

Legislative Journal

TUESDAY, MAY 11, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 127

HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

THE SPEAKER PRO TEMPORE (John P. Milliron) 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:

Almighty and Everlasting God, keep us under the protection of Thine almighty power, teach us the truth of Thy word in all of the affairs of life, and inspire us to produce in our daily lives the kind of deeds which will bring glory and honor to Thee. O God, reach out to these workmen of Thine in the anxious moments they face, and calm the storms which threaten to unnerve and undo the progressive steps already taken; and through the efforts of Thy intervention and indwelling spirit, enable them to exhibit a faith and determination which will lift them to great heights and accomplishments. In Thy name, we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Monday, May 10, 1976, will be postponed until printed.

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 217

An Act exempting the owner of certain agricultural land from the payment of assessments for municipal improvements during the period of time that the owner does not use the services provided by the improvements or until there is a change in the use of land.

HOUSE BILL No. 605

Amending the act of March 16, 1970 (P. L. 180, No. 69), entitled "An act relating to State taxation; changing the manner in which tentative and annual taxes are to be paid; providing a penalty in certain cases; and making a repealer," further providing for a revision in the method of reporting for additional tax and interest, for the underpayment of annual and quarterly taxes, for removing additional tax, for understatement and for the quarterly reporting and payment of the tentative corporate net income tax and corporation income tax.

HOUSE BILL No. 969

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further regulating damage done by hunters.

HOUSE BILL No. 1490

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

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 pro tempore. The bills will appear on the calendar.

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. 499

An Act authorizing the Department of Property and Supplies, with approval of the Governor and the Secretary of Transportation, to sell and convey certain lots or tracts of ground with improvements thereon situate in the Borough of Tarentum, Allegheny County.

HOUSE BILL No. 1104

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), entitled "The Controlled Substance, Drug, Device and Cosmetic Act," changing a reference from drug abuser to drug dependent person.

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. CAPUTO and WARGO

HOUSE BILL No. 2350

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, approved November 25, 1970 (P. L. 707, No. 230), providing for certain creditable State previous service for enforcement officers.

Referred to Committee on State Government.

By Mr. DiCARLO

HOUSE BILL No. 2351

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing the reimbursement by the Commonwealth to school districts for the employment of dental hygienists.

Referred to Committee on Education.

By Messrs. CAPUTO, GEISLER and FLAHERTY
HOUSE BILL No. 2352

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), changing the superannuation retirement age and years of service for prison guards and matrons at jails, workhouses and prisons.

Referred to Committee on Local Government.

**THE SPEAKER PRO TEMPORE
(Harry A. Englehart, Jr.) IN THE CHAIR**

WELCOME

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

Mr. RITTER. Mr. Speaker, we have some very special guests today as the guests of the Lehigh County delegation—the State Championship Girls' Basketball Team, P.I.A.A., Class AAA.

Mr. Speaker, this is the first time in history that a girls' team has won consecutive state championships, and I have a citation for the Louis E. Dieruff High School Girls' Basketball Championship Team. If the clerk would read it, Mr. Speaker, we have one of the young ladies who will accept the citation.

The clerk read the following citation:

**COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES**

WHEREAS, The Girls Basketball Team of Louis E. Dieruff High School in Allentown, has won a second consecutive Girls State Championship on March 27, 1976, by defeating previously unbeaten Bradford High School fifty-three to forty-two; and

WHEREAS, This marks the first time any girls team in Pennsylvania has ever won the PIAA Girls State Championship two years in a row; and

WHEREAS, This State Championship was again the result of exceptional teamwork, desire, ability and coaching that combined, represents the true essence of high school athletics; and

WHEREAS, This achievement brings great credit to all the team members, their parents, coaches, student body, the Louis E. Dieruff High School administrators and faculty and brings further honor to Allentown, the All-American city.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its heartiest congratulations to the Girls Basketball Team of Dieruff High School on winning their second consecutive PIAA Girls Basketball State Championship; and further directs that a copy of this citation be delivered to Mr. Bruce Clymer, Principal, Louis E. Dieruff High School, Allentown, Pennsylvania.

**JAMES P. RITTER
KURT ZWIKL**

CITATION PRESENTED

The SPEAKER pro tempore. Will Miss Patti Sikorski please come to the rostrum to accept the citation on behalf of her team?

Mr. RITTER. Mr. Speaker, while the young lady is coming up to the rostrum, may I also point out that Miss Sikorski has just been named to the all-American High School Girls' Basketball Team.

The SPEAKER pro tempore. It is my pleasure to introduce the all-American from this team, Miss Patti Sikorski.

REMARKS BY MISS PATTI SIKORSKI

Miss SIKORSKI. On behalf of the Allentown School District, the Louis E. Dieruff High School, and the Girls' Basketball Team, I would like to express our sincere thanks to our Representatives for inviting us to visit with you today. It is an honor to be here, and we have had a very nice time.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Westerberg.

Mr. WESTERBERG. Mr. Speaker, I would like to congratulate all of the members of this team, because they beat a mighty fine team from Bradford, Pennsylvania, which is in my district. So congratulations.

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

Mr. ZELLER. Mr. Speaker, I, likewise, want to congratulate this fine team because they come from Lehigh County. As a matter of fact, they beat out Emmaus, my hometown. Emmaus took third place in the state. So I want to congratulate them, and next year Emmaus will take them over.

Thank you.

**THE SPEAKER (Herbert Fineman)
IN THE CHAIR**

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. Englehart, for temporarily presiding.

PERMISSION TO ADDRESS HOUSE

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

Mr. PYLES. Mr. Speaker, I rise today to ask the membership of the House to pause in their deliberations and to take a few moments to express dismay and sorrow over the disaster which took place in Italy on May 6. On this day an earthquake occurred, and strong shock waves are still being experienced. This incident has taken over 800 lives; 1,300 people were injured; and 25,000 are homeless.

The United States Government has sent approximately \$473,000 of aid to the victims, including tents, food, medical supplies and have provided manpower and supportive equipment from our Armed Forces. A worker in this disaster-stricken area was recently reported as saying that due to our country's and others' generosity they now have enough food and medicine.

What is needed now is our prayers, prayers which ask that this nightmare be swiftly ended, prayers which ask for the protection and healing of the survivors and of the lessening of their sorrows.

I, therefore, ask my colleagues to pause with me for a moment of silence to offer these prayers for the inhabitants of these Italian villages and also to express our sympathy and concern for our Italian-Americans who have relatives in this area.

The SPEAKER. The members will please rise in a moment of observation.

(Members stood in silence.)

Mr. PYLES. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is welcome.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I request leave of absence for Mr. A. K. HUTCHINSON for today's session.

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. Without objection, leave is granted.

MASTER ROLL CALL

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

The roll was taken and was as follows:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Abraham, Anderson, Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimmini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, DeMedio, Deverter, DeWeese, Dicarlio, DiDonato, Dietz, Dininni, Dombrowski, Dorr, Doyle, Dreitelbis, Dumas, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Freind, Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Irvis, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Koiter, Kowalyshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Logue, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, Mochlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnelli, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Perry, Petrarca, Plevsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Ravenstahl, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Ross, Ruggiero, Ryan, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Taddonio, Taylor, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vroon, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Wiggins, Williams, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrlow, Wright, Yohn, Zearfoss, Zeller, Zord, Zwickl, Fineman, Speaker.

NOT VOTING—8

Table listing names of members who did not vote (8 total): Gleason, Hammock, Hutchinson, A., Knepper, McGraw, Rhodes, Walsh, T. P., Yahner.

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

BILL REPORTED FROM COMMITTEE

HOUSE BILL No. 1281 (Amended) By Mr. SHUMAN

An Act amending the act of June 21, 1963 (P. L. 174, No.

104), entitled "An act granting and regulating exemption from payment of real estate taxes by war veterans in need thereof who are blind, paraplegic or have suffered the loss of two or more limbs as a result of military service; ***" extending the exemption to certain widows.

Reported from Committee on Military and Veterans Affairs.

CALENDAR

CONSUMER PROTECTION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2103, printer's No. 2953, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), requiring three affirmative votes prior to utility rate increases and prior to registration of security certificates.

On the question,

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

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

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

YEAS—194

Table listing names of members who voted 'YEAS' (194 total). Includes names like Abraham, Anderson, Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cianciulli, Cimmini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, DeMedio, Deverter, DeWeese, Dicarlio, DiDonato, Dietz, Dininni, Dombrowski, Dorr, Doyle, Dreitelbis, Dumas, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Freind, Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Irvis, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Koiter, Kowalyshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Logue, Lynch, Manderino, Manmiller, McCall, McCall, Gallagher, McClatchy, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, Mochlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnelli, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Perry, Petrarca, Plevsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Ravenstahl, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Ross, Ruggiero, Ryan, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Taddonio, Taylor, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vroon, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Wiggins, Williams, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrlow, Wright, Yohn, Zearfoss, Zeller, Zord, Zwickl, Fineman, Speaker.

NAYS—0

NOT VOTING—9

Gleason
Hammock
Hutchinson, A.

Knepper
McGraw

Rhodes
Saloom

Walsh, T. P.
Yahner

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

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

LAW AND JUSTICE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 153, printer's No. 1692, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," creating the Crime Victim's Compensation Board, prescribing its powers and duties, providing for filing consideration and payments of claims to persons who are victims of crimes, their dependents and survivors, providing for appeals.

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 provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

The SPEAKER. For what purpose does the majority leader rise?

Mr. IRVIS. To apologize to the House, Mr. Speaker. I have two amendments to this bill that I wish to offer.

DECISION OF CHAIR RECONSIDERED

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

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 24 by removing the period after "appeals"

Amend Title, page 1, line 25 by inserting after "[appropriation]": and making an appropriation for payment of certain moral claims.

