Wojdak, when he engaged in debate with the minority leader earlier, indicated that he agreed with the revenue estimates given by the budget department, if you can recall that debate. The revenue estimates that we are projecting the 1976-1977 general appropriation bill on anticipates the passage of Senate bill No. 1429.

I am not sure that Mr. Dorr understands what is happening with Senate bill No. 1429. When we passed Act 165 and exempted the industrial revenue bonds from the bank shares tax and the mutual thrift tax, I do not think anyone intended that Federal securities, which are also exempt from IRS income tax payments, would also be exempt from the bank shares tax and the mutual thrift tax because of what we were doing to the industrial revenue bonds.

The Federal Government has taken the position that if you exempt your obligations, ours are also exempt. They will not pay on their Federal securities the bank shares tax or the mutual thrift tax on the securities that the banks hold.

This creates a hole in the budget, a hole in the revenue that we have anticipated and expected, and we must correct the situation by removing the exemption that we placed on our industrial revenue bonds—the exemption from the bank shares tax and the mutual thrift tax—so that the Federal securities will not be exempt from these obligations. I urge an affirmative vote on Senate bill No. 1429.

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

Mr. SALOOM. Mr. Speaker, when Act 165 became law, it opened a large tax loophole for a few Pennsylvanians. Senate bill No. 1429 will close this loophole, and I urge its adoption.

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

For what purpose does the gentleman rise?

Mr. CAPUTO. To make a further comment on the bill. I have just been informed that unless this bill becomes law by April 15, certain revenues to the Commonwealth will be lost. It is important that this bill be passed tonight.

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—108

Abraham	Geisler	Milanovich	Ruggiero
Arthurs	George	Milliron	Saloom
Barber	Giammarco	Miscevich	Schmitt
Bellomini	Gillespie	Morris	Schweder
Bennett	Gillette	Mrkonic	Shane
Berlin	Gleeson	Mullen, M. P.	Shelton
Berson	Goodman	Mullen	Shuman
Bonetto	Green	Musto	Shupnik
Bradley	Greenfield	Myers	Smith, L.
Brunner	Hammock	Novak	Stapleton
Caputo	Haskell	O'Brien	Stout
Cohen	Irvis	O'Keefe	Taylor
Cole	Itkin	Oliver	Toll
Cowell	Johnson, J.	Perry	Trelo
DeMedio	Kelly, A. P.	Petrarca	Valicenti
Dicarlo	Kernick	Pievsky	Walsh, T. P.
DiDonato	Kolter	Pratt	Wansacz
Dombrowski	Kowalshyn	Prendergast	Wargo
Doyle	Laudadio	Rappaport	Wilt, R. W.
Dreibelbis	Laughlin	Ravenstahl	Wojdak
Eckensberger	Lederer	Reed	Worrilow
Engelhart	Letterman	Renwick	Yahner
Fee	Lincoln	Rhodes	Zeller
Fischer	Manderino	Richardson	Zwilk
Fisher	McCall	Rieger	
Flaherty	McIntyre	Ritter	Fineman,
Gallagher	McLane	Ross	Speaker
Garzia	Menhorn		

NAYS—77

Anderson, J. H.	Gleason	Lynch	Scheaffer
Beren	Grieco	Manmiller	Scirica
Bittle	Gring	McClatchy	Sirianni
Brandt	Halverson	McCue	Smith, E.
Burns	Hamilton, J. H.	Mebus	Spencer
Butera	Hasay	Miller, M. E.	Stahl
Cessar	Hayes, D. S.	Miller, M. E., Jr.	Taddonio
Cimini	Hayes, S. E.	Mochlmann	Thomas
Crawford	Hepford	Noye	Turner
Cumberland	Hill	O'Connell	Ustynoski
Davies	Hopkins	Pancoast	Vroon
Deverter	Katz	Parker, H. S.	Wagner
Dietz	Kistler	Perri	Weidner
Dorr	Klingaman	Pitts	Westerberg
Fawcett	Knepper	Polite	Whelan
Foster, A.	Kusse	Pyles	Wilson
Foster, W.	LaMarca	Renninger	Wilt, W. W.
Fryer	Lehr	Ryan	Yohn
Gallen	Levi	Salvatore	Zearfoss
Geesey			

NOT VOTING—11

Dintnaji	Kelly, J. B.	O'Donnell	Wright
Hutchinson, A.	McGinnis	Seltzer	Zord
Hutchinson, W.	McGraw	Shelhamer	

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

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

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 2154

Mr. IRVIS called up for concurrence in Senate amendments, from page 1 of today's supplemental calendar, House bill No. 2154, printer's No. 3070.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 2154

An Act amending the act of January 10, 1968 (1967, P. L. 925, No. 417), entitled "Legislative Officers and Em-

ployes Law," further providing for a cost-of-living increase.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 9, by striking out after "employees," all the remainder of said line; line 10, by striking out at the beginning of the line "dates for paying compensation and"

Amend Section 1, page 1, line 14, by striking out after "Section 1." the following: "Subsection (e) of section 41," and inserting "The"

Amend Bill, page 2, lines 2 through 11, by striking out all of said lines.

Amend Bill, page 2, line 21, by striking out after "Section" the number "3" and inserting in lieu thereof "2"

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if I may have the attention of the House, the Senate amended House bill No. 2154 in only one fashion. Under the bill as we passed it, there would have been 26 bi-weekly pay days for our employees. The Senate has amended it so it will be as it is now—24.

Some members have asked me if the members of the General Assembly have been amended into this bill, because if so they did not wish to vote for concurrence. The members of the General Assembly have not been included.

The specific language is as follows: "In addition to any amounts specified heretofore in this act or any amendments thereto, each person, other than a member of the General Assembly, who is an employe under SECTION 52 of this act, . . ." et cetera gets the 8 percent increase effective the next pay period after this bill becomes law.

So the answer is: The only thing the Senate has done is to change the number of pay periods. The 8-percent increase, the same amount of money, covers all of our employes.

Mr. Speaker, on the question of whether or not the House should concur in the Senate amendments to House bill No. 2154, I move that the House do concur.

On the question recurring,

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

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

YEAS—183

Abraham	George	McIntyre	Salvatore
Anderson, J. H.	Giammarco	McLane	Scheaffer
Arthurs	Gillespie	Mebus	Schmitt
Barber	Gillette	Menhorn	Schweder
Bellomini	Gleason	Milanovich	Scirica
Bennett	Gleeson	Miller, M. E.	Seltzer
Beren	Goodman	Miller, M. E., Jr.	Shane
Berlin	Green	Milliron	Shelton
Berson	Greenfield	Miscevich	Shuman
Bittle	Grieco	Morris	Shupnik
Bonetto	Gring	Mrkonic	Sirianni
Bradley	Halverson	Mullen, M. P.	Smith, E.
Brandt	Hammock	Mullen	Smith, L.

Brunner	Haskell	Musto	Spencer
Burns	Hayes, D. S.	Myers	Stahl
Butera	Hayes, S.E.	Novak	Stapleton
Caputo	Hepford	Noye	Stout
Cessar	Hill	O'Brien	Taddonio
Cimint	Hopkins	O'Connell	Taylor
Cohen	Hutchinson, A.	O'Donnell	Thomas
Cole	Irvis	O'Keefe	Toll
Cowell	Itkin	Oliver	Trello
Crawford	Johnson, J.	Pancoast	Turner
Cumberland	Katz	Parker, H. S.	Ustynoski
Davies	Kelly, A. P.	Perri	Valicenti
DeMedio	Kernick	Perry	Vroon
Deverter	Kistler	Petrarca	Wagner
Dicarlo	Klingaman	Pievsky	Walsh, T. P.
DiDonato	Knepper	Pitts	Wansacz
Dietz	Kolter	Polite	Wargo
Dombrowski	Kowalyszyn	Pratt	Weidner
Dorr	Kusse	Prendergast	Westerberg
Doyle	LaMarca	Pyles	Whelan
Dreibelbis	Laudadio	Rappaport	Wilson
Eckensberger	Laughlin	Ravenstahl	Wilt, R. W.
Englehart	Lederer	Reed	Wilt, W. W.
Fawcett	Lehr	Renninger	Wojdak
Fee	Letterman	Renwick	Worrilow
Fisher	Levi	Rhodes	Yahner
Flaherty	Lincoln	Richardson	Yohn
Foster, A.	Lynch	Rieger	Zearfoss
Foster, W.	Manderino	Ritter	Zeller
Fryer	Manmiller	Ross	Zwiski
Gallagher	McCall	Ruggiero	
Garzia	McClatchy	Ryan	Fineman,
Geesey	McCue	Saloom	Speaker
Gelsler			

NAYS—5

Fischer	Hamilton, J. H.	Hasay	Moehlmann
Gallen			

NOT VOTING—8

Dininni	Kelly, J. B.	McGraw	Wright
Hutchinson, W.	McGinnis	Shelhamer	Zord

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

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MOEHLMANN. Mr. Speaker, on the question of concurrence in Senate amendments to House bill No. 2154, I inadvertently voted in the negative. I would like the record to show that I would have preferred to have voted in the affirmative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

REQUEST TO CALL UP SENATE BILL No. 738

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I do not believe we have disposed of the regular calendar, and, therefore, I think, under the rules we cannot go to a supplemental calendar.

The SPEAKER. Will the gentleman cite the rule in question?

Mr. BUTERA. I figure you know it better than I do.

Mr. Speaker, I want to offer my amendment to Senate bill No. 738 and I refuse to bend.

The SPEAKER. Is the minority leader posing a serious objection to the handling of the supplemental calendar?

Mr. BUTERA. No, no. What I am suggesting is that I attempted to offer this amendment earlier and I was asked not to because there was a need for a Democratic caucus on the amendment. There has been no caucus. I want to offer the amendment and I believe there is an orderly process which you always adhere to of going through the calendar and then going to that particular vote.

I know what is going to happen to me again. We are going to debate this bill for 3 hours, and they are going to plead with me not to offer this amendment. I am going to offer it.

The SPEAKER. Well, the rules provide that any question by a majority vote of the House may be made a special order of business.

The Chair has been instructed by the majority leader that House bill No. 568 was to be the next order of business. If the minority leader cares to make that subject to a vote, the majority leader will put the question.

Mr. BUTERA. Mr. Speaker, I prefer not to have a vote, but if that is what it is going to take, then I will have to ask for a vote. What I would like to do is call up my amendment to Senate bill No. 738 and I think the motion has to come from the other side, not from me.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Has the minority leader called up Senate bill No. 738?

The SPEAKER. No, the minority leader is waiting for the majority leader to move that House bill No. 568 be made a special order of business at this point.

Mr. BUTERA. Maybe he does not want to.

Mr. IRVIS. Sometimes majority leaders, as you well know, do things that they do not want to.

SPECIAL ORDER OF BUSINESS

Mr. IRVIS. Mr. Speaker, I do move that House bill No. 568 be made a special order of business.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I am asking for a "no" vote on this particular motion and I am only asking that I be given the opportunity to offer this amendment which I have postponed now twice. It should be offered. It will not take long if that is the problem. I just think that the entire operation of this House on a day like this is so wrong that I would hope that for once a majority of the people protest it.

On the question,

Will the House agree to the motion?

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

YEAS—106

Abraham	Gelsler	McLane	Ritter
Arthura	George	Menhorn	Romanelli
Barber	Giammarco	Milanovich	Ross
Bellomiti	Gillespie	Milliron	Ruggiero
Bennett	Gillette	Miscevich	Saloom
Berlin	Gleeson	Morris	Schmitt
Berson	Goodman	Mrkonje	Schweder
Bonetto	Green	Mullen, M. P.	Shane
Bradley	Greenfield	Mullen	Shelton
Brunner	Hammock	Musto	Shuman
Caputo	Hutchinson, A.	Myers	Shupnik
Cohen	Irvis	Novak	Stapleton

Cole	Itkin	O'Brien	Stout
Cowell	Johnson, J.	O'Donnell	Taylor
DeMedfo	Kelly, A. P.	O'Keefe	Toll
Dicarlo	Kernick	Oliver	Trello
DiDonato	Kolter	Perry	Valicenti
Dombrowski	Kowalvshyn	Petrarca	Walsh, T. P.
Doyle	LaMarca	Pievsky	Wansacz
Dreibelbis	Laudadio	Pratt	Wargo
Eckensberger	Laughlin	Prendergast	Wojdak
Englehart	Lederer	Rappaport	Yahner
Fee	Letterman	Reed	Zeller
Flaherty	Lincoln	Renwick	Zwilk
Fryer	Manderino	Rhodes	
Gallagher	McCall	Richardson	Fineman.
Garzia	McIntyre	Rieger	Speaker

NAYS—82

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

NOT VOTING—8

Dinnitt	Kelly, J. E.	McGraw	Wright
Hutchinson, W.	McGinnis	Shelhamer	Zord

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

The SPEAKER. The Chair now brings before the House the matter of the adoption of a Conference report on House bill No. 568.

The question is, Will the House adopt the report?

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 568

Mr. IRVIS called up the following report of the Committee of Conference on House bill No. 568, which was read:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 568, entitled:

"An act [making an appropriation to the Department of Health for the establishment of a comprehensive program relating to the diagnosis and treatment of persons having Cooley's anemia at the Children's Hospital in Philadelphia, Pennsylvania, the Central Blood Bank of Allegheny County, Pennsylvania and the University of Pittsburgh School of Medicine, Pittsburgh, Pennsylvania.] 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."

respectfully submit the following bill as our report:

HENRY J. CIANFRANI THOMAS M. NOLAN

(Committee on the part of the Senate.)

K. LEROY IRVIS STEPHEN R. WOJDAK

(Committee on the part of the House of Representatives.)

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.

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

Section 1. This act shall be known and may be cited as the "General Appropriation Act of 1976."

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive, Legislative and Judicial Departments of the Commonwealth for the payment of the salaries, wages or other compensation and travel expenses of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1976 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1976.

I. EXECUTIVE DEPARTMENT

To the Governor

For the salaries, wages and all necessary expenses for the following purposes and activities, including the maintenance of the Executive Mansion, the expense of entertainment of official guests and members of the General Assembly and the Judiciary, participation in the Governor's Conference, the expenses of the Executive Board, and for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent or otherwise serve the Commonwealth:

Administration of the Office of the Governor	\$ 1,958,000
For the administration and operation of the Office for Human Resources	151,000
For the administration and operation of the Office of Administration	3,821,000
For the administration of the Office of State Planning and Development	1,063,000
For the administration and operation of the Office of the Budget	1,470,000
For the salaries, wages and all necessary expenses for the proper administration of the Human Relations Commission ..	3,672,000
For the conduct of the work of the Pennsylvania Council on the Arts, requisitions to be signed by the Governor	1,004,000
Arts Council Administration	175,000
Philadelphia Orchestra	125,000
Pittsburgh Symphony Orchestra	205,000
Robin Hood Dell	85,000
Robin Hood Dell Better Break Program ..	10,000
Ambler Music Festival	125,000
Carnegie Museum	50,000
Pennsylvania Ballet	110,000
For the administration and operation of the Pennsylvania Commission for Women ..	130,000

For the salaries, wages and all necessary expenses for the proper administration of the Governor's Energy Council	291,000	transfer and payment of interest on bonds of the Commonwealth and other services required to be performed by the Loan and Transfer Agent	80,000
For the payment to the Office of State Planning and Development for payment to the Delaware Valley Regional Planning Commission under terms and conditions as determined by the Office of State Planning and Development	75,000	Payment of legal fees, publication of advertisements, costs of engraving and other expenses incurred in issuing of tax anticipation notes	100,000
To the Lieutenant Governor		For the payment into the Public Buildings Construction Sinking Fund to meet the interest and sinking fund requirements of bonds issued	1,619,000
For the salaries, wages and all necessary expenses for the proper conduct of the Office of the Lieutenant Governor, including payment of expenses of the residence at the Edward Martin Military Reservation	250,000	For the payment into the Project 70 Land Acquisition Sinking Fund to meet the principal and interest requirements on notes and bonds issued	5,586,000
To the Department of the Auditor General		For the payment into the Land and Water Development Sinking Fund to meet the interest and sinking fund requirements of notes and bonds issued and to be issued	23,943,000
For the salaries, wages and all necessary expenses for the proper conduct of the following activities:		For the payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds issued and notes and bonds to be issued	87,776,000
Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are supported out of the General Fund and for auditing Justices of the Peace, other fining offices, Volunteer Firemen's Relief Association Funds and the offices of elected State Officials	8,903,000	For the payment into the proper fund to meet the principal and interest requirements on notes and bonds to be issued for payment of the Vietnam Veterans' Bonus	4,261,000
Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,394,000	For payment into the Disaster Relief Redemption Fund to meet principal and interest requirements on bonds issued and bonds to be issued	9,006,000
Administration of the Board of Arbitration of Claims	230,000	For payment into the Nursing Home Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued	1,718,000
To the Treasury Department		For payment into the Volunteer Fire and Rescue Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued	340,000
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:		To the Department of Agriculture	
Administration of the Treasury Department	4,300,000	For the salaries, wages and all necessary expenses for the proper administration of the Department of Agriculture, including the following programs: regulation of consumer products and promotion of fair business practices, plant health, animal health, rural services and agribusiness development	13,658,000
For the administrative expenses in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,302,000	Payment of compensation to owners of animals destroyed in disease eradication programs	570,000
Administration of the Board of Finance and Revenue	500,000	Payment of reimbursement to legally constituted law enforcement agencies for kennel construction	50,000
For the conduct of the work of the Commission on Interstate Cooperation and the traveling expenses of members to be paid in favor of the chairman or treasurer of the commission on presentation of his requisition and who shall file an accounting with the Auditor General	30,000	For the control of stem rusts of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds	20,000
For the support of the Council of State Governments to be paid to the order of the Executive Director of the Council of State Governments who shall file an accounting of such expenses with the Auditor General ..	74,000	For payment into the State Farm Products Show Fund to pay for that portion of the Farm Show and maintenance to Farm Show Building that is not paid from Farm Show revenues	700,000
For the support of the Great Lakes Commission to be paid on requisition of the commissioners who shall file an accounting with the Auditor General	16,000	Development and operation of an open livestock show, including cattle, swine, sheep and horses: Provided, That the department may make allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of a livestock show in the Pennsylvania Farm Show Complex: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure ..	60,000
For the payment of replacement checks issued in lieu of outstanding checks when presented and to adjust errors	70,000		
Payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State University	15,000		
Publishing statements of the General Fund and other funds of the Commonwealth	17,000		
Compensation of the Commonwealth's Loan and Transfer Agent for services and expenses in connection with the registration,			