Amend Bill, page 17 by inserting between lines 9 and 10: Section 4. (a) The sum of \$24,000, or as much thereof as may be necessary, is hereby specifically appropriated to the Department of Justice of the Commonwealth of Pennsylvania for the payment of moral claims against the Commonwealth arising from the imprisonment for approximately 26 years for the alleged commission of a crime.

(b) The sum of \$16,000, or as much thereof as may be necessary, is hereby specifically appropriated to the Department of Justice of the Commonwealth of Pennsylvania for the payment of moral claims against the Commonwealth arising out of a personal injury, including but not limited to, the loss of four fingers, while incarcerated in a State penal institution.

(c) Payment from said appropriation shall be made by

requisition of the Department of Justice of the Commonwealth of Pennsylvania upon proof of claims to the satisfaction of the Department of Justice and the State Treasurer.

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

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, these amendments have been distributed before, but they have not been redistributed. If the members will indulge me, I will read the summation of the amendments and they can let me know whether or not they are willing to accept them.

Mr. Speaker, the first amendment adds to this crime victim's compensation bill, a bill which the House of Representatives passed overwhelmingly on July 24, 1975, if you will recall, and, Mr. Speaker, I regret to say this, but we are now doing something which is unorthodox.

I do not want anyone running up to me afterwards and saying, I did not know what you were talking about. If those members who are intending to vote will be silent so that you may hear what I am saying, you will know whether you should vote "aye" or "nay."

Mr. Speaker, I am offering an amendment to Senate bill No. 153 which, in effect, writes into that bill the essence of a bill which the House passed overwhelmingly on July 24, 1975.

If you will recall, the House of Representatives had before it the problem of whether or not to recompense a man named "James Henry Kent" for injuries which he had incurred while being wrongfully incarcerated for 26 years in Pennsylvania. The House, by a vote of 173 to 17, said that we should pay this man \$16,000 for his personal injury and \$24,000 for wrongful imprisonment. We passed that by a vote of 173 to 17.

These amendments, which I now offer to the crime victim's compensation bill, would, in essence, place that bill, which we passed in July of 1975, into the Senate bill. Mr. Speaker, I move the adoption of the amendments.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

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. Had a vote been taken on Mr. Irvis' first amendment, I would have voted "no."

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

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

Mr. W. W. WILT. Mr. Speaker, I have an amendment to the same bill.

The SPEAKER. Does the gentleman, Mr. Irvis, have any further amendments to offer to this bill?

Mr. IRVIS. Yes, I do, and I do have a note that Mr. Wilt has an amendment.

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

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

Amend Sec. 2 (Sec. 477.9), page 14, line 21, by inserting after "(iii)": under any contract of insurance wherein the claimant is the insured beneficiary. (iv)

Amend Sec. 2 (Sec. 477.9), page 14, line 22, by striking out "(iv)" and inserting: (v)

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the second set of amendments to Senate bill No. 153 are designed to clarify the language so as to make it certain that when there is overlapping insurance policy coverage, an insurance company may not be able to place the burden of payment in crime victim claims on the Commonwealth. I move the adoption of the amendment, Mr. Speaker.

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

The SPEAKER. I assume the majority leader has no further amendments to offer.

Mr. IRVIS. No further amendments.
The SPEAKER. The Chair thanks the gentleman.

AMENDMENTS TEMPORARILY PASSED OVER

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

Mr. W. W. WILT. I am sorry, Mr. Speaker, I will have to pass them over. My amendments are not here. They are down on my desk in the office. Go ahead with the bill, if you will. Move the bill, please.

The SPEAKER. The Chair thanks the gentleman.

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—183

Abraham	Gallen	McGinnis	Schmitt
Anderson, J. H.	Garzia	McIntyre	Schweder
Arthurs	Ceesej	McLane	Scrica
Barber	Geisler	Mebus	Shane
Bellomini	George	Menhorn	Shelhamer
Bennett	Giannmarco	Milanovich	Shelton
Beren	Gillespie	Miller, M. E.	Shuman
Berlin	Gillette	Miller, M. E., Jr.	Shupnik
Berson	Gleeson	Milliron	Sirianni
Pittie	Goodman	Morris	Smith, E.
Bonetto	Green	Mrkonic	Smith, L.
Bradley	Greenfield	Mullen, M. P.	Spencer
Brandt	Grieco	Musto	Stahl
Brunner	Gring	Myers	Stapleton
Burns	Halverson	Novak	Stout
Butera	Hamilton, J. H.	Noye	Taddonio
Caputo	Hasay	O'Brien	Taylor
Cessar	Haskell	O'Connell	Thomas
Cianciulli	Hayes, D. S.	O'Donnell	Toll

Cimini	Hayes, S. E.	O'Keefe	Trello
Cohen	Hepford	Oliver	Turner
Cole	Hill	Pancoast	Ustynowski
Cowell	Hopkins	Parker, H. S.	Valcenti
Crawford	Hutchinson, W.	Perri	Vroon
Cumberland	Irvic	Perry	Wagner
Davies	Itkin	Petrarca	Wansacz
DeMedio	Johnson, J.	Pievsky	Wargo
Deverter	Katz	Piits	Weidner
DeWeese	Kelly, A. P.	Polite	Westerberg
Dicarlo	Kelly, J. B.	Pratt	Whelan
DiDonato	Kernick	Prendergast	Wiggins
Dietz	Kolter	Pyles	Williams
Dininni	Kowalyshyn	Rappaport	Wilson
Dombrowski	Kusse	Ravenstahl	Wilt, R. W.
Dorr	Laudadio	Reed	Wilt, W. W.
Doyle	Laughlin	Renninger	Wojdak
Dumas	Lederer	Renwick	Worriow
Eckensberger	Lehr	Rhodes	Wright
Englehart	Levi	Richardson	Yohn
Fawcett	Lincoln	Rieger	Zearfoss
Fee	Logue	Ritter	Zeller
Fischer	Lynch	Ross	Zord
Fisher	Manderino	Ruggiero	Zwinkl
Flaherty	Manmiller	Ryan	
Foster, W.	McCall	Salvatore	Fineman,
Freind	McClatchy	Scheaffer	Speaker
Gallagher			

NAYS—9

Dreibelbis	Klingaman	Letterman	Miscevlch
Foster, A.	LaMarca	McCue	Moehlmann
Fryer			

NOT VOTING—11

Gleason	Kistler	Mullen	Walsh, T. P.
Hammock	Knepper	Saloom	Yahner
Hutchinson, A.	McGraw	Seltzer	

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

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

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

Mr. W. W. WILT. Mr. Speaker, if you will excuse me, please, I thought the amendments were on my desk in the office, but they were in my desk here. Would it be possible to reconsider that vote please so that I can offer the amendment? I am sorry.

The SPEAKER. Can the gentleman find another bill to which he could offer his amendments?

Mr. W. W. WILT. I would like to offer the amendments to this Senate bill No. 153, if possible, please.

I move that the vote by which this bill passed finally be reconsidered.

The SPEAKER. Will the gentleman send his motion to the desk in writing, please, as required by the rules of the House?

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, would you be able to inform the rest of the membership I have not, nor my colleagues around me, received a list stating what bills we will be voting on today and tomorrow so that we can be prepared. Many of us have bills that are on the calendar since before the election, and we would like to be prepared to know if our bills will be coming up for debate or not.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I apologize to the gentleman. I assume that the agenda, the proposed voting schedule, which was delivered to my desk some minutes ago had been delivered to others. Are there other members who have not received this? Are they being distributed now? All right. Mr. Speaker, I am sorry.

If any of you have that problem, please let me know immediately. Sometimes they will deliver them down here in the front row and you do not get them in the middle rows.

Mr. DiCARLO. Thank you, Mr. Speaker.

Mr. IRVIS. But there is an agenda for today.

RECONSIDERATION OF VOTE ON SENATE BILL No. 153

Mr. W. W. WILT moved that the vote by which SENATE BILL No. 153, printer's No. 1692, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," creating the Crime Victim's Compensation Board, prescribing its powers and duties, providing for filing consideration and payments of claims to persons who are victims of crimes, their dependents and survivors, providing for appeals.

was agreed to as amended on third consideration on this day be reconsidered.

Mr. THOMAS seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

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

Amend Sec. 2, page 3, by inserting between lines 3 and 4:

Section 214.1. Restricted Duties.—(a) Any person who has violated any of the following provisions of the Crimes Code, section 3121 (relating to rape), section 3123 (relating to involuntary deviate sexual intercourse), section 3124 (relating to voluntary deviate sexual intercourse) and section 3125 (relating to corruption of minors), shall not be permitted to perform any duties involving the exercise of the power of arrest as a peace officer of the Commonwealth nor to perform any duties directly involving another person who is incarcerated or physically restrained, who is mentally retarded or who is under treatment for a mental illness or who is a minor.

(b) There is a violation of the sections of the Crimes Code enumerated in subsection (a) if the person has:

(1) Been found guilty by a court or jury.
(2) Entered a plea of guilty or nolo contendere to an appropriate charge.

(3) Been found by the head of the administrative agency in which the person is or is to be employed to have committed acts which would constitute a violation of the enumerated crimes.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Wilt. Will the gentleman inform the Chair if this same amendment has not been twice offered before?

Mr. W. W. WILT. Not the same amendment, Mr. Speaker. This is in different language.

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

Mr. W. W. WILT. Mr. Speaker, I will read the amendment.

(Reading:)

Section 214.1. Restricted Duties.—(a) Any person who has violated any of the following provisions of the Crimes Code, section 3121 (relating to rape), section 3123 (relating to involuntary deviate sexual intercourse), section 3124 (relating to voluntary deviate sexual intercourse) and section 3125 (relating to corruption of minors), shall not be permitted to perform any duties involving the exercise of the power of arrest as a peace officer of the Commonwealth nor to perform any duties directly involving another person who is incarcerated or physically restrained, who is mentally retarded or who is under treatment for a mental illness or who is a minor.