Planning and staging of an open dairy show: Provided, That the department makes allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the planning and staging of a dairy show in the Pennsylvania Farm Show Complex: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure 60,000

Promotion and holding of annual local, regional and State 4-H Clubs and Future Farmers of America dairy shows: Provided, That the department may make allocations of this appropriation as it deems appropriate to an association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of Junior Dairy Shows: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance 25,000

Planning and staging ten annual 4-H Club Horse and Pony Shows and one Statewide show to be held in the fall as a preliminary to the Keystone International Livestock Show 30,000

To the State Council of Civil Defense

For the salaries, wages and all necessary expenses for the proper administration of the State Council of Civil Defense, including emergency disaster assistance 456,000

To the State Civil Service Commission

For the salaries, wages and all necessary expenses for the proper administration of the Civil Service Commission including administration of the merit system for employees under provisions of the Civil Service Act supra: Provided, That in addition to the amount hereby appropriated, any money collected by the commission by way of reimbursement under the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation 1,000

To the Department of Commerce

For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the following: tourism and travel development, industrial development, scientific and technological development, and international trade 4,759,000

For payment of grants to recognized industrial development agencies to assist such agencies in the financing of their operational costs for the purposes of making studies, surveys and investigations, the compilation of data and statistics and in the carrying out of planning and promotional programs 500,000

For site development 1,000,000

For the payment of grants to Appalachian Local Development Districts 100,000

For the payment of the Commonwealth's share of the cost of the operation of the Appalachian Regional Commission and the Office of the Appalachian State's Regional Representative 373,000

For transfer to the Minority Business Development Fund 2,000,000

For tourist promotion assistance 1,500,000

For the Pennsylvania Bicentennial Commission 1,250,000

For the New Year's Shooters and Mummies Museum, Inc. 200,000

For payment of ceremonies in recognition of the Distinguished Daughters of Pennsylvania 2,000

For the Pennsylvania Science and Engineering Foundation to promote, stimulate, and encourage basic and applied scientific research and development and scientific and technological education in Pennsylvania 950,000

For the Governor's Science Advisory Committee to finance research and information dissemination projects to be conducted by the Pennsylvania State University for the benefit of Pennsylvania industry to insure more jobs for Pennsylvania 150,000

For payment to municipalities of matching grants of 50% of the costs and expenses incurred by the municipalities for health services, sanitation services, police and fire services and traffic control necessary to accommodate Bicentennial activities. Reimbursement shall be made only after municipalities have certified to the Secretary of Commerce that such activities are related to municipal overburden caused by Bicentennial activities, provided that such certification is made on or before July 31, 1977 10,000,000

For the community facilities program pursuant to the act of December 22, 1959 (P. L. 1978, No. 728) 1,000,000

To the Department of Community Affairs

For the salaries, wages and all necessary expenses for the proper administration of the Department of Community Affairs, including community action assistance, housing and redevelopment area-wide services, municipal administrative support capability, local recreation areas and facilities and community development planning 5,782,000

For the administration of the Volunteer Companies Loan Fund 100,000

For loans to volunteer companies through the Volunteer Companies Loan Fund 500,000

For planning and administration of a State-wide manpower employment assistance and training program 1,750,000

For payments of grants to community action agencies as provided by the act of January 26, 1968 (P. L. 48, No. 9), and to political subdivisions and organizations for social service programs 1,300,000

For the payment of grants to local governments or regional councils of government to assist in developing and implementing cooperative agreements to supply municipal services 75,000

For the payments of grants to counties, cities, boroughs, townships, towns or regions for planning assistance 200,000

For the Bicentennial Community Park in Allentown 25,000

For Penn Hills Water Supply Project 75,000

To the Council on Drug and Alcohol Abuse

For the salaries, wages and all necessary expenses for the proper conduct of the Council on Drug and Alcohol 2,369,000

For grants to counties and to private facilities to finance drug and alcohol abuse treatment and prevention programs 19,552,000

To the Department of Education

For the salaries, wages and all necessary expenses for the proper administration of the Department of Education, including criminal law enforcement, general instruction, special education, compensatory programs, vocation-

<p>al education, higher education-professional support services, achieving economic independence-socially and economically disadvantaged, local recreation areas and facilities</p> <p>For the salaries, wages and expenses, excluding travel expenses, necessary for the proper administration of the Office of the Commissioner of Higher Education</p> <p>For the travel expenses of the Office of the Commissioner of Higher Education</p> <p>To increase the complement of the Department of Education devoted to carry out programmatic and fiscal oversight of Special Education purposes throughout the Commonwealth with ten new positions</p> <p>For the operation of the State Library, providing reference services and administering aid to public libraries</p> <p>Payment of rental charges to The General State Authority for capital improvements at State-aided educational institutions</p> <p>Operation, maintenance and administration of the State colleges and State-owned university including the McKeever Environmental Center. Expenses of the McKeever Environmental Center shall be paid by the State colleges and State-owned university in amounts proportionate to the use of the center by the colleges and university</p> <p>A report shall be submitted by each State college and State-owned university to the Governor and the Appropriations and Education Committees of the Senate and House of Representatives and shall include data for all programs of the State college or State-owned university. Each such report, to be submitted prior to November 1, 1977, shall cover the 12-month period beginning September 1, 1976 and shall include for each term during the period:</p> <p>(1) The following counts and distributions:</p> <p>(i) The definitions and numbers of full-time faculty members, of part-time faculty members, of full-time students enrolled in graduate courses, of full-time students enrolled in undergraduate courses, of part-time students enrolled in graduate courses, and of part-time students enrolled in undergraduate courses.</p> <p>(ii) A distribution of part-time faculty members by the percentage of full-time employment.</p> <p>(iii) Total numbers of undergraduate student credit hours, divided into lower division and upper division levels, and of graduate student credit hours divided into three levels—master's, first professional and doctoral.</p> <p>(iv) Number of different courses scheduled by level of instruction, distributed by the number of sections scheduled in each course and the sections distributed by the number of students enrolled in each section.</p> <p>(v) Number of terms scheduled and the dates thereof.</p> <p>(2) A classification of faculty members or other professional employees by title including: professor, associate professor, assistant professor, instructor, lecturer, research associate, librarian, and academic administrator; faculty members or other professional employees under each title to be subdivided by type of assignment: undergraduate courses only, graduate courses only, or both graduate and undergraduate courses; and each such set of faculty members or other professional employees to be further subdivided by type of employment: full-time or part-time; and the following aggregates for each such subdivided classification:</p> <p>(i) The number.</p>	<p>12,328,000</p> <p>550,000</p> <p>12,000</p> <p>100,000</p> <p>1,486,000</p> <p>4,204,000</p> <p>169,026,000</p>	<p>(ii) The sum of credits assigned to undergraduate courses and the sum of credits assigned to graduate courses taught, divided into lower division, upper division, master's, first professional and doctoral levels.</p> <p>(iii) The sum of undergraduate student credit hours and the sum of graduate student credit hours generated; divided into lower division, upper division, master's, first professional and doctoral levels.</p> <p>(iv) Total salary paid.</p> <p>(v) Total salary paid from college or university funds.</p> <p>(vi) Total salary paid from Federal funds.</p> <p>(vii) Total salary paid from other funds.</p> <p>(3) For each term of the period covered for each full-time faculty member identified by school, department and title:</p> <p>(i) An analysis of the average hours per week spent in college or university-related activities, stating specifically hours spent in undergraduate classroom contact and graduate classroom contact, hours spent in preparation, hours spent in research and hours spent in public service.</p> <p>(ii) The total salary paid and the salary paid from college or university funds.</p> <p>In addition to the above requirements relative to this appropriation, each report covering the 12-month period beginning September 1, 1976, shall include for all programs of the State college or State-owned university:</p> <p>(1) Minimum number of credits required for a baccalaureate degree, and for a master's degree.</p> <p>(2) Number of bachelor's degrees, master's degrees, first professional degrees, and doctoral degrees awarded in 1974, 1975, 1976, and estimated 1977.</p> <p>The State colleges and State-owned university shall report their revenues and expenditures and present their financial statements required under the provisions of this act in accordance with Higher Education Finance Manual (1975).</p> <p>Operation, maintenance and administration of the Pennsylvania State Oral School at Scranton</p> <p>Operation, maintenance and administration of Scotland School for Veterans' Children</p> <p>Operation, maintenance and administration of the Thaddeus Stevens Trade School at Lancaster</p> <p>For payments of subsidies to school districts on account of basic instructional and vocational education costs: Provided, That the Secretary of Education, with the approval of the Governor, may make payments from this appropriation in advance of the due date prescribed by law to school districts which are financially handicapped, whenever he shall deem it necessary to make such advanced payments to enable the school districts to keep their public schools open</p> <p>Payments to school districts on account of annual rental or sinking fund charges on school buildings</p> <p>Payments to school districts and intermediate units on account of pupil transportation</p> <p>For payments to school districts and intermediate units on account of special education of exceptional children</p> <p>For payments to school districts on account of home bound instruction</p> <p>For payments for tuition to school districts providing education to nonresident orphaned children placed in private homes by the court and nonresident inmates of children's institutions</p> <p>For payments of annual fixed charges to school districts in lieu of taxes for land ac-</p>	<p>1,695,000</p> <p>3,834,000</p> <p>1,748,000</p> <p>1,263,475,000</p> <p>142,000,000</p> <p>66,712,000</p> <p>88,250,000</p> <p>500,000</p> <p>8,250,000</p>
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quired by the Commonwealth for water conservation or flood prevention	40,000	ordination of educational and training programs at the State-owned adult correctional institutions	2,090,000
For payments to intermediate units for maintenance of summer schools for school age children of migrant laborers	72,000	For payment of approved operating and capital expenses of community colleges and technical institutes	44,892,000
To provide grants to school districts to assist in meeting the matching requirements of Federal grants received under Federal programs for the education of the disadvantaged where such program meet criteria established by the Department of Education ..	1,000,000	For higher education equal opportunity program grants	3,350,000
For Special Education—Approved Private Schools	27,815,000	For the operation of the Ethnic Heritage Studies Center	50,000
For annual payments not to exceed \$500 per student to institutions of higher learning for defraying the expenses of deaf or blind students	35,000	For the Pennsylvania Higher Education Assistance Agency	
For payment of the Commonwealth's share of the approved operating costs and lease payments of intermediate units	7,193,000	For payment of all scholarships and education assistance grants, including those to Veterans, and dependents of prisoners of war or missing in action soldiers, and for death and disability hardship cases	68,440,000
For grants to school districts to assist in meeting Federal matching requirements for grants received under the Federal Child Nutrition Act, and to aid in providing a food program for needy children	6,240,000	For the purpose of being held in reserve to guarantee loans for the payment of lender participation incentives	3,200,000
For payment into the Social Security Contribution Fund the Commonwealth's share of Federal Social Security taxes for public school employees	64,000,000	For the purpose of assisting approved institutions of higher learning in securing and obtaining maximum participation in Federal student aid funds to be used as financial aid to students in meeting their costs of attendance at such institutions	1,500,000
For payment of required contribution into the Contingent Reserve and Supplemental Accounts of the Public School Employees' Retirement Fund	152,000,000	For the purpose of administering the programs of the agency including payment of lender participation incentives	3,916,000
For payment of required contribution into the Former Teachers' Account of the Public School Employees' Retirement Fund	10,000	For institutional assistance grants to be allotted by the Pennsylvania Higher Education Assistance Agency for the academic year beginning on or about September 1, 1976 pursuant to the criterion contained in the act of July 18, 1974 (P. L. 483, No. 174)	12,000,000
For operation and administration of programs of education and training at youth development centers	3,095,000	To the Department of Environmental Resources	
For operation and administration of programs of education and training at State schools and hospitals	7,350,000	For the salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources including flood control, prevention, control and extinction of forest fires, reduction of disease and insect damage to forests, air pollution control, water quality management, community environment management, occupational health and safety, radiological health, development, utilization and regulation of water, land and mineral resources, and development, operation and maintenance of recreational areas and facilities	16,774,000
For services to nonpublic schools	19,272,000	For soil survey work; 50% to be used by the Soil Conservation Service and 50% to be used by the Soil Testing Laboratory at the Pennsylvania State University	200,000
For textbooks for nonpublic schools	8,565,000	For deep mine safety inspections	2,144,000
For student supplies for nonpublic schools	2,141,000	For operation and maintenance of State parks	18,458,000
For grants to public libraries for the development and improvement of a Statewide system of libraries and library services, including State aid to local libraries, county libraries, district library centers and regional library resource centers	8,896,000	For occupational health	600,000
To provide aid to the Free Library of Philadelphia and the Carnegie Library of Pittsburgh, to meet the costs incurred in serving as regional libraries in the distribution of braille reading materials, talking book machines and other reading materials, to persons who are blind or otherwise handicapped	858,000	For surface mine reclamation	2,000,000
For grants of \$50,000 each to the seven public television stations serving Pennsylvania to acquire, produce, record and distribute for classroom broadcast, educational programs to meet the needs of local educational agencies, and for acquiring, producing, recording and distributing, by the Department of Education, educational programming that will be used for classroom broadcast	780,000	For land protection	2,409,000
For regional educational broadcasting councils which have been approved in accordance with the State plan for educational broadcasting by the Department of Education	175,000	For water quality management	5,884,000
The funds hereby appropriated shall be in addition to any other appropriation or allocation of funds for educational broadcasting purposes and shall be used to establish educational program needs, to improve the utilization of educational television, to evaluate the effectiveness of educational television and to produce programming.		For air quality and noise control	2,980,000
For development, administration and co-		For community environmental control	5,319,000
		For radiological health	581,000
		For State forestry operations, excluding insect spraying	10,222,000
		For migrant worker's program	35,000
		For insect control Gypsy Moth Laboratory	400,000
		For insect spraying operations	350,000
		For the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires	100,000
		For payments to municipalities or municipal authorities for up to 50% of the cost of acquiring lands and rights-of-way and relocating roads and utilities to qualify for Federal flood control projects. No part of this appropriation shall be used for any purpose except flood control projects	745,000

For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems	250,000
For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act	600,000
For the support of the Ohio River Valley Water Sanitation Commission, requisitions to be signed by the Secretary of Environmental Resources	55,000
For the Commonwealth's share of utilities for sanitary sewage facilities serving Pymatuning State Park	400,000
For the Commonwealth's share of utilities for storm drainage serving Mansfield State College	154,000
For grants to counties, municipalities and authorities to assist them in preparing official plans for solid waste disposal systems	150,000
To provide grants for rat control programs including, but not limited to, extermination measures, improvement of refuse collection and garbage collections, services and community educational activities designed to promote participation and support of the programs by residents and property owners	500,000
For payment of the Great Lakes Basin Commission as the Commonwealth's assessment and payment for participation in the programs and plans of the Great Lakes Basin Commission	15,000
Payment of Pennsylvania's share of the expenses of the River Master for the Delaware River	36,000
For payment to the Ohio River Basin Commission as the Commonwealth's assessment and payment for participation in the development of a water resources program for the Ohio River Basin	30,000
For the support of the Susquehanna River Basin Commission, requisitions to be signed by the Secretary of Environmental Resources	150,000
For the support of the Potomac River Basin Advisory Committee, requisitions to be signed by the Secretary of Environmental Resources	8,000
For the support of the Interstate Commission on the Potomac River Basin, requisitions to be signed by the Secretary of Environmental Resources	16,000
For the conduct of the work of the Delaware River Basin Commission to be paid in favor of the chairman of said commission who shall file an accounting with the Auditor General	391,000
Payment of annual fixed charges in lieu of taxes to counties, school districts and townships on forest lands	399,000
For payment by the State Conservation Commission to local sponsors for support of small watershed projects	75,000
For payments to conservation districts for employment of executive assistants on a 50% cost-sharing basis, not to exceed \$5,000 per district for the State's share	100,000
For payment of Pennsylvania's share of the costs of the Interstate Mining Commission	10,000
Payment of annual fixed charges in lieu of taxes to counties and townships on land acquired for water conservation and flood control	9,000
Payment of annual fixed charges in lieu of taxes to political subdivisions or school districts on lands acquired by the Commonwealth for Project 70	275,000
For payment to the solid waste-demonstration grants-in-aid fund	1,500,000
To the Pennsylvania Fish Commission	
For the support of the Atlantic States Marine Fisheries Commission	3,000