(b) There is a violation of the sections of the Crimes Code enumerated in subsection (a) if the person has:

(1) Been found guilty by a court or jury.
(2) Entered a plea of guilty or nolo contendere to an appropriate charge.
(3) Been found by the head of the administrative agency in which the person is or is to be employed to have committed acts which would constitute a violation of the enumerated crimes.

The SPEAKER. Will the gentleman advise the Chair if this amendment in substance has not been considered by this House at least twice before this year?

Mr. W. W. WILT. A similar amendment has been offered, Mr. Speaker, but I have been advised by the Legislative Reference Bureau that as long as the language has been changed that this is an appropriate amendment.

The SPEAKER. Well, the Chair would be of the opinion that the gentleman is transgressing the rules of the House in offering this amendment at this time. Even though a word or two might be changed, the essence, the substance of the amendment, is identical to a measure that the House has twice voted upon.

If the House did not have this rule, it would mean that any member, in an endless number of tries, could offer in substance, with a change or two in language, the same amendment all session long. That is contrary to the rules of the House. The Chair would have to rule that this amendment, therefore, is not in order.

MOTION TO SUSPEND RULES

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

Mr. W. W. WILT. Mr. Speaker, I move that the rules of the House be now suspended so that this amendment may be considered.

The SPEAKER. The gentleman is in order.

The gentleman has moved that the rules of the House be suspended so that this amendment may be considered. The members will proceed to vote.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

Mr. W. W. WILT. Mr. Speaker, it is obvious that there are many members voted who are not present in the hall of the House. I would suggest that only those members present and in their seats should be voted.

The SPEAKER. The gentleman is quite correct.

The Chair would bring to the attention of the gentleman, however, that you are in need of 102 affirmative votes and the negative votes of anyone who might be absent but who is nevertheless voting in the negative does not affect the obligation to carry 102 affirmative votes.

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

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

YEAS—87

Anderson, J. H.	Gilette	McCue	Smith, E.
Bittle	Grieco	McGinnis	Spencer
Brandt	Gring	Mebus	Stahl
Burns	Halverson	Miller, M. E.	Taddonio
Butera	Hamilton, J. H.	Mrkonic	Taylor
Cessar	Hasay	Noye	Thomas
Cimini	Haskell	O'Connell	Turner
Crawford	Hayes, D. S.	O'Keefe	Ustynoski
Cumberland	Hayes, S. E.	Pancoast	Vroon
Davies	Hepford	Parker, H. S.	Wagner
Deverter	Hill	Perri	Weidner
Dietz	Hopkins	Pitts	Westerberg
Dininni	Katz	Polite	Wilson
Dorr	Kernick	Pyles	Wilt, R. W.
Dreibelbis	Kistler	Renninger	Wilt, W. W.
Fawcett	Klingaman	Ryan	Worrlow
Fischer	Kusse	Salvatore	Wright
Foster, A.	Lehr	Scheaffer	Yohn
Foster, W.	Levi	Seltzer	Zearfoss
Freind	Lynch	Shelhamer	Zeller
Gallen	Manmiller	Shuman	Zord
Geesey	McClatchy	Sirianni	

NAYS—101

Abraham	Fryer	McCall	Renwick
Arthurs	Gallagher	McIntyre	Rhodes
Barber	Garzia	McLane	Richardson
Bennett	Geisler	Menhorn	Rieger
Berlin	George	Milanovich	Ritter
Berson	Giammarco	Miller, M. E., Jr.	Ross
Bonetto	Gillespie	Milliron	Ruggiero
Bradley	Gleeson	Miscevich	Schmitt
Brunner	Goodman	Moehlmann	Schweder
Caputo	Green	Morris	Scirica
Cianciulli	Greenfield	Mullen, M. P.	Shane
Cohen	Hutchinson, W.	Mullen	Shupnik
Cole	Irvis	Musto	Stapleton
Cowell	Itkin	Myers	Stout
DeMedio	Johnson, J.	Novak	Toll
DeWeese	Kelly, A. P.	O'Brien	Trello
Dicarlo	Kolter	O'Donnell	Wansacz
DiDonato	Kowalyshyn	Oliver	Wargo
Dombrowski	LaMarca	Perry	Wiggins
Doyle	Laudadio	Petrarca	Williams
Dumas	Laughlin	Pievsky	Wojdak
Eckensberger	Lederer	Pratt	Zwickl
Engelhart	Letterman	Prendergast	
Fee	Lincoln	Rappaport	Fineman, Speaker
Fisher	Logue	Ravenstahl	
Flaherty	Manderino	Reed	

NOT VOTING—15

Bellomini	Hutchinson, A.	Saloom	Walsh, T. P.
Beren	Kelly, J. B.	Shelton	Whelan
Gleason	Knepper	Smith, L.	Yahner
Hammock	McGraw	Valicenti	

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 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	Garzia	McIntyre	Schmitt
Anderson, J. H.	Geesey	McLane	Schweder
Arthurs	Geisler	Mebus	Scirica
Bellomini	George	Menhorn	Seltzer
Bennett	Giammarco	Milanovich	Shane
Beren	Gillespie	Miller, M. E.	Shelhamer
Berlin	Gillette	Miller, M. E., Jr.	Shelton
Berson	Gleeson	Milliron	Shuman
Bittle	Goodman	Miscevich	Shupnik
Bonetto	Green	Morris	Sirianni
Bradley	Greenfield	Mrkonic	Smith, E.
Brandt	Grieco	Mullen, M. P.	Smith, L.
Brunner	Gring	Mullen	Spencer
Burns	Halverson	Musto	Stahl
Butera	Hamilton, J. H.	Myers	Stapleton
Caputo	Hasay	Novak	Stout
Cessar	Haskell	Noye	Taddonio
Cianciulli	Hayes, D. S.	O'Brien	Taylor
Cimini	Hayes, S. E.	O'Connell	Thomas
Cohen	Hepford	O'Donnell	Toll
Cole	Hill	O'Keefe	Trello
Cowell	Hopkins	Oliver	Turner
Crawford	Hutchinson, W.	Pancoast	Ustynoski
Cumberland	Itkin	Parker, H. S.	Valicenti
Davies	Irvis	Perri	Vroon
DeMedio	Johnson, J.	Perry	Wagner
Deverter	Katz	Petrarca	Wansacz
DeWeese	Kelly, A. P.	Pievsky	Wargo
Dicarlo	Kelly, J. B.	Pitts	Weidner
DiDonato	Kernick	Polite	Whelan
Dietz	Kistler	Pratt	Wiggins
Dininni	Kolter	Prendergast	Williams
Dombrowski	Kowalyshyn	Pyles	Wilson
Dorr	Kusse	Rappaport	Wilt, R. W.
Doyle	Laudadio	Ravenstahl	Wilt, W. W.
Dumas	Laughlin	Reed	Wojdak
Eckensberger	Lederer	Renninger	Worrlow
Engelhart	Lehr	Renwick	Wright
Fawcett	Levi	Rhodes	Yohn
Fee	Lincoln	Richardson	Zearfoss
Fischer	Logue	Rieger	Zeller
Fisher	Lynch	Ritter	Zord
Flaherty	Manderino	Ross	Zwickl
Foster, W.	Manmiller	Ruggiero	
Freind	McCall	Ryan	Fineman, Speaker
Gallagher	McClatchy	Salvatore	
Gallen	McGinnis	Scheaffer	

NAYS—9

Dreibelbis	Klingaman	Letterman	Moehlmann
Foster, A.	LaMarca	McCue	Westerberg
Fryer			

NOT VOTING—9

Barber	Hutchinson, A.	McGraw	Walsh, T. P.
Gleason	Knepper	Saloom	Yahner
Hammock			

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BARBER. Mr. Speaker, I was out of my seat at the time we voted on Senate bill No. 153, printer's No. 1692. I would like to be recorded in the affirmative, please.

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

**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 program ..	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 Governors Energy Council	291,000
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

To the Lieutenant Governor

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
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To the Department of the Auditor General

For the salaries, wages and all necessary expenses for the proper conduct of the following activities:	
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
Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,394,000
Administration of the Board of Arbitration of Claims	230,000

To the Treasury Department

For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:	
Administration of the Treasury Department	4,300,000
For the administrative expenses in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,302,000
Administration of the Board of Finance and Revenue	500,000
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 requisi-	

tion and who shall file an accounting with the Auditor General	30,000	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	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
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	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
Publishing statements of the General Fund and other funds of the Commonwealth	17,000	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
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 to be performed by the Loan and Transfer Agent	80,000	To the State Council of Civil Defense	
Payment of legal fees, publication of advertisements, costs of engraving and other expenses incurred in issuing of tax anticipation notes	100,000	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
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 State Civil Service Commission	
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 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
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 Commerce	
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 administration of the Department of Commerce including the following: tourism and travel development, industrial development, scientific and tech-	
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		
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		
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		
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 Department of Agriculture			
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		
Payment of compensation to owners of animals destroyed in disease eradication programs	570,000		
Payment of reimbursement to legally constituted law enforcement agencies for kennel construction	50,000		
For the control of stem rusts of wheat,			

nological development, and international trade	4,759,000	cities, boroughs, townships, towns or regions for planning assistance	200,000
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 the Bicentennial Community Park in Allentown	25,000
For site development	1,000,000	For Penn Hills Water Supply Project	75,000
For the payment of grants to Appalachian Local Development Districts	100,000	To the Council on Drug and Alcohol Abuse	
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 the salaries, wages and all necessary expenses for the proper conduct of the Council on Drug and Alcohol	2,369,000
For transfer to the Minority Business Development Fund	2,000,000	For grants to counties and to private facilities to finance drug and alcohol abuse treatment and prevention programs	10,552,000
For tourist promotion assistance	1,500,000	To the Department of Education	
For the Pennsylvania Bicentennial Commission	1,250,000	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	12,328,000
For the New Year's Shooters and Mummies Museum, Inc.	200,000	For the salaries, wages and expenses, excluding travel expenses, necessary for the proper administration of the Office of the Commissioner of Higher Education	550,000
For payment of ceremonies in recognition of the Distinguished Daughters of Pennsylvania	2,000	For the travel expenses of the Office of the Commissioner of Higher Education	12,000
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	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	100,000
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 the operation of the State Library, providing reference services and administering aid to public libraries	1,486,000
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	Payment of rental charges to The General State Authority for capital improvements at State-aided educational institutions	4,204,000
For the community facilities program pursuant to the act of December 22, 1959 (P. L. 1973, No. 728)	1,000,000	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	169,026,000
To the Department of Community Affairs		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:	
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	(1) The following counts and distributions:	
For the administration of the Volunteer Companies Loan Fund	100,000	(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.	
For loans to volunteer companies through the Volunteer Companies Loan Fund	500,000	(ii) A distribution of part-time faculty members by the percentage of full-time employment.	
For planning and administration of a State-wide manpower employment assistance and training program	1,750,000	(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.	
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	(iv) Number of different courses scheduled by level of instruction, distributed by the number of sections scheduled in each course	
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,			

and the sections distributed by the number of students enrolled in each section.

(v) Number of terms scheduled and the dates thereof.

(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:

- (i) The number.
- (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.
- (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.
- (iv) Total salary paid.
- (v) Total salary paid from college or university funds.
- (vi) Total salary paid from Federal funds.
- (vii) Total salary paid from other funds.

(3) For each term of the period covered for each full-time faculty member identified by school, department and title:

(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.

(ii) The total salary paid and the salary paid from college or university funds.

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:

(1) Minimum number of credits required for a baccalaureate degree, and for a master's degree.

(2) Number of bachelor's degrees, master's degrees, first professional degrees, and doctoral degrees awarded in 1974, 1975, 1976, and estimated 1977.

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).

Operation, maintenance and administration of the Pennsylvania State Oral School at Scranton 1,695,000

Operation, maintenance and administration of Scotland School for Veterans' Children .. 3,834,000

Operation, maintenance and administration of the Thaddeus Stevens Trade School at Lancaster 1,748,000

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 1,263,475,000

Payments to school districts on account of annual rental or sinking fund charges on school buildings 142,000,000

Payments to school districts and intermediate units on account of pupil transportation 66,712,000

For payments to school districts and intermediate units on account of special education of exceptional children 88,250,000

For payments to school districts on account of home bound instruction 500,000

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 8,250,000

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 payments to intermediate units for maintenance of summer schools for school age children of migrant laborers 72,000

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 Special Education—Approved Private Schools 27,815,000

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 payment of the Commonwealth's share of the approved operating costs and lease payments of intermediate units 7,193,000

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 payment into the Social Security Contribution Fund the Commonwealth's share of Federal Social Security taxes for public school employees 64,000,000

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 3,095,000

For operation and administration of programs of education and training at State schools and hospitals 7,350,000

For services to nonpublic schools 19,272,000

For textbooks for nonpublic schools 8,565,000

For student supplies for nonpublic schools 2,141,000

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

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 grants of \$50,000 each to the seven public television stations serving Pennsylvania to acquire, produce, record and dis-

<p>tribute 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</p> <p>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</p> <p>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.</p> <p>For development, administration and coordination of educational and training programs at the State-owned adult correctional institutions 2,090,000</p> <p>For payment of approved operating and capital expenses of community colleges and technical institutes 44,892,000</p> <p>For higher education equal opportunity program grants 3,350,000</p> <p>For the operation of the Ethnic Heritage Studies Center 50,000</p> <p>For the Pennsylvania Higher Education Assistance Agency</p> <p>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</p> <p>For the purpose of being held in reserve to guarantee loans for the payment of lender participation incentives 3,200,000</p> <p>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</p> <p>For the purpose of administering the programs of the agency including payment of lender participation incentives 3,916,000</p> <p>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</p> <p>To the Department of Environmental Resources</p> <p>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</p> <p>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</p> <p>For deep mine safety inspections 2,144,000</p> <p>For operation and maintenance of State parks 18,458,000</p> <p>For occupational health 600,000</p> <p>For surface mine reclamation 2,000,000</p>	<p>For land protection 2,409,000</p> <p>For water quality management 5,884,000</p> <p>For air quality and noise control 2,980,000</p> <p>For community environmental control 5,319,000</p> <p>For radiological health 581,000</p> <p>For State forestry operations, excluding insect spraying 10,222,000</p> <p>For migrant workers' program 35,000</p> <p>For insect control Gypsy Moth Laboratory 400,000</p> <p>For insect spraying operations 350,000</p> <p>For the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires 100,000</p> <p>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</p> <p>For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems 250,000</p> <p>For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act 600,000</p> <p>For the support of the Ohio River Valley Water Sanitation Commission, requisitions to be signed by the Secretary of Environmental Resources 55,000</p> <p>For the Commonwealth's share of utilities for sanitary sewage facilities serving Pymatuning State Park 400,000</p> <p>For the Commonwealth's share of utilities for storm drainage serving Mansfield State College 154,000</p> <p>For grants to counties, municipalities and authorities to assist them in preparing official plans for solid waste disposal systems 150,000</p> <p>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</p> <p>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</p> <p>Payment of Pennsylvania's share of the expenses of the River Master for the Delaware River 36,000</p> <p>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</p> <p>For the support of the Susquehanna River Basin Commission, requisitions to be signed by the Secretary of Environmental Resources 150,000</p> <p>For the support of the Potomac River Basin Advisory Committee, requisitions to be signed by the Secretary of Environmental Resources 8,000</p> <p>For the support of the Interstate Commission on the Potomac River Basin, requisitions to be signed by the Secretary of Environmental Resources 16,000</p> <p>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</p> <p>Payment of annual fixed charges in lieu of taxes to counties, school districts and townships on forest lands 399,000</p> <p>For payment by the State Conservation Commission to local sponsors for support of small watershed projects 75,000</p> <p>For payments to conservation districts for</p>
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employment of executive assistants on a 50% cost-sharing basis, not to exceed \$5,000 per district for the State's share	100,000	Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania for the operation and maintenance of the Cancer Research Program	418,000
For payment of Pennsylvania's share of the costs of the Interstate Mining Commission	10,000	For payment to the Wistar Institute of Philadelphia, Pennsylvania for research in the field of cellular biology	200,000
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 payment to the Inglis House of Philadelphia for the detection and diagnosis of neurological diseases	30,000
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 the following research programs: Lankenau Hospital—Research	75,000
For payment to the solid waste-demonstration grants-in-aid fund	1,500,000	Cardio - Vascular Studies—Philadelphia General Hospital	60,000
To the Pennsylvania Fish Commission		Cardio-Vascular Studies—St. Francis Hospital, Pittsburgh	60,000
For the support of the Atlantic States Marine Fisheries Commission	3,000	For outpatient-inpatient treatment: Cerebral Palsy—St. Christophers Hospital	75,000
To the Department of General Services		Cerebral Dysfunction—Children's Hospital, Pittsburgh	25,000
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	22,677,000	Lancaster Cleft Palate	30,000
Payment of utilities for State Buildings presently under the jurisdiction of the Department of General Services	3,600,000	Pittsburgh Cleft Palate	30,000
Replacement of commercial and temporary fleet vehicles	1,296,000	Diagnosis and Treatment of Cooleys Anemia	120,000
Printing and distribution of the Pennsylvania Manual	145,000	To the Pennsylvania Historical and Museum Commission	
Payment of rental charges to The General State Authority	54,500,000	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
To the Department of Health		Administration of the Valley Forge Park Commission and operation and maintenance of the Valley Forge State Park	703,000
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	16,350,000	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 the Bureau of Vital Statistics	2,950,000	Administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park	542,000
For operation of the State Laboratory	1,870,000	Administration of the Brandywine Battlefield Park Commission and operation and maintenance of Brandywine Battlefield Park	112,000
For the State Health Care Centers, including the district offices of the Department of Health	8,546,000	For the Liberty Bell Shrine in Allentown	20,000
For emergency health services	2,200,000	For the Allentown Museum of Art	50,000
Maternal and child health	550,000	To the Department of Insurance	
For the purpose of developing, operating and purchasing hemophilia services	1,190,000	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 the purpose of developing, operating and purchasing sickle cell anemia services	543,000	To the Department of Justice	
For the purpose of developing, operating and purchasing renal disease services	2,662,000	For general government operations: Attorney General	474,000
For a pilot day program for young persons with end stage renal disease	75,000	Comptroller	67,000
For the purpose of developing, operating and purchasing coal workers pneumoconiosis services	907,000	Regional Offices	1,386,000
For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth	4,267,000	Community Advocate	393,000
Reimbursement to school districts on account of health services	11,460,000	Management services	686,000
Providing aid to counties in the establishment and maintenance of local health departments	14,292,000	Criminal Law	163,000
For payment to the Institute for Cancer		Investigations	503,000
		Governor's Justice Commission	510,000
		Civil Law	1,941,000
		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 or 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 an internal audit and investigation unit	450,000
For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission	209,000	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
For expenses of the Crime Victim's Compensation Board	200,000	For the operation, maintenance and administration of the State restoration centers	5,657,000
For the operation, maintenance and administration of the State Correctional Institutions	66,948,000	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
For the operation, maintenance and administration of the community services centers	950,000	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, except for the Southeastern State School and Hospital and the Eastern Pennsylvania Psychiatric Institute	323,271,000
For aid for local law enforcement	1,110,000	For the Southeastern State School and Hospital	8,100,000
To the Department of Labor and Industry		For the Eastern Pennsylvania Psychiatric Institute	8,000,000
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 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 occupational disease payments	26,500,000	For grants to counties to purchase community based residential care, treatment and training for the mentally retarded	15,000,000
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	For assistance payments and county administration of the public assistance programs and medical assistance programs.	
For the payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation	9,230,000	Cash Assistance	502,600,000
For transportation program for sheltered workshops	1,000,000	County Administration	93,573,000
To the Department of Military Affairs		Office of Information Systems	3,216,000
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	Claims Settlement	3,173,000
For purchase of helicopter liability insurance	300,000	Medical Assistance	286,816,000
Operation and maintenance of the Soldiers' and Sailors' Home at Erie	851,000	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
For payment of gratuities for the education of children of certain veterans	65,000	Public Nursing Homes	10,000,000
For assistance to veterans who are ill or disabled and without means of support	650,000	Supplemental Grants—Aged, Blind and Disabled	63,380,000
For pensions for veterans blinded through service connected injuries or disease	80,000	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 payment of pensions to dependents of soldiers of the Pennsylvania National Guard killed in the line of duty	10,000	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
To the Milk Marketing Board		For subsidy payments for services for the blind	840,000
For payment into the Milk Marketing Fund in the State Treasury for the purpose for which such fund is appropriated	717,000	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
To the Pennsylvania Board of Probation and Parole		For the purpose of developing, operating	
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		
Payments for grants-in-aid to counties for providing improved adult probation services	1,679,000		
To the Department of Public Welfare			
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		

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 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	1,642,000
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 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 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

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 ex-

penses 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 com-

pensionation 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 Su-

perior 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 com-

pensation 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 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?
 (Members proceeded to vote.)