To the Department of General Services	
For salaries, wages and all necessary expenses for the proper administration of the Department of General Services including distribution of surplus State property, purchase, maintenance and disposition of State automotive equipment, standards and specifications of commodities for State agencies, purchase of commodities for State agencies, real estate and insurance, building, construction and engineering, maintenance and custody of State office buildings and grounds, general services, Federal surplus property, and distribution of Federal surplus commodities	22,677,000
Payment of utilities for State Buildings presently under the jurisdiction of the Department of General Services	3,600,000
Replacement of commercial and temporary fleet vehicles	1,296,000
Printing and distribution of the Pennsylvania Manual	145,000
Payment of rental charges to The General State Authority	54,500,000
To the Department of Health	
For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance	16,350,000
For the Bureau of Vital Statistics	2,950,000
For operation of the State Laboratory	1,870,000
For the State Health Care Centers, including the district offices of the Department of Health	8,546,000
For emergency health services	2,200,000
Maternal and child health	550,000
For the purpose of developing, operating and purchasing hemophilia services	1,190,000
For the purpose of developing, operating and purchasing sickle cell anemia services	543,000
For the purpose of developing, operating and purchasing renal disease services	2,662,000
For a pilot day program for young persons with end stage renal disease	75,000
For the purpose of developing, operating and purchasing coal workers pneumoconiosis services	907,000
For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth	4,267,000
Reimbursement to school districts on account of health services	11,460,000
Providing aid to counties in the establishment and maintenance of local health departments	14,292,000
For payment to the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania for the operation and maintenance of the Cancer Research Program	418,000
For payment to the Wistar Institute of Philadelphia, Pennsylvania for research in the field of cellular biology	200,000
For payment to the Inglis House of Philadelphia for the detection and diagnosis of neurological diseases	30,000
For the following research programs:	
Lankenau Hospital—Research	75,000
Cardio-Vascular Studies—Philadelphia General Hospital	60,000
Cardio-Vascular Studies—St. Francis Hospital, Pittsburgh	60,000
For outpatient-inpatient treatment:	
Cerebral Palsy—St. Christophers Hospital	75,000
Cerebral Dysfunction—Children's Hospital, Pittsburgh	25,000

Lancaster Cleft Palate	30,000	expenses for the proper administration of the Department of Labor and Industry, including regulation of consumer products and promotion of fair business practice, accident prevention, occupational health and safety, income maintenance, and industrial relations stability	11,589,000
Pittsburgh Cleft Palate	30,000	For occupational disease payments	26,500,000
Diagnosis and Treatment of Cooleys Anemia	120,000	For the Commonwealth's share of the cost of the Work Incentive Program to provide permanent jobs at decent pay for eligible persons receiving aid to families with dependent children	125,000
To the Pennsylvania Historical and Museum Commission		For the payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation	9,230,000
For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission including development and promotion of Pennsylvania State and local history, museum development and operations, and development and preservation of historical sites and properties	5,477,000	For transportation program for sheltered workshops	1,000,000
Administration of the Valley Forge Park Commission and operation and maintenance of the Valley Forge State Park	703,000	To the Department of Military Affairs	
For temporary employment of park custodians and temporary security personnel and for maintenance of the park due to increased use of the park during the Bicentennial Celebration	250,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Military Affairs including emergency disaster assistance, financial assistance to students, and income maintenance	7,368,000
Administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park	542,000	For purchase of helicopter liability insurance	300,000
Administration of the Brandywine Battlefield Park Commission and operation and maintenance of Brandywine Battlefield Park	112,000	Operation and maintenance of the Soldiers' and Sailors' Home at Erie	851,000
For the Liberty Bell Shrine in Allentown	20,000	For payment of gratuities for the education of children of certain veterans	65,000
For the Allentown Museum of Art	50,000	For assistance to veterans who are ill or disabled and without means of support	650,000
To the Department of Insurance		For pensions for veterans blinded through service connected injuries or disease	80,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Insurance including policyholder services and protection, regulation of rates and policies, liquidation of companies and regulation of companies	4,930,000	For payment of pensions to dependents of soldiers of the Pennsylvania National Guard killed in the line of duty	10,000
To the Department of Justice		To the Milk Marketing Board	
For general government operations:		For payment into the Milk Marketing Fund in the State Treasury for the purpose for which such fund is appropriated	717,000
Attorney General	474,000	To the Pennsylvania Board of Probation and Parole	
Comptroller	67,000	For the salaries, wages and all necessary expenses for the proper administration of the Board of Probation and Parole reintegration of offenders	9,015,000
Regional Offices	1,386,000	Payments for grants-in-aid to counties for providing improved adult probation services	1,679,000
Community Advocate	393,000	To the Department of Public Welfare	
Management services	686,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Public Welfare including medical facilities review, health services support and development, mental health systems, services to the communities, family support services, mental retardation systems and income maintenance	20,204,000
Criminal Law	163,000	For an internal audit and investigation unit	450,000
Investigations	503,000	For the operation, maintenance and administration of State youth development centers, youth development day treatment centers, and youth forestry camps and for the maintenance of delinquent boys and girls in such camps, and for the purchase of Community Residential Care for trainees boarded out by the aforementioned institutions	23,237,000
Governor's Justice Commission	510,000	For the operation, maintenance and administration of the State restoration centers	5,657,000
Civil Law	1,941,000	For the conduct, operation of or contracting for training courses to be given by accredited graduate schools of public health, for the personnel of county homes, nursing and convalescent homes, and nonprofit homes for the aged	50,000
Consumer Protection	1,406,000		
Board of Pardons	138,000		
The funds appropriated for general government operations of the Department of Justice are specifically appropriated to the bureau of division indicated and shall not be used for the purposes of functions of any other bureau or division of the department.			
For salaries, wages and all necessary expenses of the Bureau of Drug Control and the Office of Drug Law Enforcement	3,226,000		
For the operation and administration of the Pennsylvania Crime Commission	249,000		
For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission	209,000		
For expenses of the Crime Victim's Compensation Board	200,000		
For the operation, maintenance and administration of the State Correctional Institutions	66,948,000		
For the operation, maintenance and administration of the community services centers	950,000		
For payments of grants to political subdivisions to assist in the improvement of Juvenile Probation Services	1,568,000		
For aid for local law enforcement	1,110,000		
To the Department of Labor and Industry			
For salaries, wages and all necessary			

For the operation, maintenance and administration of the State medical and surgical hospitals 7,243,000

For the operation, maintenance and administration of the State institutions for the mentally ill and the mentally retarded, except for the Southeastern State School and Hospital and the Eastern Pennsylvania Psychiatric Institute 323,271,000

For the Southeastern State School and Hospital 8,100,000

For the Eastern Pennsylvania Psychiatric Institute 8,000,000

For administration of the Mental Health and Mental Retardation Act of 1966 exclusive of construction of any new facilities, for payments to reimburse counties, county institution districts and private institutions for the care of mental patients boarded out by the State institutions for the mentally ill and mentally retarded 91,261,000

For grants to counties to purchase community based residential care, treatment and training for the mentally retarded 15,000,000

For assistance payments and county administration of the public assistance programs and medical assistance programs.

Cash Assistance 502,600,000

County Administration 93,573,000

Office of Information Systems 3,216,000

Claims Settlement 3,173,000

Medical Assistance 286,816,000

Payment of private nursing homes for skilled and intermediate care for persons eligible for medical assistance for services rendered after June 30, 1976, at least \$13,000,000 of which shall be used for the funding of the cost-related reimbursement system 59,045,000

Public Nursing Homes 10,000,000

Supplemental Grants—Aged, Blind and Disabled 63,380,000

Provided, That any rule, regulation or policy adopted by the Secretary of Public Welfare during the fiscal period 1976-77 which adds to the cost of any public assistance programs shall be effective only from and after the date upon which it is approved as to the availability of funds by the Governor.

For the purpose of developing, operating and purchasing services for the aging, including but not limited to homemaking services, community care services, foster care services, protective care services and counseling services 8,058,000

For subsidy payments for services for the blind 840,000

For payment to counties for child welfare programs and for the care of delinquent and deprived children committed by the courts to a private or public facility 32,689,000

For the purpose of developing, operating and purchasing day-care services for children from State approved facilities 18,500,000

For payment of grants to assist in the development of youth services systems and special crime prevention programs for juveniles by providing a part of the cost 1,500,000

For payment to the Home for Crippled Children, Pittsburgh, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law 400,000

For payment to Children's Heart Hospital, Philadelphia, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law 800,000

The hospitals named above shall file a report with the Department of the Auditor General within 90 days of the last day of each quarter. Failure to file the report timely as required hereunder shall disqualify the institution from receiving funds for the quarter covered by the untimely filed report.

For payment to the Arsenal Family and Children's Center, Pittsburgh, Pennsylvania, for the development and operation of new and innovative types of child care services 100,000

For the purpose of developing, operating and purchasing social services 2,533,000

For the Delaware County Center for the Blind 25,000

To the Department of Revenue

For salaries, wages and all necessary expenses for the proper administration of the Department of Revenue including corporation taxes, county collections, cigarette and beverage taxes, education tax administration, and administration of the personal income tax 47,310,000

For payment of compensation to informers, escheators and others and for the payment of attorneys' fees and expenses arising by virtue of proceedings in escheat or by virtue of proceedings to take without escheat 5,000

For the distribution of Public Utility Realty Tax 25,000,000

To the Pennsylvania Securities Commission

For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Securities Commission 762,000

To the Department of State

For salaries, wages and all necessary expenses for the proper administration of the Department of State including regulation of consumer products and promotion of fair business practice, maintenance of the electoral process, and for the proper administration of the Bureau of Professional and Occupational Affairs 5,439,000

Publication of proposed constitutional amendments 40,000

For payment of electoral college expenses .. 5,000

Performing powers and duties relating to absentee voting by persons in military services 30,000

To the State Employees' Retirement System

For payment of State contribution of the medical/hospital insurance costs for Commonwealth annuitants who have elected such coverage 2,600,000

To the Pennsylvania State Police

For salaries, wages and all necessary expenses for the proper administration of the Pennsylvania State Police, including juvenile crime prevention, criminal law enforcement, prevention and control of civil disorders, emergency disaster assistance, and fire prevention 27,439,000

For salaries, wages and all necessary expenses for the proper administration of the Municipal Police Officers Education and Training Commission 1,000,000

To the State Tax Equalization Board

For the salaries, wages and all necessary expenses for the proper administration of the State Tax Equalization Board 789,000

To the Department of Transportation	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Transportation for urban mass transportation and port development and waterway programs	1,058,000
For urban mass transportation assistance for grants to local transportation organizations; to be used only for purchase of service projects and advertising and promotion programs	74,200,000
For rural and intercity transportation, for operating subsidies as well as purchase and rehabilitation projects necessary to rural and intercity transportation service as provided by Act No. 10 of February 11, 1976 or Act No. 35 of June 27, 1973	1,200,000
For payment to the City of Philadelphia for the maintenance, repair and improvement of the Port of Philadelphia	1,000,000
For payment to the Erie Port Commission of the City of Erie, for the maintenance, repair, improvement, management, development and administration of the Port of Erie ..	250,000
For payment of services in connection with the functions of the Civil Air Patrol	25,000
To the Pennsylvania Public Television Network Commission	
For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Public Television Network Commission including network station grants	4,317,000
For programming services	1,700,000

II. LEGISLATIVE DEPARTMENT

To the Senate

For the salaries, wages and all necessary expenses for the following purposes:	
Salaries for 50 Senators and extra compensation to the President pro tempore of the Senate	1,400,000
Salaries and wages for per diem and session officers and employees, including returning officers	797,000
Salaries of employees of the President of the Senate	85,000
Salaries of salaried employees of the Senate	3,650,000
Salaries and wages of employees of the Chief Clerk and all necessary expenses to be allocated and disbursed at the direction of the President pro tempore	500,000
Mileage:	
Fifty Senators, Officers and Employees	120,000
Postage:	
Chief Clerk and Legislative Journal	104,000
Lieutenant Governor	9,000
Librarian	9,000
Contingent Expenses:	
Secretary	85,000
Librarian	18,000
President	28,000
President pro tempore	20,000
Chief Clerk	40,000
Majority Floor Leader	6,000
Minority Floor Leader	6,000
Majority Whip	3,000
Minority Whip	3,000
Chairman of Majority Caucus	3,000
Chairman of Minority Caucus	3,000
Secretary of Majority Caucus	3,000
Secretary of Minority Caucus	3,000
Chairman Majority Appropriations Committee	6,000
Chairman Minority Appropriations Committee	6,000
Chairman Majority Policy Committee	2,000

Chairman Minority Policy Committee	2,000
Majority Caucus Administrator	2,000
Minority Caucus Administrator	2,000
Administrator-Minority Staff or Assigns	17,000
The above appropriations for postage and for contingent expenses shall be paid prior to the payment of such expenses on warrant of the State Treasurer in favor of the officers above named upon presentation of their requisitions for the same: Provided, That the total amount of requisitions for advancements less the total amount of expenditures made as certified by such officers to the State Treasurer shall not exceed the amount of the bond of the officer having control of the disbursement from the funds advanced.	
Miscellaneous Expenses:	
Incidental Expenses	220,000
Expenses, Senators: In addition to annual reimbursement for expenses heretofore authorized by law for each member of the Senate, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1976-77	
Legislative Printing and Expenses	375,000
Attending Legislative Conferences	1,642,000
Attending Meetings of the Council of State Governments	15,000
.....	6,000
The above appropriation for incidental expenses shall be paid to the Chief Clerk of the Senate, the appropriations for Legislative printing and expenses and attending Legislative Conferences shall be paid to the Secretary of the Senate and the appropriation for attending meetings of the Council of State Governments shall be paid to the President pro tempore in the same manner and under the same conditions as the appropriations for postage and contingent expenses above.	
For the payment of the expenses of the Committee on Appropriations (D) of the Senate in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions, and agencies supported, in whole or in part, by appropriations from the State Treasury, in analyzing reports, expenditures and the general operation and administration of said institutions and agencies, in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states, attending seminars, conferences, and in cooperation and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense, and all other expenses in compiling data and information connected with the work of said committee in compiling comparative costs and other fiscal data and information for the use of said committee and the Senate during Legislative Sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any State office, department, institution, board, committee, commission or agency or any institution or agency supported, in whole or in part, by appropriation from the State Treasury and to administer oaths. The com-	

mittee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the State to be taken in the manner prescribed by laws for taking depositions in civil actions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The Chairman of the Committee on Appropriations shall not later than 30 days after the termination of his term of office, or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account, together with supporting documents whenever possible in the office of the Appropriation Committee of the committee's expenses since the filing of the prior account

360,000

For the payment of the expenses of one minority party member of the Committee on Appropriations (R) of the Senate designated by a majority vote of the minority party Senate Caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State Treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the Senate during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the majority vote of the minority party Senate Caucus on the presentation of his requisition for the same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible, in the office of the minority party member of the Committee on Appropriations of the Senate of his expenses since the filing of the prior account

360,000

For the payment to the Special Leadership Account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Majority Leader may be required or arise during Legislative Sessions and during the interim between Legislative Sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the

Majority Leader on the presentation of his requisition for the same. The Majority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Majority Leader of such expenses since the filing of the prior account

850,000

For the payment to the Special Leadership Account (R) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Minority Leader may be required or arise during Legislative Sessions and during the interim between Legislative Sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Minority Leader on the presentation of his requisition for the same. The Minority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Minority Leader of such expenses since the filing of the prior account

850,000

For allocation in such amounts as may be designated by the Legislative Management Committee (D) to the several standing committees (other than the Appropriations Committee) of the Senate for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the Senate and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the Senate for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account

1,500,000

For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the Senate for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the Senate and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the Senate and for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account

1,500,000

For the Commonwealth Emergency Medical System

50,000

To the House of Representatives

For the salaries, wages and all necessary expenses for the following purposes:

Salaries of Representatives and extra compensation to the Speaker of the House of Representatives 4,300,000

Salaries and wages for per diem and session officers and employees, including returning officers 2,800,000

Salaries of salaried employees of the House of Representatives 4,300,000

Mileage:
 Representatives, Officers and Employees.. 365,000

Postage:
 Chief Clerk and Legislative Journal 200,000

Contingent Expenses:
 Speaker 15,000
 Chief Clerk 175,000
 Secretary 55,000
 Majority Floor Leader 6,000
 Minority Floor Leader 6,000
 Majority Whip 3,000
 Minority Whip 3,000
 Chairman of Majority Caucus 3,000
 Chairman of Minority Caucus 3,000
 Secretary of Majority Caucus 3,000
 Secretary of Minority Caucus 3,000
 Chairman of Majority Appropriation Committee 6,000
 Chairman of Minority Appropriation Committee 6,000
 Chairman of Majority Policy Committee .. 2,000
 Chairman of Minority Policy Committee .. 2,000
 Administrator for Minority Staff 17,000
 Majority Caucus Administrator 2,000
 Minority Caucus Administrator 2,000

The above appropriations for postage and for contingent expenses shall be paid prior to the payment of such expenses on warrant of the State Treasurer in favor of the officers above named upon the presentation of their requisitions for the same: Provided, That the total amount of requisitions for advancements less the total amount of expenditures made as certified by such officers to the State Treasurer shall not exceed the amount of the bond of the officer having control of the disbursement from the funds advanced.

Miscellaneous Expenses:
 Incidental Expenses 500,000

Expenses, Representatives: In addition to annual reimbursement for expenses heretofore authorized by law for each member of the House of Representatives, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1976-1977 1,522,000

Legislative Printing and Expenses 2,000,000

Attending National Legislative Conference 80,000

Attending Meetings of the Council of State Governments 5,000

The above appropriation for attending National Legislative Conference shall be paid to the Chief Clerk of the House and the appropriation for attending meetings of the Council of State Governments shall be paid to the Speaker of the House in the same manner and under the same conditions as the appropriations for postage and contingent expenses above.