VOTES CHALLENGED

The SPEAKER. The Chair recognizes the minority whip. For what purpose does the gentleman, Mr. Ryan, rise?
 Mr. RYAN. My usual one. Is Mr. Shelton on the floor of the House?
 Mr. RIEGER. He is here.

Mr. RYAN. I did not ask that. I asked if he was on the floor of the House.

Mr. Brunner?

The SPEAKER. Is the gentleman, Mr. Brunner, in the hall of the House?

Mr. RYAN. Is Mr. Bellomini—

The SPEAKER. Is Mr. Bellomini in the hall of the House?

Mr. RYAN. Mr. Brunner, please, Mr. Speaker.

The SPEAKER. Mr. Brunner is on his way up. If he does not put in an appearance prior to the time the vote is closed, the vote will be stricken.

Mr. RYAN. All right.

Mr. SPEAKER. All members who are in the hall of the House are required to be recorded. Under the rules of the House, the Chair would ask all members to get on the board.

Will the gentleman, Mr. Mrkonic, please place a vote on the board?

The gentleman, Mr. Bellomini, will please record his vote.

Have all the members voted?

Mr. RYAN. Mr. Milanovich?

The SPEAKER. The Chair recognizes the gentleman. Is the gentleman, Mr. Milanovich, present? The gentleman is present.

Mr. RYAN. I am sorry.

The SPEAKER. Have all the members voted?

The gentleman, Mr. Brunner, is in the hall of the House.

The Chair would ask the members not to be switching their votes back and forth. Take your position and remain there.

Mr. RYAN. Mr. Speaker, I hear strange noises.

The SPEAKER. Will you tell her what to do with that clock?

Mr. RYAN. Would the Speaker come down from the podium?

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, on the last vote, which was about 25 minutes ago, were you not quoting the rules of the House?

The SPEAKER. Yes.

Miss SIRIANNI. Okay. Just checking, sir.

The SPEAKER. I am still quoting them.

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—103

Abraham	Gallagher	McLane	Rieger
Arthurs	Gelsler	Menhorn	Ritter
Barber	George	Milanoitch	Ross
Bellomini	Giammarco	Milliron	Ruggiero
Bennett	Gillette	Miscevich	Saloom
Berlin	Gleeson	Morris	Schmitt
Berson	Goodman	Mrkonic	Schweder
Bonetto	Green	Mullen, M. P.	Shane
Bradley	Greenfield	Mullen	Shelhamer
Brunner	Hopkins	Musto	Shelton
Caputo	Irvs	Myers	Shuprik
Cianciulli	Johnson, J.	Novak	Stout
Cohen	Kelly, A. P.	O'Brien	Taylor
Cole	Kernick	O'Donnell	Toll
Cowell	Kolter	Oliver	Trello
DeMedio	Kowalyshyn	Perry	Valicenti

DeWeese	LaMarca	Petrarca	Wansacz
Dicarlo	Laudadio	Plevsky	Wargo
DiDonato	Laughlin	Pratt	Wiggins
Dombrowski	Lederer	Prendergast	Williams
Dreibelbis	Letterman	Rappaport	Wojdak
Dumas	Lincoln	Ravenstahl	Zeller
Eckensberger	Logue	Reed	Zwickl
Englehart	Manderino	Renwick	
Fee	McCall	Rhodes	Fineman,
Flaherty	McIntyre	Richardson	Speaker
Fryer			

NAYS—91

Anderson, J. H.	Geesey	McClatchy	Smith, E.
Bittle	Gillespie	McCue	Smith, L.
Brandt	Grieco	McGinnis	Spencer
Burns	Gring	Mebus	Stahl
Butera	Halverson	Miller, M. E.	Stapleton
Cessar	Hamilton, J. H.	Miller, M. E., Jr.	Taddonio
Cimint	Hasay	Moehlmann	Thomas
Crawford	Haskell	Noye	Turner
Cumberland	Hayes, D. S.	O'Connell	Ustynoski
Davies	Hayes, S. E.	O'Keefe	Vroon
Deverter	Hepford	Pancoast	Wagner
Dietz	Hill	Parker, H. S.	Weidner
Dininni	Hutchinson, W.	Perri	Westerberg
Dorr	Itkin	Pitts	Whelan
Doyle	Katz	Polite	Wilson
Fawcett	Kelly, J. B.	Pyles	Wilt, R. W.
Fischer	Kistler	Renninger	Wilt, W. W.
Fisher	Klingaman	Ryan	Worrlow
Foster, A.	Kusse	Scheaffer	Wright
Foster, W.	Lehr	Scirica	Yohn
Freind	Levi	Seltzer	Zearfoss
Gallen	Lynch	Shuman	Zord
Garzia	Manmiller	Sirianni	

NOT VOTING—9

Beren	Hutchinson, A.	McGraw	Walsh, T. P.
Gleason	Knepper	Salvatore	Yahner
Hammock			

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order, The House proceeded to third consideration of Senate bill No. 1375, printer's No. 1673, entitled:

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

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

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Bellomini. Mr. BELLOMINI. Mr. Speaker, I will yield.

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

Mr. BURNS. Mr. Speaker, just delivered to me on the floor was a set of amendments for Senate bill No. 1375. I just gave them to the majority whip and to the minority whip. Could you pass it over so we can get them printed?

The SPEAKER. I am sure the membership would agree to the gentleman explaining the bill in detail on the floor, and perhaps we can do it that way.

Mr. BURNS. Thank you. Can I offer them now then?

The SPEAKER. Will the gentleman yield for just a moment?

DECISION OF CHAIR RECONSIDERED

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 206, page 6, line 2, by striking out "bi-monthly" and inserting: biweekly

Amend Sec. 206, page 6, line 11, by striking out "\$44" and inserting: \$50

Amend Sec. 207, page 6, line 19, by removing the period after "COMMONWEALTH" and inserting: including all district justices on temporary assignment.

On the question,

Will the House agree to the amendments?

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

The Chair would ask the membership of the House to please be seated and to listen attentively. Mr. Burns has advised the membership that copies of this amendment may not as yet have been distributed. The Chair has requested the gentleman, Mr. Burns, to explain the amendment in detail to obviate the need for the amendment being in front of the members before casting a vote upon it.

Without objection, the gentleman will proceed.

Mr. BURNS. Mr. Speaker, the first thing the amendment would do is, on page 6, line 2, strike out "bimonthly" and insert the word "biweekly."

As the bill now stands, the district justices would be paid every 2 months. Everybody is telling me that there is not a page 6, Mr. Speaker, but that is the way the amendment reads.

Mr. Speaker, I understand there is a problem here. It is the right bill but the wrong printer's number that they drew it to, and I apologize to the House about that.

The SPEAKER. I would say you have a problem.

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

Mr. RITTER. Mr. Speaker, I think the gentleman has the House bill rather than Senate bill No. 1375.

The SPEAKER. The gentleman is correct. It is an improperly drafted amendment.

AMENDMENT WITHDRAWN

Mr. BURNS. I am sorry, Mr. Speaker. We are on the Senate bill and this is the House bill. I am awfully sorry and I withdraw the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie, Mr. Bellomini.

Mr. BELLOMINI. Mr. Speaker, I also have the same problem. The amendments were sent down to House bill No. 1375. I had amendments to Senate bill No. 1375, too. I wonder if we can hold this bill over until we get this corrected.

The SPEAKER. Would the majority leader indicate his preference in this matter? There is a request on the floor by the gentleman, Mr. Bellomini, to hold this bill. He had amendments prepared, but they were prepared to a wrong bill.

Would the gentleman, Mr. Bellomini, consider offering the amendments to another bill or another proposal so that we would not have to hold this bill?

Mr. BELLOMINI. Right. Mr. Speaker. Okay, fine.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Pyles, have amendments? The gentleman withdraws his amendments.

The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER. 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?

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, excuse me for interrupting the vote, but I think the members should know that this is the revenue-sharing portion of the general fund budget.