For the payment of the expenses of the Committee on Appropriations (D) of the House of Representatives in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part,

by appropriations from the State Treasury in analyzing reports, expenditures and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties. The Committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any State office, department, institution, board, committee, commission or agency or any institution or agency supported in whole or in part by appropriation from the State Treasury and to administer oaths. The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The Chairman of the Committee on Appropriations shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Appropriation Committee of the committee's expenses since the filing of the prior account 360,000

For the payment of the expenses of one minority party member of the Committee on Appropriations (R) of the House of Representatives designated by the Minority Leader of the House of Representatives for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State Treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance, and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions to the discharge

of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the Minority Leader of the House of Representatives on the presentation of his requisition for the same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible, in the office of the minority party member of the Committee on Appropriations of the House of Representatives of his expenses since the filing of the prior account

360,000

For the payment to a committee (D) of the House of Representatives composed of the Speaker of the House of Representatives, the Majority Leader, the Majority Whip, the Majority Caucus Chairman and the Majority Caucus Secretary of the House of Representatives for allocation in its discretion to the several committees of the House of Representatives for payment of the expenses of hiring of such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during Legislative Sessions and during the interim between Legislative Sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Majority Leader on the presentation of his requisition for the same. The Majority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Majority Leader of such expenses since the filing of the prior account

850,000

For the payment to a committee (R) of the House of Representatives composed of the Minority Leader, the Minority Caucus Chairman, and the Minority Caucus Secretary for allocation in its discretion to the several committees of the House of Representatives for the payment of the expenses of hiring such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during Legislative Sessions and during the interim between Legislative Sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Minority Leader on the presentation of his requisition for the same. The Minority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Minority Leader of such expenses since the filing of the prior account

850,000

For allocation in such amounts as may be designated by the Legislative Management Committee (D) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such

shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account

1,500,000

For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account

1,500,000

For the Commonwealth Emergency Medical System

50,000

To the Legislative Reference Bureau

For salaries, wages and all necessary expenses for the work of the Legislative Reference Bureau including the Document Law Section

1,040,000

Contingent expenses connected with the work of the Legislative Reference Bureau to be paid on warrants of the State Treasurer in favor of the Director on the presentation of his requisitions for the same. The Director shall file accounting of said expenses together with supporting documents whenever possible in the office of the Legislative Reference Bureau

10,000

Printing of Laws

141,000

Printing of Pennsylvania Bulletin and Pennsylvania Code

635,000

To the Legislative Budget and Finance Committee

For the salaries, wages and all necessary expenses for the work of the Legislative Budget and Finance Committee

292,000

To the Legislative Data Processing Committee

For the operation of the Legislative Data Processing Center

850,000

To the Joint State Government Commission

For the salaries, wages and all necessary expenses for the work of the Joint State Government Commission to be paid on warrants of the State Treasurer in favor of the chairman of said commission on the presentation of his requisition for the same, the chairman shall file an accounting of said expenses together with supporting documents whenever possible in the office of the Joint State Government Commission

957,000

To the Local Government Commission

For the salaries, wages and all expenses necessary for the work of the Local Government Commission

190,000

To the State Legislative Air and Water Pollution Control Commission

For the salaries and expenses of the State Legislative Air and Water Pollution Control Commission

115,000

To the Legislative Office for Research Liaison
 For all necessary expenses of the Legislative Office for Research Liaison 200,000

Any officer, commission, agency or committee of the Legislative Department having received an advance appropriation hereunder shall:

(1) At the end of the appropriation period, return to the State Treasury all unexpended, uncommitted and unencumbered balances of such advances before any advance shall be made out of any succeeding appropriation.

(2) Deposit all moneys advanced in the name of the Commonwealth in a State depository and certify the name thereof to the State Treasurer.

(3) Not later than 30 days after the termination of his term of office, or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file in the office receiving such advance an account of the expenditures of such funds together with supporting documents whenever possible.

To the Chief Clerk of the House of Representatives and the Secretary of the Senate Jointly

For the purchase of Pennsylvania, National and Bicentennial flags to be sent to residents of Pennsylvania 40,000

To the Legislative Audit Advisory Commission

For the salaries, wages and all expenses necessary for the work of the Commission .. 55,000

III. JUDICIAL DEPARTMENT

For the salaries, wages and all necessary expenses for the following purposes:

Supreme Court

For the salaries and expenses of the Supreme Court; including the salaries and expenses for the Supreme Court judges, for the office of prothonotary and for the library in the Eastern District and Western District, for the office of prothonotary in the Middle District, for criers, tipstaves, official stenographers, court officers and the law secretary of the Chief Justice in Eastern, Middle and Western Districts and Workmen's Compensation Insurance Premiums for all Supreme Court Employees, for the office of State reporters; including the salaries and compensation of employees and expenses of judges; including the fees for prothonotaries of the Supreme Court of the Eastern, Middle and Western Districts on assignment to judges to counties other than their own; including the salaries and expenses of the State Board of Law Examiners; including the Judicial Inquiry and Review Board; including printing and miscellaneous expenses; including the expenses of Procedural Rules Committees .. 2,560,000

Court Administrator, including the expenses of the Judicial Council of Pennsylvania 998,000
 Salary increase for the judges 35,000

Superior Court

For the salaries and expenses of the Superior Court; including the salary and expenses of the Superior Court judges, for criers, tipstaves, official stenographers, court officers and law secretary of the president judge and Workmen's Compensation Insurance Premiums for all employees of the Superior Court, for the Prothonotary's Office

in the Philadelphia District; including salaries and compensation for employees and expenses of judges; including the expenses of dockets, stationery, supplies, books for the library and other costs of the Superior Court and its offices 1,481,000
 Salary increase for the judges 35,000

Commonwealth Court

Salaries and expenses of judges and employees 1,876 000
 Salary increase for the judges 35,000

Courts of Common Pleas

Courts of Common Pleas; including the salaries and expenses of judges; including the expenses of traveling judges; including the mileage in divided judicial districts; including the salaries and mileage of associate judges 15,285,000
 Salary increase for the judges 1,420,000

Community Courts—District Justices of the Peace

Salaries of Community Court Judges and District Justices of the Peace 9,480,000

Philadelphia Traffic Court

Salaries and expenses of judges 164,000
 Salary increase for the judges 15,000

Philadelphia Municipal Court

Salaries and expenses of judges 789,000
 Law clerks, one for each judge, excluding the president judge 130 000
 Salary increase for the judges 80,000

Section 3. This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies, the ordering of printing and binding, the purchase, maintenance and use of automobiles, the method of making payments from the State Treasury for any purpose or the functioning of any administrative department, board or commission.

Section 4. No appropriation made by this act to any department, board, commission or agency of the Executive Department shall be available unless and until such department, board, commission or agency shall have complied with sections 604, 605 and 606 of the "Administrative Code of 1929."

Section 5. The term "employees" as used in this act shall include all directors, superintendents, bureau or division chiefs, assistant directors, assistant superintendents, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, marshals, clerks, stenographers, bookkeepers, messengers and other assistants in any department, board or commission.

Section 6. The term "expenses" and "maintenance" shall include all printing, binding and stationery, food and forage, materials and supplies, traveling expenses, training, motor vehicle supplies and repairs, freight, express, and cartage, postage, telephones and telegraph rentals and toll charges, newspaper advertising and notices, fuel, light, heat, power and water, minor construction and renovation, repairs or reconstruction of equipment, buildings and facilities, rent of real estate and equipment, premiums on workmen's compensation, insurance premiums on policies of liability insurance, premiums on medical payment insurance and surety bonds for volunteer workers, premiums on employee group life insurance, and employee and retired employee group hospital and medical insurance, payment of Commonwealth share of social security taxes, retirement costs and unemployment compensation costs for State employees, the purchase of replacement or additional equipment and machinery and all other incidental costs and expenses, including payment to the Department of General Services of mileage and other charges for the use of automobiles and rental payments for permanently assigned automo-

biles and of expenses or costs of services incurred through the Purchasing Fund. The term "expenses" also shall include the medical costs for the treatment of inmates of State institutions when the inmate must be transferred to an outside hospital: Provided, That in no case shall the State institution pay more for patient care than that provided under the State medical assistance program.

Section 7. Purchase of supplies, materials and equipment shall not be deemed to be committed or encumbered until contracts covering said purchase have been entered into with the vendors.

Section 8. (a) In addition to the amounts appropriated by this act, moneys received in payment for food and household supplies furnished to employees and other persons, except inmates, by an institution, and moneys received from the proceeds from the sale of any products of the soil, meats, livestock, timber, or other materials sold by the department shall be paid into the General Fund and are hereby appropriated out of the General Fund to the several respective institutions for the operation and maintenance of said institutions.

(b) In addition to the amounts appropriated by this act, all moneys received from any other source, except the Federal Government, as contributions for the programs provided herein, or as payment for services or materials furnished by one institution to another, except those collections designated as revenues, shall be paid into the General Fund and are hereby appropriated out of the General Fund for the purposes of the respective appropriations.

(c) In addition to any funds specifically appropriated by this act, all moneys received by a department or agency of the Commonwealth from any other source, except the Federal Government, as contributions or supplements to the department or agency for a program or administration of an act included in this act shall be paid into the General Fund and credited to the appropriation for that program or administration of the act.

Section 9. (a) Except as provided in subsections (b) and (c), that part of all appropriations in this act unexpended, uncommitted and unencumbered as of June 30, 1977 shall automatically lapse as of that date.

(b) That part of the appropriation to the Pennsylvania Historical and Museum Commission for temporary custodial and security personnel, and maintenance as may be unexpended, uncommitted and unencumbered as of November 1, 1976 shall automatically lapse as of that date.

(c) The appropriations to the Department of Commerce for reimbursement to municipalities for Bicentennial related municipal overburden and the appropriations to the Legislative Department shall be continuing appropriations.

Section 10. The appropriation to the Department of Environmental Resources for insect spraying operations and the appropriation to the Pennsylvania Historical and Museum Commission for temporary custodial and security personnel, and maintenance shall take effect immediately; the remainder of this act shall take effect July 1, 1976.

On the question,

Will the House adopt the report of the Committee of Conference?

CONFERENCE REPORT ON HOUSE BILL No. 568

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, House bill No. 568 was amended by the Senate, nonconcurrent in by the House, and sent to a Committee of Conference. In that Committee of Conference there were certain changes made, but in general those changes brought House bill No. 568 back up to the proposed House budget. There are individual appropriations in House bill No. 568 with which I

do not personally agree. There are omissions in House bill No. 568 which I personally deplore.

One of those omissions is \$1.2 million which the House voted by amendment to be used for the purchase of the hospital for veterans at Valley Forge. However, Mr. Speaker, I intend to support and ask the support of this House for the Committee of Conference Report on House bill No. 568, but because I believe I am under the instructions of the House, I have asked that a bill be located, and one has been, which can be amended by the House to include the \$1.2 million and passed by the House and sent to the Senate. I intend to do that.

This evening, however, Mr. Speaker, I cannot do that. The best I can do is to ask for the approval of the Committee of Conference Report on House bill No. 568, and I move, Mr. Speaker, the adoption of the report.

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

Mr. ZEARFOSS. Mr. Speaker, may I interrogate Mr. Wojdak?

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

Mr. WOJDAK. I will.

The SPEAKER. The gentleman indicates he shall.

Mr. ZEARFOSS. Mr. Speaker, I have been provided with something entitled "The 1976-77 General Fund Budget-General Appropriation Bill" Printout which refers to House bill No. 568, printer's No. 3052, Conference Report.

I have also been provided with something entitled "Report of Committee on Conference, House bill No. 568, printer's No. 3082." Is the printout reflective of the contents of the bill?

Mr. WOJDAK. Yes, it is, Mr. Speaker.

Mr. ZEARFOSS. In every instance?

Mr. WOJDAK. In every instance.

Mr. ZEARFOSS. Are they in the same order in the printout as they are in the bill, the items?

Mr. WOJDAK. No, they are not. They are not in the same order.

Mr. ZEARFOSS. Thank you, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, this bill before us is for \$4.7 billion. It is an awful lot of money. It funds a lot of programs. It pays salaries for more people than we have ever had in Pennsylvania before, but it is also replete with omissions, Mr. Speaker. And I would like to call to the attention of the members of the House what I think is a very serious omission.

For the first time in many, many years, there is less money being appropriated for the basic school subsidy for the next year than is being appropriated for the current year. Mr. Speaker, there is \$37 million less being asked for in this bill before us tonight than was appropriated for basic school subsidy in the current year. Now the arguments can be given, well, there are two major factors: There are fewer children in the public schools in Pennsylvania, and the market value in real estate in Pennsylvania has taken a dramatic rise.

Well, Mr. Speaker, out of the 505 school districts of Pennsylvania, over 300 of them have serious fiscal problems, and if this General Assembly is not willing to speak to those problems, the local school districts in over

300 school districts of Pennsylvania are going to have some dramatic increases in their local taxes.

Mr. Speaker, it is also amazing that while the school subsidy is dropping dramatically, the cost of transporting fewer pupils is going up dramatically. In the last several weeks, we have argued on the override of the Governor's veto and transporting certain residents of our Commonwealth and whether or not it is good and whether or not we can afford it, and here in this General Appropriation Bill tonight, we see a dramatic rise in the cost of transporting fewer children. There is less money being spent on educating our children and more money being spent to ride them around from their homes to the schools and back again.

Mr. Speaker, the conferees were told this evening that there is sufficient money in each and every department, commission and agency in this Commonwealth to fund them completely for the next fiscal period unless some dire emergency will arise that is unforeseen at this time. And that is good news. We do not have to expect any deficiency appropriations.

And, Mr. Speaker, when I asked the question, where is the money in the budget to take care of the municipal overburden that we have been reading about in the city of Philadelphia for the last 2 or 3 months? The amounts have been suggested to be as high as \$180 million to \$200 million. Where is that money? That is not in this budget. And when I recall just several months ago the school district for the city of Pittsburgh had a huge settlement in their negotiations and, somewhere along the line, I read in the public press that they too were promised additional money from the Commonwealth, and I ask, Mr. Speaker, where is the money in the budget for them?

Mr. Speaker, I went on and on in half a dozen different expensive programs which are not spoken to in this budget and when I asked the question, where is the money, there was not an answer.

Mr. Speaker, I was glad to hear that the agencies of this Commonwealth will be funded for the 12-month period beginning July 1. But, Mr. Speaker, what about the programs that these agencies are going to administer? It is going to be a sad day for the taxpayers of Pennsylvania when they go to bed one night feeling safe and sound that their taxes are not going to be increased and they wake up several mornings later and they have got to ask the questions: What hit them? Who hit them? Where were they hit and why?

Mr. Speaker, this is an easy budget to vote for if you look at just what it says here, but if you look at the needs of this Commonwealth that have been promised by certain people in this government to other political subdivisions in this Commonwealth and have not been spoken to in this budget, there is a serious deficiency in this product before us, Mr. Speaker. Before you vote, I would ask yourselves this question: What are you going to do when the rest of the budget comes before you?

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

Mr. BURNS. Mr. Speaker, I rise tonight not to blow my own horn but just to say that on many tough issues that face this House, I have opposed my party. I have opposed them from the first day, I guess, I got here on some issues. I know when the Republicans were in

control of the House last session and when the mental health and mental retardation bill went on the board and the present Speaker was the majority leader and, after listening to a long pitch, I, you might say, was almost the cause of the Republicans losing that budget fight. I stood with the Democrats on the fee bill because I felt at that time that the fee bill was important for the people in Pennsylvania, and I have taken a lot of heat, but I think I did right.

And I am telling you tonight that I cannot back this budget because this budget shortchanges my county of Bucks and 203 other school districts in this State of Pennsylvania. And I am telling you that even though all of the leadership in this House on the Democratic side says there will be no tax increase—and I will take their word for it—I will tell you now that the school districts in Bucks County will be raising taxes 20, 30 and 40 mills because of the failure of the Governor and of the Democratic Party to put moneys for the school budgets into this particular general budget.

If you do not think that is a tax rise for your 203 school districts, if you think that you are going to go home and tell your people, if you live in one of these school districts, that you have not raised taxes, you are trying to fool them. And I am telling you that you are not going to fool them, because they are going to be paying more out of their pockets next year because of the failure of what we have done here in Harrisburg. Because of what we have not done here in Harrisburg, they are going to have to put more money out of their pockets to the tune of 10, 20 and 30 mills, and I tell you that is a fraud. And I intend to vote against this budget because I cannot vote for anything so fraudulent.

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

Mr. ZELLER. Mr. Speaker, there is one thing that I have learned since I have been in Harrisburg—it is not much, but I learned—that we have to go back to a period, and I mean some years back, when a man's word was his bond.

I believe everyone here has had a chance to have an input. If they have not, they have missed the boat because the chances were here to get amendments, the chances were here to try to amend it. We did just that on things that we personally feel are sacred and close to us.

Something that is very, very close to me is the problem of the veterans, because I see a group of people who were called out to defend their nation, defend freedom throughout the world, and then when they came home many of them did not find jobs, many of them had serious problems of health, and today many of these 4,000 veterans are in need of a nursing home. And there are only 120 beds available in the entire state in nursing homes for veterans.

Now we all know that we fought real hard and we got that amendment in on Thursday. We found also that the bill went down. Since I could not have my cake and eat it too, it finally went to a conference committee due to fact that House bill No. 568 was brought up by the Senate and finally wound up in a conference committee. And we tried today very seriously to get it back in. We really tried.

I must commend the gentleman, seriously, because I, like Mr. Burns, fought my party right down the line,

too, on many occasions, and it has not been accepted too well. But, nevertheless, I saw our side of it and I will have to give Mr. Seltzer credit, too. Our side of the House members voted down the line to help us, and I must give them credit. But we lost. The Senate just did not see it that way.

I am not going to take them to task because of the fact that you do not get anywhere that way and I am liable to get gavelled down. But, anyway, the story is that I was not too happy with the so-called facts that they brought out, because when they brought out their so-called facts, they finally admitted that they had not even completed their studies. They have a Senator who is out studying it and has not even come in with the finals yet.

They had the nerve to knock it out of this budget, but left the judges in. Now, I must say that the Senators were against the judges' part of it. I will give the Senators that credit.

Now we have a serious problem here of not getting everything we want. And this time I must say that, at the outset this evening or a little bit ago when we talked about House bill No. 568 and Mr. Irvis stated what he was going to do, and I stated at the outset of my talk this evening that we must take a man for his word, Leroy knows that I will be at him and so does Mr. Wojdak. And the veterans of Pennsylvania will not let this go until we see that bill, and then we are going to get it on the floor of the Senate and then let the Senators turn it down on the floor of the Senate. Let them do it. We have done our job, and I think we can live by the veterans of the state and tell them that we tried, and let those gentlemen over there knock it down.