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—139

Abraham	Garzia	McCall	Ross
Arthurs	Geisler	McClatchy	Ruggiero
Barber	George	McIntyre	Saloom
Bellomini	Giammarco	McLane	Salvatore
Bennett	Gillespie	Menhorn	Schmitt
Berlin	Gillette	Milanovich	Schweder
Berson	Gleeson	Milliron	Shane
Bonetto	Goodman	Miscevich	Shelhamer
Bradley	Green	Morris	Shelton
Burns	Greenfield	Mrkonjc	Shuman
Caputo	Grieco	Mullen, M. P.	Shupnik
Cessar	Hamilton, J. H.	Mullen	Smith, E.
Cianciulli	Hasay	Musto	Stapleton
Cimini	Haskell	Myers	Stout
Cohen	Hayes, D. S.	Novak	Taylor
Cole	Hopkins	O'Brien	Toll
Cowell	Irvic	O'Donnell	Trello
Crawford	Itkin	Oliver	Ustynoski
Cumberland	Johnson, J.	Parker, H. S.	Valcenti
DeMedio	Katz	Perry	Wagner
Deverter	Kelly, A. P.	Petry	Wansacz
DeWeese	Kelly, J. B.	Petrarca	Wargo
Dicarlo	Kernick	Pievsky	Whelan
DiDonato	Klingaman	Pitts	Wiggins
Dombrowaki	Kolter	Pratt	Williams
Doyle	Kowalyszyn	Prendergast	Wilson
Dreibelbis	LaMarca	Rappaport	Wojdak
Dumas	Laudadio	Ravenstahl	Worrilow
Eckensberger	Laughlin	Reed	Wright
Englehart	Lederer	Renninger	Zeller
Fee	Letterman	Renwick	Zord
Fischer	Lincoln	Rhodes	Zwilk
Fisher	Logue	Richardson	
Flaherty	Lynch	Riegler	Fineman,
Fryer	Manderino	Ritter	Speaker
Gallagher			

NAYS—56

Anderson, J. H.	Geesey	Mebus	Sirianni
Beren	Gring	Miller, M. E.	Smith, L.
Bittle	Halverson	Miller, M. E., Jr.	Spencer
Brandt	Hayes, S. E.	Moehlmann	Stahl
Butera	Hepford	Noye	Taddonio
Davies	Hill	O'Connell	Thomas
Dietz	Hutchinson, W.	O'Keefe	Turner

Ditoini	Kistler	Pancoast	Vroon
Dorr	Kusse	Polite	Weidner
Fawcett	Lehr	Pyles	Westerberg
Foster, A.	Levi	Ryan	Wilt, R. W.
Foster, W.	Manmiller	Scheaffer	Wilt, W. W.
Freind	McCue	Seirica	Yohn
Gallen	McGinnis	Seltzer	Zearfoss

NOT VOTING—8

Brunner	Hammock	Knepper	Walsh, T. P.
Gleason	Hutchinson, A.	McGraw	Yahner

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.

DEMOCRATIC CAUCUS

The SPEAKER. Will the majority leader indicate his desire at this point? The Chair recognizes the majority leader.

Mr. IRVIS. Yes, Mr. Speaker.

Mr. Speaker, we do have additional bills to pass, but it is 12:30 and some of the members have not had an opportunity to have lunch. I will ask that the House be declared in recess until 2 p.m., thus giving us an opportunity for lunch and a Democratic caucus. We would like to have the Democrats report to caucus at 1:15, Mr. Speaker.

The SPEAKER. What time does the majority leader desire to return to the floor?

Mr. IRVIS. At 2 p.m. We will return to the floor at 2 p.m.; caucus at 1:15 for the Democrats.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I request the Republican members to proceed to the caucus room at 1:30 for a very brief meeting.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. WOJDAK. Mr. Speaker, there will be an Appropriations Committee meeting immediately upon the declaration of the recess in the Appropriations Committee Conference room.

BUSINESS AND COMMERCE COMMITTEE MEETING POSTPONED

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

Mr. BENNETT. Mr. Speaker, just a brief announcement to the members of the Business and Commerce Committee and for their information: There was a meeting scheduled for this Thursday. That meeting is postponed and will be on Tuesday at 1:30. They will receive notification in the mail. This is just an early announcement of that.

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, May 10, 1976

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 17, 1976 and when the House of Representatives adjourns this week it reconvene on Monday, May 17, 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.

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. 499

An Act authorizing the Department of Property and Supplies, with approval of the Governor and the Secretary of Transportation, to sell and convey certain lots or tracts of ground with improvements thereon situate in the Borough of Tarentum, Allegheny County.

HOUSE BILL No. 1104

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), changing a reference from drug abuser to drug dependent person.

Whereupon,

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

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:

Mr. E. Victor "Vic" Hughes, 112 South Broad Street, Grove City, Pennsylvania 16127.

Grove City College, Grove City, Pennsylvania 16127.

Matt Smargiasso, R. D. 2, Box 231, Greenville, Pennsylvania 16125.

Miss Jane Hasenplug, c/o St. Paul Homes, Greenville, Pennsylvania 16125.

Norman Walker, 116 Plum Street, Greenville, Pennsylvania 16125.

Mr. David Clelland, 255 East Avenue, Greenville, Pennsylvania 16125.

Mr. Neal Lineman, Mercer Road, Greenville, Pennsylvania 16125.

Mary E. Bassler, Collins Road, Wilkinsburg, Pennsylvania 15221.

Natrona Council No. 2602 of the Knights of Columbus, 28 Garfield Street, Natrona, Pennsylvania 15065.

Jack Campbell, Big Spring High School, Newville, Pennsylvania 17241.

The Varsity Basketball Team, Newport High School, Newport, Pennsylvania 17074.

Girls' Varsity Basketball Team, East Juniata High School, Cocolamus, Pennsylvania 17014.

Varsity Wrestling Team, Big Spring High School, Newville, Pennsylvania 17241.

Mr. and Mrs. L. Miles Bower, R. D. 1, Blain, Pennsylvania 17006.

The Port Royal Times, Port Royal, Pennsylvania 17082.

Mrs. Helen Farah, 426 Bleakley Avenue, New Castle, Pennsylvania 16101.

Mr. and Mrs. Thomas E. Riley, R. D. 2, Covert Road, New Castle, Pennsylvania 16101.

Mr. and Mrs. Larry Malizia, 511 Haus Avenue, New Castle, Pennsylvania 16101.

The Bradford High School Owlettes, Bradford Senior High School, Interstate Parkway, Bradford, Pennsylvania 16701.

Rising Sun Hotel Softball Team, Reading, Pennsylvania.

Mt. Lebanon High School Ice Hockey Team, Bower Hill and Moffett Streets, Mt. Lebanon, Pennsylvania 15243.

Reverend Robert W. Chambers, 215 North Chestnut Street, Scottsdale, Pennsylvania 15683.

Mr. and Mrs. Thomas E. Dean, Sr., R. D. 1, Mount Pleasant, Pennsylvania 15666.

Mr. Vincent J. Quatrini, Sr., Latrobe, Pennsylvania 15650.

The Central United Methodist Church, Orthodox and Griscom Streets, Philadelphia, Pennsylvania 19124.

Mr. and Mrs. Maurice W. Focht, 636 W. Washington Street, Slatington, Pennsylvania 18080.

Mr. and Mrs. Bernard Habermehl, 642 Agnes Avenue, Morton, Pennsylvania 19070.

St. Mary's Roman Catholic Church, St. Clair, Pennsylvania 17970.

Mr. and Mrs. Harry W. Becker, 105 Bernhart Avenue, Hyde Park, Reading, Pennsylvania 19605.

Mr. and Mrs. George Keiser, 1551 North Tenth Street, Reading, Pennsylvania 19602.

Mr. and Mrs. Harold Dreibelbis, 825 Bellevue Avenue, Laureldale, Pennsylvania 19605.

The Exchange Club of Reading, c/o Joseph Dell, President, Reading, Pennsylvania.

Mr. and Mrs. Henry N. Schmeck, R. D. 1, Temple, Pennsylvania 19560.

Mr. and Mrs. Franklin Shalter, 500 Madison Avenue, Hyde Park, Reading, Pennsylvania 19605.

Mr. and Mrs. John H. Berbein, 4611 Tenth Avenue, Temple, Pennsylvania 19560.

Mr. and Mrs. John E. Moser, 1410 Schuylkill Avenue, Reading, Pennsylvania 19601.

Mr. and Mrs. Warren Schollenberger, 26 North 25th Street, Mount Penn, Reading, Pennsylvania 19606.

The York Dispatch, 15 East Philadelphia Street, York, Pennsylvania 17400.

Northwestern Rural Electric Cooperative Association, Inc., R. D. 1, Cambridge Springs, Pennsylvania 16403.

Mr. John Watson, c/o Postmaster, Cranesville, Pennsylvania 16410.

David Simmons, Director, Erie Veterans Hospital, Erie, Pennsylvania.

Walter Bleakley, 117 Erie Street, Edinboro, Pennsylvania 16412.

Mr. Alfred C. Marince, 1115 Kerry Lane, Erie, Pennsylvania 16505.

Paul B. Hippler, 412 Napoleon Street, Johnstown, Pennsylvania 15901.

Mr. and Mrs. Jackson E. Felix, 704 Duwell Street, Johnstown, Pennsylvania 15906.

Mr. and Mrs. Clyde Grumbling, 187 Chandler Avenue, Johnstown, Pennsylvania 15906.

Mr. and Mrs. Lloyd E. Neff, 416 Ash Street, Johnstown, Pennsylvania 15902.

Mr. and Mrs. Lewis Conrad, 1311 Franklin Street, Johnstown, Pennsylvania 15905.

Mr. and Mrs. Luther P. Claycomb, 555 Goucher Street, Johnstown, Pennsylvania 15905.

Ms. Julia Ann Rozum, 750 Bedford Street, Johnstown, Pennsylvania 15902.

Brad Huling, R. D. 3, Edinboro, Pennsylvania 16412.

The Bell High School Band, Ottawa, Ontario, Canada.

Sister Helen Walter, c/o Our Lady of Peace Catholic School, Milmont Park, Pennsylvania.

Adam H. Rudy, 617 Wallace Street, York, Pennsylvania 17403.

Mr. and Mrs. Edgar R. Hoffman, 1508 W. Philadelphia Street, York, Pennsylvania 17404.

Robert Jordan.

Michael Koerner, 533 East Springfield Road, Springfield, Pennsylvania 19064.