At this time I must say that I must vote for the budget, because of the fact that I cannot get everything that I want, I have got to go this route because they are going to knock it out again and we will go to another conference move on it. We are not going to win it. So I am going to fight it by another method and we are going to fight it right down to the wire. So, I must at this time say that I will vote for the budget.

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

Mr. GLEASON. Mr. Speaker, will the gentleman, Mr. Wojdak, consent to a brief interrogation about this conference committee report?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. GLEASON. I went through the conference committee report and I confess that I did not do a very thorough job of it because it is several hundred pages long, but I looked throughout the conference committee report to find out if anything whatsoever had been done to answer the objections that I raised last week about the payment of attorneys' fees to state officials accused of crime. Am I correct in saying that the conference committee report has no language whatsoever with respect to a prohibition of paying attorneys' fees or reimbursing attorneys' fees for state officials accused of crime? Is that a correct statement?

Mr. WOJDAK. Mr. Speaker, the gentleman is correct; there is no language in there concerning the issue he is raising.

Mr. GLEASON. Am I also correct in saying that the conference committee report does not contain the provision of money for workmen's compensation beneficiaries who had been under the old compensation schedule and who, for the period of 1975-76, had been brought up to \$60 a week?

Mr. WOJDAK. Mr. Speaker, as best we are able to determine from Labor and Industry, there is really no need for the money that the gentleman speaks of. Based on a projected number of claims, there are sufficient moneys in this budget to handle those.

Mr. GLEASON. May I ask the gentleman what particular line item the aged workmen's compensation beneficiaries are going to be paid from?

Mr. WOJDAK. If the gentleman will bear with me for one moment.

Mr. GLEASON. I am waiting for the response from the gentleman, Mr. Wojdak.

Mr. WOJDAK. Mr. Speaker, the gentleman's question was, Is there a particular line item in here? And the answer to that is, "No." Last year there was. Those claims were paid out of state funds. For the coming fiscal year, those claims will be paid by private insurers from the workmen's compensation fund. The bill is presently in the Senate, and it is that type of funding or means of funding those claims that will take place. There is no particular line item in here.

Mr. GLEASON. Thank you, Mr. Speaker.

Just some brief observations: First of all with the workmen's compensation, we had a line item in last year's budget, I believe, of approximately \$3 million—and I am talking to you friends of labor—a line item of \$3 million for workmen's compensation benefits for those older compensation beneficiaries who were being paid \$17.50, \$22.50 and \$32.50 a week. Those guys were in trouble. So we had a special line item for them that took their weekly benefits up to \$60 a week. There are about 3,000 of these old guys in Pennsylvania, and I think you friends of labor ought to know that there is no provision in this general fund budget at all for those 3,000 people. And to say there is a Senate bill that is going to require private insurers to pay the tab is, I believe, at least erroneous.

I do not doubt the gentleman's sincerity. He would like to do that, but if you consider that some of those old fellows were paid by insurance companies that were paid premiums for \$17.50 a week benefits, there is no way this legislature and I am talking to the lawyers now—can interfere in the contractual relations or change those contracts entered into by those old insurance companies for these beneficiaries. To say anything otherwise is erroneous and, I have to say, that it is probably a hoax.

I cannot believe the pretensions of this administration or of certain members of the majority that they are indeed friends of the working man, because that simply is not true. There are over 3,000 compensation beneficiaries who are going to be ripped because this budget does not provide for them.

Now with respect to payment of the attorneys' fee, we had a lot of arguments last week. I proposed that we forbid paying attorneys' fees to state officials accused of crime. Well, today we just had another cabinet officer indicted. And the answer of Mr. Wojdak was that no change was made in this appropriations bill.

We heard a lot of debate last week about the little chauffeur, about the little truck driver, that we were

really not concerned about the big boys. And yet absolutely nothing was done. There were members of the majority party, one of whom submitted an amendment to me that would have taken care of a lot of objections. But I want to tell those of you who opposed that amendment of mine because you had reservations about the little guy—the chauffeur, the truck driver—that absolutely nothing was done. And that vote that you threw in the amendment last week can come back to haunt you again and again and again because the people outside the halls of this chamber do not understand our subtleties or our niceties.

For these two reasons and a host of others, I am going to vote “no” on this bloody budget.

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

Mr. RENNINGER. Mr. Speaker, may I speak on that point?

The SPEAKER. Will the gentleman, Mr. Foster, yield to Mr. Renninger?

Mr. A. C. FOSTER. Yes.

Mr. RENNINGER. I was chairman of the Labor Relations Committee when this legislation was passed last session, which would benefit the people who are under older or very aged contracts for workmen's compensation. It was estimated at that time that this would cost around \$3 million. And labor was very appreciative that we rolled this bill and added it to our responsibilities for the then-current budget.

We had a hard time with the Governor trying to get him to accept this responsibility. He has done nothing but try to walk away from it, and when you compare that with a \$4.7 billion budget—and this figure should be decreasing over the years—I think that is pretty chintzy. And I think that is the only way I can describe this man who is trying to evade this responsibility in this way. This has been going on in this argument, and I have been involved in it because I knew the goodwill that labor had towards this bill and the good offices they tried to exercise with the Governor on this particular item.

You must realize that many of these contracts relate to companies that may no longer be in existence, and the whole thing is very, very unfair to throw it back. Of course, there is the constitutional question of trying to go back and bill people for bills that you cannot access anymore on an actuarial basis.

I think this is very wrong and it is just typical of what is shot through in this budget. I further subscribe to the statements made by Mr. Burns from my county, and we are united in our attitude about this.

Thank you, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, will the gentleman, Mr. Wojdak, consent to interrogation?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. A. C. FOSTER. Mr. Speaker, I tried to follow the exchange between yourself and Mr. Seltzer. I did not catch all of the response.

My questions would be directed to the matter of the school subsidy and the lack of funds therefore in the

budget. Did I follow correctly that there has been a substantial reduction in the budget that will affect our school subsidy?

Mr. WOJDAK. Mr. Speaker, last year there were \$46 million added into the subsidy for the Philadelphia and Pittsburgh school districts. That was a one-time affair, one-shot deal. That does not reflect itself in the line item for basic subsidy this year.

In fact, Mr. Seltzer indicated there was a \$37 million reduction. There is, in fact, roughly anywhere from \$9 million or \$10 million—something in there as an increase in the basic school subsidy. Although in our calculations, because of what we felt were not correct numbers in the calculations we have decreased it by \$6 million. The net effect of all this is that there is overall roughly a \$10-million increase in the basic school subsidy. But the point is that that is a function of the formula. It is a straight mathematical calculation based on the number of students. Whether we put in “X” millions of dollars more does not really matter. The school district will only get that amount of money that it is entitled to, and it is straight mathematical calculation.

Mr. A. C. FOSTER. Mr. Speaker, to bring this pitch right down the center of the plate, is there sufficient money in this budget to insure that school districts will receive the same remuneration as last year without our subsequently passing a deficiency appropriation in this House?

Mr. WOJDAK. Yes, absolutely.

Mr. A. C. FOSTER. My next question: Many school districts, including several from my own area, have asked the question, What are the chances of any increase in the school subsidy during this session of the legislature? Mr. Speaker, could you venture an opinion on that as chairman of the Appropriations Committee?

Mr. WOJDAK. That is going to be, again, something that the House will have to deal with. And if, in fact, they are looking for an increased school subsidy and there are sufficient votes for it, you can speak to that question at that time. I do not think we can deal with that question in this present document.

Mr. A. C. FOSTER. I agree, but do you feel that there would be sufficient revenue in this budget to accommodate that, of course, no knowing the amount of it? I realize that you cannot answer in that respect.

Mr. WOJDAK. Well, you are handing me a question with about four different loose ends. I really cannot react to that question.

Mr. A. C. FOSTER. I concede, Mr. Speaker. The question is probably unanswerable as I posed it. I withdraw the question and request permission to make a brief statement.

The SPEAKER. The Chair recognizes the gentleman.

Mr. A. C. FOSTER. Mr. Speaker, I can only think at this point in time of when I first ran for this office in 1972, and I was asked to fill out my first questionnaire, I believe for the League of Women Voters, and I was asked, What would you do in Harrisburg? In what area would you seek improvement in the budgetary process? And in my naivete I replied, I believe in rather flowery language. We must replace this matter of frenzied desperation with which we ram through budgets in the House and replace it with an air of careful deliberation. You know, Mr. Speaker, I thought those words had a nice ring to them. I felt rather proud of them, in my naivete.

I get here today and I see the futility of trying to even consider it in an air of deliberation, when we see a budget document presented to us on Monday a week ago, we are told to have all of our amendments prepared by Tuesday, and that we are going to vote that document on Wednesday.

When I go home to my district and speak to various organizations and tell them that this is the way in which the budget is passed in the House of Representatives, they are aghast. A \$4.7 billion budget, we give it this scanty consideration. Now after the House in its wisdom did reject this hasty approach last week, we come down here today, this week, I should say, and witness a spectacle that we have witnessed thus far. Words fail me at this point. I can only say, Mr. Speaker, I can only urge a negative vote on this budget because no one knows what it will do, no one knows what is in it. I can only say vote "no" for the sake of your conscience.

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

Mr. TURNER. Mr. Speaker, I have observed with considerable interest and extreme concern the procedures that this House has followed during the past few days when this legislation has been before this body. And it is my recollection that we had an opportunity first to see this bill approximately 1 week ago.

Mr. Speaker, the Commonwealth of Pennsylvania is one whale of a big business, and I question whether our approach is the type of approach that we would take if we were running our own business. And I pose a question to you ladies and gentlemen who do run your own business—and I have a small business—Would you approach your budgetary problems in the same manner as we have done here in the House of Representatives?

I question if there is any one body on this floor who can honestly say that this is the way you would do it if you wanted to even meet a minimum of success. And I submit to you, Mr. Speaker, that it cannot be done.

I do not know what has happened to us. Over the past 3½ years it has been just extremely difficult for me to digest some of these things that we do in this House, and probably some of the comments I have made on the floor are not understandable by you people. But here we have an opportunity, with time in our favor up until the end of June, to carefully analyze, scrutinize and come up with a monetary, a fiscal responsibility in the form of a budget that can take this Commonwealth a long ways down the right road. And I submit to you, Mr. Speaker, as a small businessman, that we are on the wrong road. There is no way that we can justify the approach that is being made to a \$4.7 billion budget for the 12 million people of this Commonwealth, and I submit to you that we are on the wrong track to approach the subject in this manner.

I urge the defeat of this legislation, at least until such time as we have the proper time to review it as you and I would want to do in our own business.

Thank you, Mr. Speaker.

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

Mr. POLITE. Last week I got up twice. One time I said in full view of the television camera that I felt that there was a television program called "To Tell the Truth" and that the real budget would come forth. Later on in the evening when there were some red lights on the

other side of the aisle and I saw people go helter-skelter from the aisle into the back room, I requested of the Speaker, with his permission, that the name of that program be changed to "Let's Make a Deal."

Now I know today has been a trying one with House bill No. 568. It was offered on concurrence first, and now it is offered as a conference committee report. Not having had too much time to look over the report and looking at it briefly, I have now changed my mind again and would like to change the name of that television program.

If we all look on page 4 of this report, at the bottom of the page—and I do not know what this means—it states: "Penn Hills Water Supply Project," wherever that may be. There was nothing in 1975-76, zero by the Governor, zero by the Senate version, zero by the House version, but \$75,000 in the conference report. Now I know that that is not a whole lot of money compared to almost a \$5-billion budget, but I ask with the Chair's permission to change the name of my television show to "Jackpot."

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

Mr. ITKIN. Mr. Speaker, would Mr. Wojdak consent to interrogation?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, I have looked at the conference committee report and the language that appears in the end of the report. It talks about continuing appropriations and it says that "The appropriations to the Department of Commerce for reimbursement to municipalities for Bicentennial related municipal overburden" shall be a continuing appropriation. That means that June 30, 1977, any moneys left in that fund will not lapse but will continue on. Yet on page 10 of the document it says that in order for municipalities to receive payment for this purpose, that certification must be made on July 31 of this year.

I cannot understand, Mr. Speaker, why the Bicentennial municipal overburden reimbursement must be a continuing appropriation.

Mr. WOJDAK. Mr. Speaker, in last year's GA bill it was requested that it be a continuing appropriation to cover late bills that may come in. It was requested that it also be made a continuing appropriation in this current GA bill for the same reason, because of late bills they may be unaware of that may come in, and rather than have the funds lapse, that money would be available for payment of those bills.

Mr. ITKIN. But, Mr. Speaker, this requires that payment can only be made to those municipalities that make their certification by July 31 of this year. Now certainly we are talking about an entire year to pay for these certifications, and I just cannot understand why a whole year has to lapse upon the department's receipt of the certification before it can make payment from the fund.

Mr. WOJDAK. Well, you are talking about a 31-day period that would put you into the new fiscal year, and it is during that period and that leeway that we must make it a continuing appropriation if in fact any bills come in during that 31 days beyond the end of the fiscal year.

Mr. ITKIN. Mr. Speaker, could you respond to my question again? I could not hear you.

Mr. WOJDAK. You are talking about a 31-day period

beyond the end of the fiscal year. During that 31-day period, if in fact it were not a continuing appropriation, the money would have lapsed on June 30 or July 1, and to cover the eventuality that certain bills may come in late, it is during that 31-day grace period that those bills could be paid. So rather than have the funds lapse on June 30, we have provided for it to be a continuing appropriation to cover that eventuality.

Mr. ITKIN. Well, the continuing appropriation applies to this budget for the fiscal year ending June 30, 1977. This certification is to be made by July 31 of this year. So there is an additional 11 months from the time the certification is made, for them to make payment.

Mr. WOJDAK. Mr. Speaker, the only way your question would make sense is if in fact there is a mistake. Let me look at that bill.

Mr. ITKIN. Well, are you going to pass a budget tonight?

Mr. WOJDAK. Well, just let me look at it.

Mr. ITKIN. Would you refer to page 10, line 30?

Mr. WOJDAK. Mr. Speaker, I am looking at page 10. The language was carried over from the last GA bill. It is a printer's mistake. It should read on line 30: July 31, 1977. There is a printer's mistake in the date.

Mr. ITKIN. Well, if we vote the bill tonight with the printer's mistake, will not the printer's mistake become the law?

Mr. WOJDAK. No.

Mr. ITKIN. Explain to me why, Mr. Speaker.

Mr. WOJDAK. Well, the Legislative Reference Bureau can make that technical correction.

Mr. ITKIN. Who can make that technical correction?

Mr. WOJDAK. The Legislative Reference Bureau would make that technical correction of changing the "6" to a "7" inasmuch as we have indicated that on the floor of this House that it is a technical printer's mistake.

Mr. ITKIN. But that would require an amendment to this bill. It has nothing to do with grammatical errors.

Mr. WOJDAK. No; it would not require an amendment.

Mr. ITKIN. This is clear, because the date of July 31, 1976, could in fact be a true and proper date inserted.

Mr. WOJDAK. Mr. Speaker, your point is well taken. I have indicated that it is a printer's mistake. The means for correcting it is by the Legislative Reference Bureau. Inasmuch as we have pointed it out on the floor, it does not take an amendment.

Mr. ITKIN. Generally, Mr. Speaker, when there is an error—

Mr. WOJDAK. I understand generally, Mr. Speaker. You are beating a dead horse here. I have admitted it is a mistake. Now what else do you want me to say?

Mr. ITKIN. Well, I do not believe that the Legislative Reference Bureau has the authority to make such a change.

Mr. WOJDAK. They do have the authority, Mr. Speaker.

Do you want me to apologize? I am sorry.

Mr. ITKIN. Well, I really seriously question the authority of the Legislative Reference Bureau to make this change because it changes the date. It is not that it was 1659; it says "1976." It is during the Bicentennial year and it could in fact be a proper date inserted in the bill.

Mr. WOJDAK. I have indicated to you that it was not the intent to have it read July 31, 1976. It was carried over from the last GA bill. It is a mistake. It is a tech-

nical mistake, a printer's mistake. It should read "July 31, 1977."

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader. For what purpose does the gentleman rise?

Mr. BUTERA. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUTERA. The gentlemen, Mr. Itkin and Mr. Wojdak, are engaged in a discussion regarding a date in this bill. Mr. Wojdak claims that a date can be changed in this bill pursuant to the Statutory Construction Act. I challenge that. Is not the only way that a substantive error in a bill can be corrected by an amendment to the bill?

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

Mr. WOJDAK. Mr. Speaker, you know Mr. Butera has characterized it as a substantive mistake. It is not a substantive mistake; it is a printer's error.

Mr. BUTERA. Mr. Speaker, that is the very point. A printer's error may be the misspelling of a word, the double printing of a word, or something of that nature. But when you are talking about a date by which projects must be certified, I think that is a matter of substance and is not procedural, and the Statutory Construction Act does not apply.

The SPEAKER. Are all the parties agreed that the date is in error?

What should the correct date be? Mr. Wojdak, what should the correct date be?

Mr. WOJDAK. Mr. Speaker, the correct date should read: July 31, 1977.

The SPEAKER. Mr. Itkin, are you in accord with the correct date?

Mr. ITKIN. I do not know what the correct date should be, Mr. Speaker. That was inserted by the Appropriations Committee chairman.

The SPEAKER. Can we agree upon a statement of legislative intention that the correct date should be July 31, 1977?

Mr. ITKIN. I would be agreeable, Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Wojdak, state as a matter of legislative intention for the record that the correct date appearing on page 10 of this bill on the last line, line 30, should read "July 31, 1977" instead of "July 31, 1976"?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. And that the Legislative Reference Bureau shall be instructed to make the necessary correction?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman will make the statement accordingly.

Will the gentleman, Mr. Wojdak, proceed to state the legislative intention of this body?

Mr. WOJDAK. Mr. Speaker, the legislative intent of this body is that the date on page 10, line 30, House bill No. 568, printer's No. 3082, should read: July 31, 1977.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think you should be very careful as to what you are doing.

Mr. WOJDAK. We are being very careful.

Mr. BUTERA. Well, now suppose I said that the legislative intent was that that \$10 million be \$1 million? Do you mean to tell me that I can stand here and amend a bill orally by making some kind of a gratuitous statement? I just think you had better be very careful in the precedent that you are establishing on amending bills. I do not care whether it is 1976 or 1977. I cannot conceive of the date having to be 1977, incidentally, because the Bicentennial is over in 1976, is it not?

But nevertheless, I think you are making a substantive change which is contrary to any parliamentary rule, law, or otherwise. The only way you can change this is to make a subsequent amendment to the act which has ultimately passed.

Mr. WOJDAK. Mr. Speaker, the Legislative Reference Bureau is empowered to make editorial changes in accord with the legislative intent. The legislative intent has been spelled out here. I have indicated to you that it is a printer's mistake.

The SPEAKER. In order to facilitate the debate on this particular point, the Chair would rule that this is a matter of legislative intent, correcting an error as stated by the gentleman, Mr. Wojdak.

The minority who opposes such legislative intent may resort to an appeal from the ruling of the Chair.

The Chair recognizes the minority leader.

Mr. BUTERA. What I would suggest, Mr. Speaker, is that we do not start making some new law which is bad law. Perhaps what you should do is move on to other debate, get an opinion from the Reference Bureau which is binding upon us, I believe, on this kind of a matter, so that we do not start making law which some day will come back to haunt us.

This is a substantive change that is not formal, and I think you ought to get that kind of a ruling from the Reference Bureau before we go any further on this point.

The SPEAKER. The Chair is reluctant to make bad law, but the Chair has expressed a decision and, for the time being, unless the minority wants to take an appeal on the decision, we will leave it rest and we will try to get some further information for the gentleman.

Mr. BUTERA. House bill No. 1381 has the same alleged error. That was not drafted in haste, I presume.

Now if it were in that bill and now it is in this bill, how are we to know whether it is a typographical error, whether it is a substantive error, and how, after this kind of a ruling, are we ever to know what is substantive, what is formal, in error?

Are we going to be able to change language, numbers, words in bills by this method? I suggest to you that this particular issue is almost immaterial, but you had better watch the precedent you are setting by making that kind of a ruling, particularly without the advice of the Reference Bureau.

The SPEAKER. The Chair appreciates the concern of the gentleman, and I am not without some sympathetic regard for that concern. But the Chair feels that it is appropriate, where a declaration of legislative intent has been expressed that this is a typographical error, that the Legislative Reference Bureau is empowered to make a change where this House has expressed its legislative intent. There seems to be no disagreement over the question of what the right date should be. The Chair is proceeding

under the assumption that the House is in accord with the right date, namely, July 31, 1977.

The Chair recognizes the gentleman from Lebanon, Mr. Seltzer.

Mr. SELTZER. Mr. Speaker, I call to the attention of the Chair and members of this House that House bill No. 1381, which was debated fully just several days ago, had in it this same date of July 31, 1976. This is not a hasty mistake in this bill. This is only repeating what was in the Democratic House bill of last week.

Mr. Speaker, one of the serious problems as I see in this date and what you are attempting to do is by permitting the Reference Bureau to go over a period of 3 separate fiscal years, either from the 1975-1976 into the 1977-1978.

Mr. Speaker, that is asking an awful lot of some agency of this government, of this General Assembly, to arbitrarily permit them to make a change that covers three fiscal periods.

The SPEAKER. The Chair now recognizes the gentleman from Allegheny, Mr. Itkin. Will the gentleman proceed now to another point?

Mr. ITKIN. Mr. Speaker, I would just like to, very briefly, follow up on this point. I am very concerned that had I not approached this point on the floor this evening and had this legislation been passed into law without the question I raised tonight, would it not be true that a municipality that requested, certified their expenditures beyond July 31 of 1976, would have to be refused by the Department of Commerce because it was not established on the floor of this House that that was the intention of this legislature?

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

Mr. WOJDAK. Mr. Speaker, in very practical terms, assuming the matter was passed here and was passed in the Senate, written into law, and the mistake was not discovered until several weeks downstream, at that point it would become evident to us and this House could act at that point to change the date. Obviously, we have in our power now the right to express the legislative intent. We are appreciative that you pointed out that mistake.

Mr. Speaker, as I said, we are appreciative of the gentleman pointing this out to us. The Legislative Reference Bureau is empowered to make this editorial change.

I thank you for pointing it out and the change will be made.

Mr. ITKIN. Mr. Speaker, does not legislative intent require the same concept to be approved by both Houses of the legislature?

Certainly it may be the legislative intent of this body to change the date, but what of the other body? Suppose the other body passes this conference report in this form assuming that the provisions are correct and proper, can we, in fact, alter the intent of the other body?

The SPEAKER. Will the gentleman move on to the next point that he wants to raise? The Chair has already ruled on the point.

Does the gentleman desire to be recognized further?

Mr. ITKIN. Yes, Mr. Speaker.

I am sorry, I just thought I would save Philadelphia a lot of money.

Mr. Speaker, I would like to go on to line item, sequence number 319. Mr. Speaker, this is the appropriation for payments to counties for child welfare programs. I see that in 1975-76, \$49.639 million were appropriated for these payments to the counties for such child welfare programs. I observe that there has been a reduction in this budget to a figure of \$32.689 million. Can the chairman of the Appropriation Committee explain the change in this appropriation?

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

Mr. WOJDAK. Mr. Speaker, we budget this on a fiscal year. The counties make it on a calendar year.

Now what has occurred here is, we are really budgeting for a 6-month period. The schedule of payments have been changed so that there will be one less payment during this fiscal year.

Mr. ITKIN. Mr. Speaker, on the basis of that \$49.6-million appropriation, counties would receive, I am told, 57 percent of their costs for child welfare. Can you tell me what the counties will receive on the basis of this so-called semi-annual appropriation of \$32.689 million?

Mr. WOJDAK. Mr. Speaker, I am told that the Department of Public Welfare will collect all the invoices before the payments are made, and it is difficult to determine in advance or particularly at this point as to what percentage will be reimbursed to the counties.

Mr. ITKIN. Do you have any approximate figure as to what that might be?

Mr. WOJDAK. No. I could not venture to guess what that percentage would be and I would not want to hazard a guess.

Mr. ITKIN. Why was that appropriation level established in this line item if we do not know what the reimbursement to the counties are going to be on a percentage basis?

Mr. WOJDAK. The Welfare Department has experience with this, and it has been based on previous years' experience that we have calculated the amount to be the figure you see in that particular line item. If you are asking for an exact percentage, I could not give you that now.

Mr. ITKIN. Mr. Speaker, we have just changed the laws so that the department can provide up to 90-percent reimbursement for child welfare services, and what I am concerned about in this appropriation is as to whether it matches the legislative intent to provide that type of reimbursement to our counties for their child welfare programs.

Mr. WOJDAK. Mr. Speaker, Mr. Itkin's first premise is wrong. The bill that you are referring to is still in conference and is not yet law.

Mr. ITKIN. Then why is this appropriation in at this level, Mr. Speaker?

Mr. WOJDAK. It is based on the current law.

Mr. ITKIN. If current law provides for 60 percent, Mr. Speaker—

Mr. WOJDAK. For up to 60 percent; not 60 percent, Mr. Speaker.

Mr. ITKIN. That is correct, and if \$50 million was about 56 percent, then certainly \$65 million would in excess of 60-percent reimbursement. So this could not be putting in the appropriation according to present law. If the Senate bill did not pass, there would be

more money in this particular line item than the department could reimburse under current law.

Mr. WOJDAK. It is just not true. I cannot accept some of your premises and your percentage rates when you tie it to a particular figure, Mr. Speaker.

Mr. ITKIN. You see, Mr. Speaker, we were under the impression that we would receive for Allegheny County and for the other counties something close to a 90-percent reimbursement, and now we see that the actual moneys placed in this bill have been prorated over a 6-month basis. So we only see half of the appropriation this year, and if the next legislature, which will be composed of new members, may decide not to commit themselves to this level but perhaps to some lesser level, then the understanding that we have from Allegheny County as to what is going to be provided by this legislature will not in fact be realized.

As I calculate this thing, Mr. Speaker, under the assumption that the next legislature is as generous as this one and provides for an additional matching \$32.7-million appropriation, then the reimbursement to counties will only be about 73 percent and not close to the 90 percent that we understood the law was going to be changed to.

I would like to point this out to the members of the House, so they understand what they are voting on. They are voting only right now for a modest increase in reimbursement to county child welfare services and nowhere near the 90 percent figure that was the impression that, if we passed this particular bill, the counties would receive.

Mr. WOJDAK. Mr. Speaker, I do not know where Mr. Itkin got that impression because it is totally erroneous. He is operating on the basis of an impression that I cannot really speak to. It is funding current law at the levels that have been funded in the past. As to Mr. Itkin's impressions, I really cannot react to that.

Mr. ITKIN. Did we not, Mr. Speaker, pass legislation which would increase reimbursements to child welfare up to 90 percent?

Mr. WOJDAK. It is not yet law. It is still in a conference committee and not law.

Mr. ITKIN. Did it pass this House, Mr. Speaker?

Mr. WOJDAK. It passed this House.

Mr. ITKIN. Were there discussions with legislators and other interested parties that there would be in this appropriation bill moneys consistent with the change in the law?

Mr. WOJDAK. No.

Mr. ITKIN. Then why change the law, Mr. Speaker, if the appropriation does not provide for that funding?

Mr. WOJDAK. Mr. Speaker, your logic is running in a circle and I cannot seem to cut in on it because you keep slipping in your impression on me. I cannot react to that.

Mr. ITKIN. Well, I see, Mr. Speaker, where, on the one hand, you pass statutory legislation granting a substantial reimbursement to the counties—

Mr. WOJDAK. We have not passed and that is not law, Mr. Speaker. Let us settle that. It is not law.

Mr. ITKIN. Are you telling me, Mr. Speaker—

Mr. WOJDAK. I am telling you it is not law.

Mr. ITKIN. Then you believe, Mr. Speaker, that that particular piece of legislation will not become law?

Mr. WOJDAK. I do not know that at this point. It is not law now. That is crystal clear, Mr. Speaker. It is not law.

Mr. ITKIN. If it does not become law, will there be more money in this appropriation line item than is provided in the present law?

**THE SPEAKER PRO TEMPORE
(Russell J. LaMarca) IN THE CHAIR**

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BONETTO. Mr. Speaker, I think we are getting off onto a tangent here. We are assuming something. If something is not law, it is just not law. Why argue about it? We are going to be here until 5 o'clock in the morning.

The SPEAKER pro tempore. The Chair thanks the gentleman for his most astute observation and the Chair sincerely hopes that Mr. Itkin will heed the wise words. Will you proceed with your questioning and confine yourself to the realm of the realistic and not the assumptive world, please?

Mr. ITKIN. Mr. Speaker, most of the members of this House rely on the world of assumption and then ultimately find out that they live in the real world.

The SPEAKER pro tempore. That, again, you see, is a speculation on your part. Will you confine yourself to questioning the gentleman?

Mr. ITKIN. Mr. Speaker, I have no further questions. Thank you.

The SPEAKER pro tempore. Thank you.

The Chair recognizes the gentleman from Mifflin, Mr. DeVerter. For what purpose does the gentleman rise?

Mr. DeVERTER. To make a few brief comments, Mr. Speaker.

The SPEAKER pro tempore. All right.

Mr. DeVERTER. Mr. Speaker, for the past several days I have not felt up to par, as they say, with respect to my physical being. And other than being just slightly sick physically, I think this evening I am a little sick at heart.

Just a few brief hours ago, at 7:55, this document was presented to me at my desk, and I have been asked to pursue it and cast an intelligent vote for the people whom I represent as well as all the people of this Commonwealth.

It is amusing to me that when this document left this House two times—in Senate bill No. 1381 and then in House bill No. 568—and went to conference, we were supposed to have had a balanced budget. But it is very interesting to note that whenever these bills go to conference, we seem to find more money, and it is not a whole lot of money, but it certainly concerns me and it certainly should concern each and every one of you.

As a for instance, on page 4 there has already been the mention of the Penn Hills Project, but additionally on that page we found another \$25,000 for the Bicentennial Community Park in Allentown. On page 9 we found another \$50,000 for an art museum, and under that we found for a Liberty Bell shrine another \$20,000. And it goes on and on and on.

How in the world we can ever fairly represent our

people when these kinds of situations arise is beyond my imagination.

In the past we have passed budget reform bills in this House and sent them to the Senate and they have died, and I believe if we do not hasten on with that, the people are not going to say it is Democratic money or it is Republican money or whatever. It is the taxpayers' money of this Commonwealth that we should all be considering, and we have not addressed ourselves to that.

And until such time as we can fairly—or within a degree of fairness and equality—appropriate funds so that everyone is treated fairly in each and every district, whether it be legislative or senatorial, I think we should oppose this kind of situation, and I for one intend to vote in the negative on this budget.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Warren, Mr. Kusse.

Mr. KUSSE. Thank you, Mr. Speaker.

Mr. Speaker, as Mr. Polite and Mr. DeVerter previously mentioned, several items have popped up that have previously not appeared in this budget. So since we did not have a chance to caucus on them, I wonder if I could ask two questions of Mr. Wojdak.

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KUSSE. Mr. Speaker, the first item that comes to mind is on page 1, the Robin Hood Dell Better Break Program.

I guess I take particular exception to that because, as I remember my history book, Robin Hood was a leader of a gang of thugs whose primary aim seemed to be on the excuse that he was going to help the poor people and redistribute the wealth. He went around stealing from the wealthier people and he also went around murdering deputy sheriffs and destroying law and order. So I guess I never cared for—

The SPEAKER pro tempore. Will the gentleman yield for a moment, please?

Might I suggest to the gentleman that we have enough problems without desecrating that sacred image of fable. Now I might agree or I might not agree, but I think the hour is rather late for us to tear apart the good man from Nottingham. Suppose we just ask the questions you want to ask.

Mr. KUSSE. You may think he was sacred, but he was not to me, because Adolph Hitler and others emulated Robin Hood. He was a leader of a gang of thugs, and he was the forerunner of Communism. Those Communists in China—

So, Mr. Speaker, my question is: What in the name of heaven is the Robin Hood Dell Better Break?

Mr. WOJDAK. Mr. Speaker, the Robin Hood Dell and the Robin Hood Dell Better Break are both open-air concert facilities in the city of Philadelphia. The Robin Hood Dell had been funded for many years by the Arts Council. All we have done here is break it out into particular line items.

Mr. KUSSE. I see, and that is why it is called the "Better Break."

The other item, Mr. Speaker, that comes to mind is on page 7, the soil survey. Suddenly we have \$200,000 for that. How come all of a sudden that pops up out of nowhere?

Mr. WOJDAK. That particular program had been included in the general government operations of the Department of Environmental Resources for many years. In the past we have had problems with that particular program from the secretary indicating he did not have sufficient moneys. In order to insure that that program would be funded and operational, we broke it out from the general government operations and funded it as a specific line item.

Mr. KUSSE. Thank you, sir.

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

Mr. GALLEN. Mr. Speaker, I am pleased that the gentleman is in the Chair because I think he knows I bear no antipathy toward him as his erstwhile chauffeur.

I would like to interrogate the gentleman, Mr. Wojdak.

The SPEAKER pro tempore. The gentleman indicates he will be interrogated. He will consent.

Mr. GALLEN. Mr. Wojdak, I am amazed at the alacrity with which you produced this printout. It has been brought up before, but I refer you to the items at the bottom of page 4, the Bicentennial Community Park in Allentown and the Penn Hills Water Supply. Now, first, I would like to ask what business these two items have in the general fund appropriation bill?

Mr. WOJDAK. Well, they are proper items to be placed in the general appropriations bill and they are inserted here.

Mr. GALLEN. Could they not be placed in the Community Facilities? Would they not be more properly a part of the Community Facilities Grant Program?

Mr. WOJDAK. Well, only the Penn Hills Water Supply Project could have been but there is nothing wrong with making it a specific line-item.

Mr. GALLEN. Mr. Speaker, I am not satisfied with that answer. We have two more items on page 9, the Allentown Art Museum, \$50,000, and the Liberty Bell Shrine in Allentown for \$20,000. Now, I refer the gentleman to rule 48 of the House rules, the second paragraph. It says: "The conferees shall confine themselves to the differences which exist between the House and Senate." Now the four items which I cited, in what version of the appropriations bills had these items been contained previously?

Mr. WOJDAK. Mr. Speaker, I am looking at the particular rule that the gentleman is referring to. The difference is, and I think what you have to read into that rule is, the timing at which the differences occur. The differences occurred between the House and the Senate in a later date than the last printer's number.

Mr. GALLEN. Mr. Speaker, we are referring to differences. There was no such thing as these four items contained in any version, either House or Senate, previously. Is that not correct?

Mr. WOJDAK. Mr. Gallen, the differences occurred subsequent to the last printer's number.

Mr. GALLEN. Now, would you explain that?

Mr. WOJDAK. It is a very simple statement.

The SPEAKER pro tempore. Will the gentleman yield for a minute?

It is the opinion of the Chair that the gentleman's interpretation of the rule is entirely too narrow, and it is

further the opinion of the Chair that the language, "the differences that exist between the House," does not confine them to the language that it so appears in the bill. If that were intended, it would have been so written. It is not so written, so I doubt that we have any problem with that one.

Mr. GALLEN. Mr. Speaker, what you are saying is that differences do not have to be in any version of a bill which we have previously considered? Is that right? They can be in somebody's mind, in other words?