Greenville High School Basketball Team, Greenville, Pennsylvania 16125.

Mr. and Mrs. Fred A. Yoder, 161 Schuylkill Street, Cressona, Pennsylvania 17929.

Mr. and Mrs. Earl Seltzer, R. D. 1, Ashland, Pennsylvania 17921.

Joseph Mingo, 421 Jefferson Street, Bridgeport, Pennsylvania 19405.

Dr. Almo J. Sebastianelli, c/o The American Legion, 201 Church Street, Jessup, Pennsylvania 18434.

Monsignor Robert M. Forst, V.F., Pastor, St. Anthony's Rectory, 908 Washington Street, Easton, Pennsylvania 18042.

Anne M. Murray, 1450 Easton Road, Warrington, Pennsylvania 18976.

Lt. Colonel Sam Valella, 3731 Montour Street, Harrisburg, Pennsylvania 17111.

St. Teresa Catholic Grade School Basketball Team, 1001 Perry Highway, Pittsburgh, Pennsylvania 15237.

Salvatore J. LaVecchia, 507 East Cheltenham Avenue, Philadelphia, Pennsylvania 19120.

Djuro Matosic, Consulate General of the Federal Peoples Socialist Republic of Yugoslavia, Yugoslav Consulate, Pittsburgh, Pennsylvania.

Norman F. Mitchell, 916 Catalpa Road, Warminster, Pennsylvania 18974.

Gina Gormley, 3260 Woodhaven Drive, Murrysville, Pennsylvania 15668.

Francesca Scala, 3359 Fawnway Drive, Murrysville, Pennsylvania 15668.

Jill Rumon, 37 Bel Aire Road, Delmont, Pennsylvania 15626.

Daniel Rumon, 327 Bel Aire Road, Delmont, Pennsylvania 15626.

Ann Geisler, 3525 McElroy Drive, Murrysville, Pennsylvania 15668.

Scott Bollinger, 114 Stotler Drive, Delmont, Pennsylvania 15626.

Darby-Colwyn High School Girls' Basketball Team.

Mr. Andrew Yaracs, Jr., One Chesapeake Street, Lyndora, Pennsylvania 16045.

Mrs. Alberta Schaffnit, 209 Thornwood Road, Butler, Pennsylvania 16001.

Mr. and Mrs. Joseph Brutout, 523 Conrad Avenue, North Charleroi, Pennsylvania 15022.

Mr. and Mrs. Edwin Weckoski, R. D. 1, Coal Center, Pennsylvania 15423.

Mr. and Mrs. Mario Fazzini, 142 Place Plan, Donora, Pennsylvania 15033.

Mr. and Mrs. Norman Biagini, 800 Second Street, Charleroi, Pennsylvania 15022.

Mr. and Mrs. Milan J. Veres, Charleroi, Pennsylvania 15022.

South Park High School Hockey Team, Ridge Road, Library, Pennsylvania 15129.

Mr. and Mrs. John H. Sciders, R. D. 2, Elizabethtown, Pennsylvania 17022.

Mr. and Mrs. Elam Groff, 230 Wefley Lane, Mt. Joy, Pennsylvania 17552.

Robert Chesnut, 604 Stockton Circle, Ridley Park, Pennsylvania 19078.

Jeff Carroll, 226 East Front Street, Berwick, Pennsylvania 18603.

Honorable William W. Lipsitt, County Courthouse, Front and Market Streets, Harrisburg, Pennsylvania 17101.

The Salvation Army, 1122 Green Street, Harrisburg, Pennsylvania.

W. Walter Campbell, Sylvan Hills, Pennsylvania.

Antoinette Thompson, R. D. 4, Altoona, Pennsylvania 16601.

Mr. and Mrs. Howard Bossert, 443 Beaver Road, Southampton, Pennsylvania 18966.

Lawrence K. Grean, 403 Shawnee Drive, Erie, Pennsylvania 16505.

Mr. and Mrs. Boney Bowen, 208 Myrtle Street, Girard, Pennsylvania 16417.

Mr. and Mrs. Lewis Driesbach, 79 South Berne Street, Schuylkill Haven, Pennsylvania 17972.

Emma Hubler, 6 East Biddle Street, Gordon, Pennsylvania 17946.

Emmaus High School Girls Basketball Team, Emmaus High School, Emmaus, Pennsylvania 18049.

Mr. and Mrs. Frank Lagler, 10 Harrison Street, Emmaus, Pennsylvania 18049.

Mr. and Mrs. Paul R. Bortner, 28 North Water Street, Spring Grove, Pennsylvania 17362.

Mr. and Mrs. Charles W. Ferree, 17 East Broad Street, Dallastown, Pennsylvania 17313.

Mr. and Mrs. Roman S. Strausbaugh, Codorus, Pennsylvania 17311.

Mr. and Mrs. Paul A. Jacobs, 251 Leaders Heights Road, York, Pennsylvania 17402.

Mr. and Mrs. William I. Beck, York New Salem, Pennsylvania 17371.

Mr. and Mrs. John Warner, R. D. 1, Dallastown, Pennsylvania 17313.

Deborah Ann Gray, R. D. 3, Glen Rock, Pennsylvania 17327.

Mr. and Mrs. Franklyn W. Potteiger, 421 Spring Side Drive East, Montrose Manor, Reading, Pennsylvania 19607.

Hughesville High School Spartan Football Team, Hughesville, Pennsylvania 17737.

George Nace, Head Coach, Hughesville Spartan Football Team, Hughesville High School, Hughesville, Pennsylvania.

Eric Booth, Hughesville High School, West Cemetery Street, Hughesville, Pennsylvania 17737.

Donald Reese, Hughesville High School, West Cemetery Street, Hughesville, Pennsylvania 17737.

Chris Shaner, Hughesville High School, West Cemetery Street, Hughesville, Pennsylvania 17737.

Duane Gardner, Hughesville High School, W. Cemetery Street, Hughesville, Pennsylvania 17737.

Harold Scott Robinson, 1205 Pine Street, Hollidaysburg, Pennsylvania 16448.

RECESS

The SPEAKER. The Chair now declares the House in recess until 2 p.m.

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

BILLS REREPORTED

HOUSE BILL No. 9 (Amended) By Mr. WOJDAK

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

Rereported from Committee on Appropriations.

HOUSE BILL No. 835 By Mr. WOJDAK

An Act amending the "Second Class City Policemen Relief Law," approved May 22, 1935 (P. L. 233, No. 99), further providing for disability benefits.

Rereported from Committee on Appropriations.

HOUSE BILL No. 1319 By Mr. WOJDAK

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233, No. 99), further providing for minimum pensions.

Rereported from Committee on Appropriations.

HOUSE BILL No. 2074 By Mr. WOJDAK

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for exemptions from taxation.

Rereported from Committee on Appropriations.

HOUSE BILL No. 2123 By Mr. WOJDAK

An Act amending the act of June 28, 1975 (No. 7-A), entitled "A supplement to the act of June 30, 1975 (No. 8-A), ***," known as the "Federal Revenue Sharing Trust Fund Supplement to the General Appropriation Act of 1975," further clarifying an appropriation to the Department of Education.

Rereported from Committee on Appropriations.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. RAPPAPORT, LEDERER, MYERS, WORRILOW, BURNS, WRIGHT and PERRI

HOUSE BILL No. 2353

An Act amending the act of May 11, 1889 (P. L. 188, No. 210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, ***' approved March twenty-ninth, one thousand eight hundred and three, ***" further regulating the rates of pilotage and class of pilots.

Referred to Committee on Transportation.

By Messrs. DiCARLO and LINCOLN

HOUSE BILL No. 2354

An Act amending the act of September 19, 1974 (P. L. 644, No. 210), entitled "An act exempting physicians and nurses from certain liability when participating in a mass immunization project approved by the Pennsylvania Department of Health," extending the provisions of the act to certain facilities, agencies and clinics.

Referred to Committee on Judiciary.

By Messrs. WILSON and SCHMITT

HOUSE BILL No. 2355

An Act amending the "Unfair Insurance Practices Act," approved July 22, 1974 (P. L. 589, No. 205), requiring the disclosure by life insurance companies of the advantages and disadvantages of paying premiums for a year or more in advance.

Referred to Committee on Consumer Protection.

By Messrs. WILSON, BURNS, WEIDNER, RENNINGER, WRIGHT, BERLIN, MILLIRON, GEESEY and GALLAGHER

HOUSE BILL No. 2356

An Act amending the act of June 26, 1931 (P. L. 1379, No. 348), entitled, as amended, "An act creating in counties of the second A and third class a board for the assessment and revision of taxes; ***" further providing for assessment, revision and appeals.

Referred to Committee on Local Government.

By Messrs. WILSON, BURNS, WRIGHT, WEIDNER, RENNINGER, BERLIN, MILLIRON, GEESEY and GALLAGHER

HOUSE BILL No. 2357

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), further providing for the agencies for assessment, revision and appeals.

Referred to Committee on Local Government.

By Messrs. BERSON and SCIRICA

HOUSE BILL No. 2358

An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, providing for February 29 in computing time and repealing certain acts relating to time.

Referred to Committee on Judiciary.

By Messrs. BERSON and SCIRICA

HOUSE BILL No. 2359

An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, adding and revising provisions relating to printing and distribution of statutes and making repeals.

Referred to Committee on Judiciary.

SENATE MESSAGE

BILLS FOR CONCURRENCE

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

SENATE BILL No. 516

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," authorizing special occasion permits for certain sportsmen's clubs.

Referred to Committee on Liquor Control.

SENATE BILL No. 712

An Act amending the act of December 14, 1967 (P. L. 746, No. 345), entitled "Savings Association Code of 1967," providing for changes of the principal place of business of institutions and the addition and deletion of branches and offices of institutions; conferring additional powers on the Department of Banking; and repealing parts of acts.