The SPEAKER pro tempore. It is the ruling of the Chair that differences between this body and the other body need not be confined strictly to the words of any particular bill. The conferees are free to discuss whatever differences they feel, and that is the Chair's ruling.

Mr. GALLEN. Would you then say that there is really no need to have that sentence in the House rules because it is kind of superfluous and it does not mean anything?

The SPEAKER pro tempore. It means a great deal. If the gentleman would like a further explanation, I will tell him.

It enlarges the differences that may be discussed between the conferees. If the House rules were intended to limit those differences, it would have specifically stated that those differences are only the differences that were heretofore in print. It is the ruling of the Chair that any differences that exist to the conferees is a proper subject matter.

Now, will the gentleman proceed with another matter of business, please?

Mr. GALLEN. I think that is all for now. Thank you, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, I will be brief, hopefully.

Mr. Speaker, we have seen New York first—they have financial problems—we have seen Philadelphia and Mayor Rizzo—he is next—and, Mr. Speaker, I guarantee that the State of Pennsylvania follows shortly.

I intend to vote "no" on this budget and I intend to vote "no" for the taxes that are bound to come the early part of next year.

Thank you, Mr. Speaker.

MOTION TO MOVE PREVIOUS QUESTION

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

Mr. O'DONNELL. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. The Chair at this time would respectfully ask the gentleman to reconsider his position.

In a bill of this importance and a bill of this consequence, we have never, in my 12 years in the House, limited debate, and I would respectfully ask the gentleman to reconsider.

I can understand the situation, but, gentlemen, it is a bad precedent to set. I would ask the gentleman if he would withdraw, please.

MOTION TO MOVE PREVIOUS QUESTION WITHDRAWN

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

Mr. O'DONNELL. I will withdraw the motion.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. PANCOAST. Mr. Speaker, I had the opportunity over the weekend to examine the budget more closely than I had previously and I am even more concerned at the present time about the fiscal impact on the local taxpayer in supporting his public school system under the provisions of this budget.

The Conference Committee report is for \$6,750 million less than the Governor's request for basic instructional subsidy. The Governor's budget request was for less than the present fiscal year's appropriation, and the present fiscal year's appropriation was for less than last year's appropriation. We could add \$50 million to the Governor's request or almost \$57 million to this conference committee report and education would still not receive the same share of the budget next year as during the current year. Since over 75 percent of all local revenues for school purposes come from real estate taxes, this budget is bad news for property owners throughout the Commonwealth of Pennsylvania. I urge a vote against this proposal.

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

Mr. ZEARFOSS. Mr. Speaker, I wonder if Mr. Wojdak is willing to consent to a little more interrogation this evening?

Mr. WOJDAK. Yes, Mr. Speaker.

Mr. ZEARFOSS. Mr. Speaker, I noted, referring to the printout on page 13, under State Employee's Retirement Board, there is no figure indicated in the budget at any point for contributions for the employers share to the retirement board, presumably for state employee pensions. Is there money appropriated elsewhere in the budget to fund the current obligations of the state under the state Employees Retirement system.

Mr. WOJDAK. Mr. Speaker, I assume the gentleman is referring to sequence No. 360. Is that correct?

Mr. ZEARFOSS. 360 and 363.

Mr. WOJDAK. That money is provided in each of the agency's budgets. As I indicated to you, I guess last week, when you look at the general government's operations portion of each department, the money for that particular line is included in the general government's operations of each department.

Mr. ZEARFOSS. Does that carry through then to the legislative department and for the Senators and the Representatives? You will recall last week when we were discussing the budget, we indicated, or it was determined, that Senators were getting a figure that amounted to about \$28,000 per year per Senator and the House members got \$21,000 per year per House member. Is the money necessary, the State share, for funding our pension included in those figures?

Mr. WOJDAK. Yes, it is, Mr. Speaker.

Mr. ZEARFOSS. It certainly would not indicate that the Senators are getting a higher pension contribution than the House members, would it?

Mr. WOJDAK. No; I do not think you can reach that conclusion.

Mr. ZEARFOSS. Did we ever determine from last week's discussion what the difference was other than the

fact that it is \$7,000 difference between each Senator and each House member? Where is the difference being spent? What is the difference there?

Mr. WOJDAK. There are various contributions being made by the Senators. I do not know what the particular percentage is, but there is apparently need, based on its membership and prior membership, for a higher individual rate.

Mr. ZEARFOSS. Well, I must confess, I do not understand the answer but I do not think I am going to get a better one. Thank you, Mr. Wojdak.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell. For what purpose does the gentleman rise?

Mr. O'DONNELL. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'DONNELL. Mr. Speaker, what is the impact of Rule 15 on these proceedings?

The SPEAKER pro tempore. The effect of rule 15 on these proceedings is to the effect that this House normally would adjourn at 11 p.m., unless by a roll-call vote of the majority members of this House the rules are suspended.

Since it is almost the hour of 11 o'clock, the Chair would entertain a motion to suspend the rules.

RULES SUSPENDED

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

Mr. CAPUTO. I move that the House suspend the rules.

The SPEAKER pro tempore. The roll-call vote indicated by rule 15 will now be taken.

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, what is the motion?

The SPEAKER pro tempore. The members will understand that a vote "aye" indicates that we will suspend the rules and continue to vote. On a "no" vote the rules will not be suspended.

On the question,

Will the House agree to the motion?

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

YEAS—102

Abraham	Gallagher	McIntyre	Rieger
Arthurs	Geisler	McLane	Ritter
Barber	George	Menhorn	Ross
Bellomint	Giammarco	Milanovich	Ruggiero
Bennett	Gillette	Miller, M. E.	Saloom
Berlin	Gleeson	Miller, M. E., Jr.	Schmitt
Berson	Goodman	Milliron	Schweder
Bonetto	Green	Miscevich	Shane
Bradley	Greenfield	Morris	Shelton
Brunner	Grieco	Mrkonic	Shuman
Caputo	Haskell	Mullen, M. P.	Shupnik
Cimmi	Hayes, D. S.	Mullen	Stout
Cohen	Hutchinson, A.	Musto	Taylor
Cole	Irvis	Myers	Toll
Cowell	Johnson, J.	Novak	Trello
Cumberland	Kelly, A. P.	O'Brien	Valicenti
DeMedio	Kernick	Oliver	Walsh, T. P.
Dicarlo	Kolter	Perry	Wansacz
DiDonato	Kowalyszyn	Petrarca	Wargo
Dombrowski	LaMarca	Pievsky	Wojdak
Dreibelbis	Laudadio	Pratt	Yahner
Eckensberger	Laughlin	Prendergast	Zeller

Englehart	Letterman	Rappaport	Zwilk
Fee	Lincoln	Ravenstahl	
Fischer	Manderino	Reed	Fineman,
Flaherty	McCall	Renwick	Speaker

NAYS—81

Anderson, J. H.	Gillespie	McClatchy	Sirianni
Beren	Gleason	McCue	Smith, E.
Bittle	Gring	Mebus	Smith, L.
Brandt	Halverson	Moehlmann	Spencer
Burns	Hamilton, J. H.	Noye	Stahl
Butera	Hasay	O'Connell	Stapleton
Cessar	Hayes, S. E.	O'Donnell	Taddonio
Crawford	Hepford	O'Keefe	Thomas
Davies	Hill	Pancoast	Turner
Deverter	Hopkins	Parker, H. S.	Ustynoski
Dietz	Itkin	Perri	Vroon
Dorr	Katz	Pitts	Wagner
Doyle	Kistler	Polite	Westerberg
Fawcett	Klingaman	Pyles	Whelan
Fisher	Knepper	Renninger	Wilson
Foster, A.	Kusse	Ryan	Wilt, R. W.
Foster, W.	Lehr	Salvatore	Wilt, W. W.
Fryer	Levi	Scheaffer	Worrilow
Gallen	Lynch	Scirica	Yohn
Garzia	Manmiller	Seltzer	Zearfoss
Geasey			

NOT VOTING—13

Dininni	Lederer	Rhodes	Weidner
Hammock	McGinnis	Richardson	Wright
Hutchinson, W.	McGraw	Sheihamer	Zord
Kelly, J. B.			

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

On the question recurring,
Will the House adopt the report of the Committee of Conference?

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

Mr. BUTERA. Mr. Speaker, will the gentleman, Mr. Wojdak, consent to interrogation?

The SPEAKER pro tempore. The gentleman indicates he will. You may proceed, Mr. Butera.

Mr. BUTERA. Mr. Speaker, I would like to ask a series of short questions of Mr. Wojdak and I would like to refer to the House version in my remarks as the version of Senate bill No. 1381 which was amended by the Appropriations Committee and which was debated on this floor last week. When I refer to House version, that is what I am referring to.

Mr. Speaker, could the gentleman please advise the House what provisions are made for public assistance in the conference committee report? Is it the House version or the Senate version of Senate bill No. 1381?

Mr. WOJDAK. It is the House version.

Mr. BUTERA. And how about medical assistance?

Mr. WOJDAK. The House version.

Mr. BUTERA. Mr. Speaker, can the gentleman state whether, in his opinion, the funding at these levels will see us through the fiscal year in these two areas?

Mr. WOJDAK. In my opinion, they will, Mr. Speaker.

Mr. BUTERA. In public education, Mr. Speaker, was the House version used or was the Senate version used in Senate bill No. 1381?

Mr. WOJDAK. The House version, Mr. Speaker.

Mr. BUTERA. And, in the gentleman's opinion, is this sufficient to fund the Commonwealth for the balance of the year?

Mr. WOJDAK. Mr. Speaker, that question has been raised about 14 different times here in 14 different ways. It is a mathematical calculation. The school districts

will get every cent of the money they are entitled to based on the WADAM Formula.

Mr. BUTERA. Does the gentleman anticipate any additional requests of need from any particular school districts for the balance of the fiscal year or is this the budget in education?

Mr. WOJDAK. Based on the present formula, there would be no additional requests.

Mr. BUTERA. Does the gentleman anticipate any additional requests from the city of Philadelphia school district?

Mr. WOJDAK. Under the present WADAM Formula (Weighted Average Daily Attendance Membership), I do not.

Mr. BUTERA. How would the gentleman react if tomorrow the Philadelphia school district came to this legislature and asked for additional funding?

Mr. WOJDAK. I would probably collapse.

Mr. BUTERA. Are you prepared in the passage of this budget to say that this is the final budget in the area of public education to anyone who requests additional funds?

Mr. WOJDAK. At this date, it is the general appropriations budget. I cannot look into the future, if that is what you are asking me to do.

Mr. BUTERA. What would be your inclination today?

The SPEAKER pro tempore. The Chair does not feel that the inclinations of the gentleman are in order. Now, I think we are going just a little too far astray in the debate. If you want to stick to the bill, let us question the gentleman about his bill and, if Mr. Wojdak has any inclinations, he may so state them when he has the floor. But I think the proper questioning area is with questions that you ask for sources of information which will help you to determine whether or not you are going to vote for this bill.

Mr. BUTERA. Mr. Speaker, I understand that ruling of the Chair. I normally support it, but even you have to recognize that we are dealing with an unusual situation surrounding this bill. We have a bill in front of us that virtually no one really fully understands, and I am just attempting to get at fears that many people have expressed on this side and the other side regarding future appropriations for fiscal years 1976-77.

Now, your answer to that was that you do not want to answer the question? The question regarding additional requests from the city of Philadelphia? Just say you do not want to answer it if you do not want to answer it. I will not pursue it.

Mr. WOJDAK. Do you want to repeat the question, Mr. Butera?

Mr. BUTERA. Should the city of Philadelphia come to this legislature and ask for additional funds, is it your intention at this point to support that kind of a request?

Mr. WOJDAK. I cannot possibly answer that question in any definitive manner, Mr. Butera.

The SPEAKER pro tempore. Will the gentleman, Mr. Wojdak, yield?

Mr. BUTERA. Do you know at this time?

The SPEAKER pro tempore. Mr. Butera, will you yield, please?

Now the Chair has ruled that that is not a pertinent question and I prefer that you proceed with other questioning. I am so ruling.

Mr. BUTERA. Mr. Speaker, do you have any information, as the Appropriations Committee chairman, that such

a request from the city of Philadelphia school district will be made of your committee and of this House?

The SPEAKER pro tempore. Will the gentleman yield?

That question is an adroitly rephrased exact simile of what you asked and what the Chair ruled on.

Mr. BUTERA. Mr. Speaker, I submit that it is not.

The SPEAKER pro tempore. I will rule again. The question is not pertinent. You will please ask another.

Mr. BUTERA. Mr. Speaker, I understand what you are driving at regarding speculative questions. Now I am asking for fact and I think it is very apropos of this particular bill. This question has been raised in many different ways throughout the debate of the budget during the past week, and if the gentleman, as the chairman of the Appropriations Committee, knows of any requests to be made, I think he has an obligation to tell us. I do not think it has anything to do with speculation. If he does not have any inclination, he says "no."

The SPEAKER pro tempore. Then do I understand your question presently is, Does the gentleman have information that a request will be submitted?

Mr. BUTERA. Well, that is what I just asked.

The SPEAKER pro tempore. No, that is not what you just asked. You just asked it now. The gentleman may answer that question.

Mr. BUTERA. Mr. Speaker, the question I just asked after you admonished me on the speculative question was, Do you, as the Appropriations Committee chairman, know whether any request is going to be made of you or of this House for additional funds for the Philadelphia school district? And I think we deserve an answer to that.

The SPEAKER pro tempore. You may answer that, Mr. Wojdak.

Mr. WOJDAK. No specific requests have been made of me, Mr. Speaker, at this time.

Mr. BUTERA. Fine. It is so simple.

Mr. WOJDAK. At this time.

Mr. BUTERA. That is all you can answer.

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, should not the Speaker be acting a little bit more like a Speaker instead of like a judge and we could get on with the debate?

The SPEAKER pro tempore. The Chair thanks the gentleman for his observation which was non-too-astute.

The minority leader may proceed.

Mr. BUTERA. Mr. Speaker, will the gentleman advise concerning the appropriation to special education whether the House version or the Senate version of Senate bill No. 1381 is utilized in this conference report? They may be identical.

Mr. WOJDAK. As I recall, the House version and the Senate version were both the same.

Mr. BUTERA. Then it is your opinion that this will be adequate to fund special education for the whole fiscal year of 1976-77?

Mr. WOJDAK. Mr. Butera, so that I can respond to

your follow-up question on each initial inquiry, I am convinced that everything in this budget is sufficient to fund the agencies and the various grants and subsidies so that we can do away with the second question.

Mr. BUTERA. Mr. Speaker, on the various areas in this conference report, PIDA—Pennsylvania Industrial Development Authority—job-training, et cetera, which are governmental programs seeking the stimulation and creation of jobs in the private sector, is it your opinion that these amounts are adequate for the Commonwealth to engage in aggressive programs of helping to bolster our sagging economy?

Mr. WOJDAK. Yes, Mr. Speaker.

Mr. BUTERA. Mr. Speaker, in the area of mental health, was there a difference between the Senate and the House versions in the funding of state hospitals?

Mr. WOJDAK. Yes, but I would have to look at the particular item. Do you have the particular item number there, Mr. Butera?

Mr. BUTERA. No. I am talking about the mental hospitals.

Mr. WOJDAK. Are you talking about the MH-MR institutions?

Mr. BUTERA. Yes.

Mr. WOJDAK. The conference committee report had added \$2 million to the House version.

Mr. BUTERA. In the area of Community Mental Health Treatment Centers, are we dealing with the Senate or the House version?

Mr. WOJDAK. Mr. Speaker, as I look at the computer sheet, they appear to me to be all the same, the Senate and the House versions.

Mr. BUTERA. In an area of mass transportation, Mr. Speaker, can the gentleman advise whether there has been any change over the House version in that area?

Mr. WOJDAK. No, there has not been, Mr. Butera.

Mr. BUTERA. And as I take it, that amount is the same amount which is appropriated during the present fiscal year?

Mr. WOJDAK. Yes, Mr. Speaker.

Mr. BUTERA. Is it the gentleman's opinion that that will be sufficient to fund whatever deficits there may be in the various mass transit authorities around the state?

Mr. WOJDAK. Mr. Speaker, in response to that question, it is my opinion that all of the items in here are sufficient to fund the various programs, particular items, consistent with our ability and revenues.

Mr. BUTERA. Mr. Speaker, could the gentleman advise whether there is anything in this conference report which I shall refer to as new items, and by definition of new items I mean items which were not included in the House version of Senate bill No. 1381 other than the four mentioned by Mr. Gallen, which include the three projects in Allentown and one project in Penn Hills, Allegheny County? Are there any other items in this conference report which were not in the House version of the Senate bill No. 1381?

Mr. WOJDAK. No. Those are the only four new items, or the only new items and they total four.

Mr. BUTERA. Can the gentleman advise this House, as chairman of the Appropriations Committee, that it is his opinion today that he can foresee no unmet needs not covered by this budget that will arise later on in this fiscal year?

Let me rephrase that. Can the gentleman give us

whatever degree of assurance he cares to that there will not be, later in the fiscal year of 1976-77, requests by various groups, agencies, departments, and other funded programs that we have failed to meet the needs of these most needed institutions?

Mr. WOJDAK. Mr. Speaker, we have met, in our judgment, the needs for the agencies in the various programs, the various grants and various subsidies. I cannot forecast that an emergency would not arise. I am sure there will be requests. Based on the information we have and the reasonable projections that we can make at this point, in my judgment all of those needs will be filled by this bill.

On the question recurring, Will the House adopt the report of the Committee of Conference?

(Members proceeded to vote.)

VOTES CHALLENGED

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

Mr. STAHL. Mr. Speaker, is it not a rule of the House that the members in their seats must be voted?

The SPEAKER pro tempore. The gentleman has stated the rule correctly.

Mr. STAHL. Mr. Laughlin has not voted.

The SPEAKER pro tempore. The gentleman, I take it, is in the hall of the House but the Chair fails to see a vote.

Will the gentleman, Mr. Stout, vote please?

The Chair will remind the gentleman that all members seated will vote.

Have all the members voted?

On the question recurring,

Will the House adopt the report of the Committee of Conference?

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

YEAS—98

Table listing names of members who voted 'YEAS' in two columns.

NAYS—84

Table listing names of members who voted 'NAYS' in two columns.

Table listing names of members who did not vote in two columns.

NOT VOTING—14

Table listing names of members who did not vote in two columns.

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT

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

Mr. IRVIS. Mr. Speaker, I would urge the members to remain in their seats. There are additional votes to be taken. They will go quickly. They will not be debated but they are bills which have been promised and must be delivered today. There is a time limit on one of them.

We will not be here tomorrow, so I would ask the members to be patient a little bit longer so we may get these two votes out of the way.

MINES AND ENERGY MANAGEMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1643, printer's No. 2919, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

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

- List of amendments including: Amend Sec. 3, page 4, line 5, by inserting after "3.": Regulations for Training and Certification; Amend Sec. 5, page 4, line 27, by striking out "SERVICE ATTENDANTS" and inserting: technicians; Amend Sec. 6, page 5, line 4, by striking out "SERVICE ATTENDANTS" and inserting: technicians; Amend Sec. 7, page 5, line 9, by striking out "SERVICE ATTENDANT" and inserting: technician; Amend Sec. 9, page 5, line 23, by inserting after "9.": Regulations for Operational Provisions; Amend Sec. 10, page 5, line 26, by inserting after "10.": Effective Date.

On the question,

Will the House agree to the amendments?

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

Mr. TAYLOR. These amendments are technical in na-

ture. All they are doing is just carrying over the words that were inadvertently left out to changes by the Legislative Reference Bureau when they redrafted the legislation. They are technical in nature by inserting "technician" where "service attendant" was. That is all there is to those amendments.

Mr. Speaker, I would like to submit my remarks for the record.

The SPEAKER pro tempore. The Chair thanks the gentleman. The gentleman will send his remarks to the desk.

Mr. TAYLOR submitted the following remarks for the Legislative Journal:

I come before you tonight to ask your support for this legislation which is so desperately needed to protect the lives of persons working in the coal mining industries in our Commonwealth.

Pennsylvania for many years was known as King of coal. Pennsylvania also is famous for its enactment of good mining laws throughout the United States. Here tonight we can once again become the leader in the Nation by showing the way with this landmark piece of legislation dealing with the saving of lives of injured miners in the performance of duty.

This legislation has the support of the Department of Environmental Resources, the Health Department, the unions, and industry.

The thrust of this legislation, as I have said before, has one goal in mind, and that is, saving lives.

With that, Mr. Speaker, I ask you for your affirmative vote so that we may move forward in this field.

Thank you, Mr. Speaker.

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

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—183

Abraham	Giammarco	McCue	Saloom
Anderson, J. H.	Gillespie	McIntyre	Salvatore
Arthurs	Gillette	McLane	Scheaffer
Barber	Gleason	Mebus	Schmitt
Bellomini	Gleason	Menhorn	Schweder
Bennett	Goodman	Milanovich	Scitica
Beren	Green	Miller, M. E.	Seltzer
Berlin	Greenfield	Miller, M. E., Jr.	Shane
Berson	Grieco	Milliron	Shelton
Bittle	Gring	Miscevich	Shuman
Bonetto	Halverson	Moehlmann	Shupnik
Bradley	Hamilton, J. H.	Morris	Sirianni
Brandt	Hammock	Mrkonje	Smith, E.
Brunner	Hasay	Mullen, M. P.	Smith, L.
Burns	Haskell	Mullen	Spencer
Butera	Hayes, D. S.	Musto	Stahl
Caputo	Hayes, S. E.	Myers	Stapleton
Cessar	Hepford	Novak	Stout
Cimini	Hill	Noye	Taddonio
Cole	Hopkins	O'Brien	Taylor

Cowell	Hutchinson, A.	O'Connell	Thomas
Crawford	Irvis	O'Donnell	Toll
Cumberland	Itkin	O'Keefe	Trello
Davies	Johnson, J.	Oliver	Turner
DeMedio	Katz	Pancoast	Ustynoski
Deverter	Kelly, A. P.	Parker, H. S.	Valcenti
Dicarlo	Kernick	Perrri	Wagner
Dietz	Kistler	Perry	Walsh, T. P.
Dombrowski	Klingaman	Petrarca	Wansacz
Dorr	Knepper	Plevsky	Wargo
Doyle	Kolter	Pitts	Weidner
Dreihelbis	Kowalyszyn	Polite	Westerberg
Eckensberger	Kusse	Pratt	Whelan
Engelhart	LaMarca	Prendergast	Wilson
Fee	Laudadio	Pyles	Wilt, R. W.
Fischer	Laughlin	Rappaport	Wilt, W. W.
Fisher	Lederer	Ravenstahl	Wojdak
Flaherty	Lehr	Reed	Worrlow
Foster, A.	Letterman	Renninger	Yahner
Foster, W.	Levi	Renwick	Yohn
Fryer	Lincoln	Rhodes	Zearfoss
Gallagher	Lynch	Rieger	Zeller
Gallen	Manderino	Ritter	Zwki
Garzia	Manmiller	Ross	
Geeacy	McCall	Ruggiero	Fineman,
Geisler	McClatchy	Ryan	Speaker

NAYS—0

NOT VOTING—13

Cohen	Hutchinson, W.	McGraw	Vroon
DiDonato	Kelly, J. B.	Richardson	Wright
Dininni	McGinnis	Shelhamer	Zord
Fawcett			

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.

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of Senate bill No. 1153, printer's No. 1696, entitled:

An Act amending the act of December 30, 1974 (P. L. 1105, No. 356), entitled "A supplement to the act of February 6, 1974 (P. L. 80, No. 17), entitled 'An act providing for the capital budget for the fiscal year 1973-1974,' itemizing public improvement projects to be acquired or constructed by The General State Authority together with their estimated financial cost; . . .," further defining the appropriation to a certain resource center and adding a project.

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

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

The question is, Shall the bill pass finally?

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

YEAS—183

Abraham	George	McCue	Saloom
Anderson, J. H.	Giammarco	McIntyre	Salvatore
Arthurs	Gillespie	McLane	Scheaffer
Bellomini	Gillette	Mebus	Schmitt
Bennett	Gleason	Menhorn	Schweder
Beren	Gleason	Milanovich	Scitica
Berlin	Goodman	Miller, M. E.	Seltzer
Berson	Green	Miller, M. E., Jr.	Shane
Bittle	Greenfield	Milliron	Shelton
Bonetto	Grieco	Miscevich	Shuman

Bradley	Gring	Moehlmann	Shupnik
Brandt	Halverson	Morris	Sirianni
Brunner	Hamilton, J. H.	Mrkonic	Smith, E.
Burns	Hammock	Mullen, M. P.	Smith, L.
Butera	Haskell	Mullen	Spencer
Caputo	Hayes, D. S.	Musto	Stahl
Cassar	Hayes, S. E.	Myers	Stapleton
Cimini	Hepford	Novak	Stout
Cohen	Hill	Noye	Taddonio
Cole	Hopkins	O'Brien	Taylor
Cowell	Hutchinson, A.	O'Connell	Thomas
Cumberland	Irvis	O'Donnell	Toll
Davies	Itkin	O'Keefe	Trello
DeMedio	Johnson, J.	Oliver	Turner
Deverter	Katz	Pancoast	Ustynoski
Dicarlo	Kelly, A. P.	Parker, H. S.	Valicenti
DiDonato	Kernick	Perri	Wagner
Dietz	Kistler	Perry	Walsh, T. P.
Dombrowski	Klingaman	Petrarca	Wansacz
Dorr	Knepper	Pievsky	Wargo
Doyle	Kolter	Pitts	Weidner
Dreibelbs	Kowalshyn	Polite	Westerberg
Eckensberger	Kusse	Pratt	Whelan
Englehart	LaMarca	Prendergast	Wilson
Fawcett	Laudadio	Pyles	Wilt, R. W.
Fee	Laughlin	Rappaport	Wilt, W. W.
Fischer	Lederer	Ravenstahl	Wojdak
Fisher	Lehr	Reed	WorriLOW
Flaherty	Letterman	Renninger	Yahner
Foster, A.	Levi	Renwick	Yohn
Foster, W.	Lincoln	Rhodes	Zearfoss
Fryer	Lynch	Rieger	Zeller
Gallagher	Manderino	Ritter	Zwikl
Gallen	Manmiller	Ross	
Garza	McCall	Ruggiero	Fineman,
Geesey	McClatchy	Ryan	Speaker
Geisler			

NAYS—2

Crawford Hasay

NOT VOTING—11

Barber	Kelly, J. B.	Richardson	Wright
Dinnin	McGinnis	Shelhamer	Zord
Hutchinson, W.	McGraw	Vroon	

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.

JUDICIARY BILL ON THIRD CONSIDERATION

Agreeable to order,

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

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 729 be recommitted to the Committee on Judiciary.

Motion was agreed to.

SPEAKER PRO TEMPORE EMPOWERED TO SIGN BILLS

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

Mr. MANDERINO. Mr. Speaker, I move that the House empower the Speaker pro tempore appointed by our Speaker, who will act during this week, to sign bills coming to us from the Senate. I understand there are several bills the Senate has passed that have to be signed in the presence of the House. We intend to keep the desk open for those bills so that they can be signed. We would like the House to empower the Speaker to let the temporary Speaker sign the bills.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RECONSIDERATION OF VOTE ON CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 568

Mr. IRVIS moved that the vote by which the report of the Committee of Conference on House bill No. 568 was defeated on this day 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 adopt the report of the Committee of Conference?

REPORT OF COMMITTEE OF CONFERENCE PLACED ON CALENDAR

Mr. IRVIS moved that the report of the Committee of Conference on House bill No. 568 be placed on the calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 894, printer's No. 1017**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1579, printer's No. 2986**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1592, printer's No. 1937**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), authorizing State associations of county detectives and authorizing payments by the county pertaining to their annual meetings.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1724, printer's No. 2170**, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158, No. 401), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth," providing a fee for attendance at hearings.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1804, printer's No. 2307**, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), authorizing taxing authorities to exempt certain types of land.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2060, printer's No. 2852**, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), prescribing further criteria and standards for the setting of rates; and permitting the implementation of lifeline rates.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2170, printer's No. 2954**, entitled:

An Act regulating contracts for health spa services and membership and prescribing remedies and penalties.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2171, printer's No. 2853**, entitled:

An Act regulating contracts for future personal services and prescribing penalties.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2172, printer's No. 2836**, entitled:

An Act creating and establishing the Legislative Office for Research Liaison; providing for its functions and duties; and creating the Legislative Committee for Re-

search Liaison and the University Committee for Research Liaison; providing for the membership of each such committee, prescribing the powers, functions and duties of each such committee and making an appropriation.

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

Ordered, to be transcribed for third consideration.

HOUSE RESOLUTION No. 91 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 191, printer's No. 2627**, entitled:

Directing Joint State Government Commission to investigate the law and procedures relating to the operation of condominiums.

On the question,

Will the House adopt the resolution?

Resolution was adopted.

BILLS AND DISCHARGE RESOLUTIONS NOT CALLED UP

The **SPEAKER**. Remaining bills and discharge resolution on today's calendar are not called up.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 925

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," increasing the penalty for hunting without a nonresident hunter's license.

HOUSE BILL No. 926

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further regulating the issuance of special permits and providing a penalty.

HOUSE BILL No. 927

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further restricting the selling of raccoon.

HOUSE BILL No. 1971

An Act amending the act of December 5, 1936 (2nd Sp. Sess. 1937, P. L. 2897, No. 1), entitled "Unemployment Compensation Law," changing the period required for certain decisions to become final.

HOUSE BILL No. 2188

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.

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

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. THOMAS, R. W. WILT, PITTS, HASKELL,
A. K. HUTCHINSON, KOLTER, PETRARCA,
RENWICK, YAHNER, MUSTO, DeVERTER, L. E.
SMITH, DORR, McCLATCHY, VROON,
HALVERSON, WAGNER, KUSSE and W. W.
WILT

RESOLUTION No. 242

The Transportation Commission, update the 1965 study of the Automotive Safety Foundation, or conduct an entirely new study if necessary.

Referred to Committee on Rules.

SENATE MESSAGE BILLS FOR CONCURRENCE

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

SENATE BILL No. 848

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Transportation, to sell and convey to Urban Community Alternatives certain lots or pieces of ground together with buildings and improvements thereon situate in the City of Philadelphia.

Referred to Committee on Urban Affairs.

SENATE BILL No. 849

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Transportation, to sell and convey to Queen Village Community Fund of Historic Philadelphia a certain tract of land together with improvements thereon situate in the City of Philadelphia.

Referred to Committee on Urban Affairs.

SENATE BILL No. 1208

An Act amending the act of May 21, 1931 (P. L. 149, No. 105), entitled, as amended, "The Liquid Fuels Tax Act," providing for a rebate of the tax paid under certain conditions.

Referred to Committee on Transportation.

SENATE BILL No. 1267

An Act amending the act of December 5, 1936 (2nd Sp. Sess. 1937, P. L. 2897, No. 1), entitled "Unemployment Compensation Law," providing for a movable base year; eliminating the word "private" from certain pension plans; providing for a percentage of benefits to be charged against certain employers; reducing the amount of certain bonds and making editorial corrections.

Referred to Committee on Labor Relations.

SENATE BILL No. 1330

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of one thousand nine hundred and twenty-one," further providing for examination of insurance companies.

Referred to Committee on Consumer Protection.

HOUSE BILLS SIGNED BY SPEAKER PRO TEMPORE

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

HOUSE BILL No. 925

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the penalty for hunting without a nonresident hunter's license.

HOUSE BILL No. 926

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further regulating the issuance of special permits and providing a penalty.

HOUSE BILL No. 927

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further restricting the selling of raccoon.

HOUSE BILL No. 1971

An Act amending the act of December 5, 1936 (2nd Sp. Sess. 1937, P. L. 2897, No. 1), entitled "Unemployment Compensation Law," changing the period required for certain decisions to become final.

HOUSE BILL No. 2154

An Act amending the act of January 10, 1968 (1967, P. L. 925, No. 417), entitled "Legislative Officers and Employees Law," further providing for a cost-of-living increase.

HOUSE BILL No. 2188

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.

Whereupon,

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

HOUSE BILL INTRODUCED AND REFERRED TO COMMITTEE

By Messrs. GLEASON and BUTERA

HOUSE BILL No. 2328

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the powers and duties of the Department of Justice in certain criminal cases involving Commonwealth officials and employees.

Referred to Committee on Judiciary.

WELCOMES

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House today members of the Gettysburg Area Chamber of Commerce. They are the guests of the gentleman from Adams, Mr. Cole.

The Chair is pleased to welcome Mr. Dave Summers and Mr. Bill Sesler of Altoona, who are here as the guests of the gentleman from Blair, Mr. Milliron.

FORMER MEMBER WELCOMED

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

Mr. BUTERA. Mr. Speaker, there is another former member in our midst who is forever complaining that he

never gets recognized when he walks in here and I think that you ought to do that for him.

The SPEAKER pro tempore. Are you referring to the gentleman who made that sterling speech?

Mr. BUTERA. Oh, yes.

The SPEAKER pro tempore. The Chair is very happy to recognize the gentleman, Mr. Gerald Kaufman, a former and, indeed, a very distinguished member of this House.

He is still so much a part of the family that we do not accept him as a guest.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is pleased to recognize a former member of this House, a distinguished legislator from Carbon County, the gentleman, Mr. Joseph Semanoff.

WELCOMES

The SPEAKER pro tempore. The Chair is pleased to welcome Mr. Nicholas Gimble, a professor and lecturer at Pennsylvania State University. The gentleman is here as the guest of the gentleman from Luzerne, Mr. Ustynoski.

The Chair is pleased to welcome to the House, students of the Hill School in Pottstown, Pennsylvania, along with Mr. Thomas G. Ruth. These students and Mr. Ruth are the guests of the gentleman from Montgomery, Mr. Yohn.

The Chair is pleased to welcome a group of Mifflintown Girl Scouts from Mifflintown, Pennsylvania, in Juniata County, along with their advisor, Mrs. Carleen Hack, who are here as the guests of the gentleman, Mr. Noye.

The Chair is pleased to welcome the members of the Chamber of Commerce from Adams County who are here as the guests of the gentleman, Mr. Cole.

In addition, there is a group of sixth grade students from Edison Elementary School in Altoona, Pennsylvania and their teachers are Mr. Daniel D. Sabato and James

Chesney. These people are here as the guests of the gentleman, Mr. Milliron.

RESOLUTION TO BE INTRODUCED

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

Mr. GEESEY. Mr. Speaker, in this evening's Philadelphia Bulletin there was an article with the caption, and I quote: "Lobbyist Paid Three in House."

The subcaption indicates, and again quoting: "Passes Out Checks After Favorable Vote," and it indicates rather clearly in that subcaption that members of this body were paid as a result of voting "yes" on a chiropractor's bill.

I quite frankly question whether or not that, indeed, happened. I think that the way it is worded impugns the integrity of every member of this House, particularly those who felt strongly about the bill and did indeed vote in favor of that legislation because they were convinced it was good legislation.

To my way of thinking this matter has to be checked into. I have prepared a resolution calling for a special committee to be set up by the House to investigate this very problem. In the event that the leadership of this House were to disagree with the approach that I have taken in respect to this investigation, I would sincerely hope that they would pursue the avenues that they deem best in ferreting out the truth of the matter and let the truth be known.

Thank you, Mr. Speaker.

ADJOURNMENT

Mr. DiDONATO moved that this House do now adjourn until Wednesday, April 7, 1976, at 10 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 11:38 p.m., e.s.t.) the House adjourned.