Referred to Committee on Business and Commerce.

SENATE BILL No. 1288

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," changing, adding and deleting routes in Whitehall Township, Lehigh County, including deletion of a portion of an undescribed application route.

Referred to Committee on Transportation.

SENATE BILL No. 1318

An Act amending the act of May 18, 1945 (P. L. 809, No. 323), entitled "An act removing certain roads or sections of road from the State highway system;" removing a route in Indiana County.

Referred to Committee on Transportation.

SENATE BILL No. 1342

An Act amending the act of June 22, 1931 (P. L. 720, No. 262), entitled "City State Highway Law," deleting and adding routes in the City of Williamsport.

Referred to Committee on Transportation.

CALENDAR

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1751, printer's No. 3037**, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965, No. 550), further providing for exemptions from the tax.

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. 1858, printer's No. 2382**, entitled:

An Act amending the act of August 1, 1975 (No. 87), entitled "An act relating to pensions for employees of the City of Pittsburgh," authorizing members to purchase credit for military service and clarifying the effective date of the act.

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. 2087, printer's No. 2694**, entitled:

An Act amending the act of May 1, 1919 (P. L. 103, No. 79), referred to as the State Art Commission Law, providing a further exemption.

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. 2223, printer's No. 3028**, entitled:

An Act mandating the Public Utility Commission to require certain utilities to refund to consumers certain sums of moneys.

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. 848, printer's No. 966**, entitled:

An Act amending "The Local Tax Enabling Act," approved December 15, 1965 (P. L. 1257, No. 511), prohibiting the levying, assessing or collecting of an occupation tax in certain cases.

And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

ALTOONA MAENNERCHOR WELCOMED

The SPEAKER. The Chair is pleased to welcome the Altoona Maennerchor. This is a male chorus organized to preserve and perform music of German heritage. The chorus is directed by Mr. Edward Kritzer and is accompanied by Mrs. Jean Ann Mitchell. These folks are here as the guests of the gentleman from Blair, Mr. Milliron.

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

Mr. MILLIRON. Mr. Speaker, this is a group of men from the Altoona area who for over 10 years now have gone throughout the Commonwealth representing Altoona and Blair County and presenting a little bit of German heritage throughout the state and also throughout the country.

At this time Ed Kritzer, who is the director, will start the program.

(A choral program was presented.)

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

Mr. MILLIRON. Mr. Speaker, before the men take off, every one of these men took a day off work today to come down here, and we had a couple problems with timing and whatever, which was my fault. But I would like to thank them all personally for thinking enough to take the time off work and to give up that money or vacation day or whatever to come down here and spend some time with us. We hope that you all go back to Altoona and have a little bit better idea of the chaos we work in daily down here. Thank you again very much.

FEDERAL-STATE RELATIONS BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third 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 Research

Liaison and the University Committee for Research Liaison; providing for the membership of each such committee, prescribing the powers, functions and duties of each such committee and making an appropriation.

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—189

- | | | | |
|-----------------|-----------------|--------------------|------------------|
| Abraham | Garzia | McGinnis | Scheaffer |
| Anderson, J. H. | Geesey | McIntyre | Schmitt |
| Arthurs | Geisler | McLane | Schweder |
| Barber | George | Mebus | Setrica |
| Bellomini | Giammarco | Menhorn | Seltzer |
| Bennett | Gillespie | Milanovitch | Shane |
| Beren | Gillette | Miller, M. E. | Shelhamer |
| Berlin | Gleason | Miller, M. E., Jr. | Shelton |
| Bittle | Goodman | Milliron | Shuman |
| Bonetto | Green | Miscevich | Shupnik |
| Bradley | Greenfield | Moehlmann | Sirianni |
| Brandt | Grico | Morris | Smith, E. |
| Brunner | Gring | Mrkonc | Smith, L. |
| Burns | Halverson | Mullen, M. P. | Spencer |
| Butera | Hamilton, J. H. | Mullen | Stahl |
| Caputo | Hasay | Musto | Stapleton |
| Cassar | Haskell | Myers | Stout |
| Cianciulli | Hayes, S. E. | Novak | Taddonio |
| Cimini | Hepford | Noye | Taylor |
| Cole | Hill | O'Brien | Thomas |
| Cowell | Hopkins | O'Connell | Toll |
| Crawford | Hutchinson, W. | O'Donnel | Trello |
| Cumberland | Irvic | O'Keefe | Turner |
| Davies | Itkin | Oliver | Ustynoski |
| DeMedio | Katz | Pancoast | Vaicenti |
| Deverter | Kelly, A. P. | Parker, H. S. | Vroon |
| DeWeese | Kelly, J. B. | Perri | Wagner |
| Dicarlo | Kernick | Perry | Wansacz |
| DiDonato | Kistler | Petrarca | Wargo |
| Dietz | Klingaman | Plevsky | Weidner |
| Dinnini | Kolter | Pitts | Westerberg |
| Dombrowaki | Kowalshyn | Polite | Whelan |
| Dorr | Kusse | Pratt | Wiggins |
| Dreibelbis | LaMarca | Prendergast | Williams |
| Dumas | Laudadio | Pyles | Wilson |
| Eckensberger | Laughlin | Rappaport | Wilt, R. W. |
| Engelhart | Lederer | Ravenstahl | Wilt, W. W. |
| Fawcett | Lehr | Reed | Worriow |
| Fee | Letterman | Renwick | Wright |
| Fischer | Levi | Rhodes | Yohn |
| Fisher | Lincoln | Richardson | Zearfoss |
| Flaherty | Logue | Rieger | Zeller |
| Foster, A. | Lynch | Ritter | Zord |
| Foster, W. | Manderino | Ryan | Zwikel |
| Freind | Manmiller | Ross | |
| Fryer | McCall | Ruggiero | Fineman, Speaker |
| Gallagher | McClatchy | Saloom | |
| Gallen | McCue | Salvatore | |

NAYS—0

NOT VOTING—14

- | | | | |
|---------|----------------|-----------|--------------|
| Berson | Hammock | Knepper | Walsh, T. P. |
| Cohen | Hayes, D. S. | McGraw | Wojdak |
| Doyle | Hutchinson, A. | Renninger | Yahner |
| Gleason | Johnson, J. | | |

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 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, I would like to be recorded in the affirmative on House bill No. 2172. My needle got stuck.

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

**STATE GOVERNMENT BILL
ON FINAL PASSAGE**

Agreeable to order,

The House proceeded to the consideration on final passage of **Senate bill No. 11, printer's No. 1775**, entitled:

An Act authorizing volunteer fire, ambulance and rescue companies and members thereof to enter State premises to fight fire under certain conditions; and providing for legal advice from the Attorney General for such persons in certain cases.

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?

**DECISION RECONSIDERED
ON SENATE BILL No. 11**

The **SPEAKER**. The clerk will strike the vote from the board. The Chair reconsiders its decision as to Senate bill No. 11 having been agreed to on third consideration.

The Chair recognizes the gentleman from Westmoreland, Mr. Saloom, who offers the following amendments, which the clerk will read.

Mr. **SALOOM**. Mr. Speaker—

The **SPEAKER**. Will the gentleman yield? For what purpose does the gentleman from Butler, Mr. Arthurs, rise?

Mr. **ARTHURS**. Mr. Speaker, I rise to apologize. The amendment is not to this bill; it is a firemen's bill. But I apologize for that interruption.

The **SPEAKER**. The Chair thanks the gentleman.

Are there any amendments to be offered to this bill? Does the gentleman, Mr. Saloom, have amendments?

Mr. **IRVIS**. Mr. Speaker, I have no amendments marked on this bill.

The **SPEAKER**. That is correct.

On the question recurring,

Will the House agree to the bill as amended 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—104

Abraham	Gallen	McClatchy	Salvatore
Anderson, J. H.	Garzia	McCue	Scheaffer
Arthurs	Geesey	McGinnis	Schmitt
Barber	Gelsler	McIntyre	Schweder
Bellommi	George	McLane	Scirica
Bennett	Giammarco	Mebus	Seltzer
Beren	Gillespie	Menhorn	Shane
Berlin	Gillette	Milanovich	Shelhamer
Berson	Gleason	Miller, M. E.	Shelton
Bittle	Goodman	Miller, M. E., Jr.	Shuman
Bonetto	Green	Milliron	Shupnik

Bradley	Greenfield	Miscevich	Sirianni
Brandt	Grieco	Moehlmann	Smith, E.
Brunner	Gring	Morris	Smith, L.
Burns	Halverson	Mrkonc	Spencer
Butera	Hamilton, J. H.	Mullen	Stahl
Caputo	Hasay	Mullen, M. P.	Stapleton
Cessar	Haskell	Musto	Stout
Cianciulli	Hayes, D. S.	Myers	Taddonio
Cimini	Hayes, S. E.	Novak	Taylor
Cole	Hepford	Noye	Thomas
Cowell	Hill	O'Brien	Toll
Crawford	Hopkins	O'Connell	Trello
Cumberland	Hutchinson, W.	O'Donnell	Turner
Davies	Irvis	O'Keefe	Ustynoski
DeMedio	Itkin	Oliver	Valcenti
Deverter	Johnson, J.	Pancoast	Vroon
DeWeese	Katz	Parker, H. S.	Wagner
Dicarlo	Kelly, A. P.	Perri	Wansacz
DiDonato	Kelly, J. B.	Perry	Wargo
Dietz	Kernick	Petrarca	Weidner
Dintnii	Kistler	Pievsky	Westerberg
Dombrowski	Klingaman	Pitts	Whelan
Dorr	Kolter	Polite	Wiggins
Doyle	Kowalshyn	Pratt	Williams
Dreibelbis	Kusse	Prendergast	Wilson
Dumas	LaMarca	Pyles	Wilt, R. W.
Eckensberger	Laudadio	Rappaport	Wilt, W. W.
Engelhart	Laughlin	Ravenstahl	Wojdak
Fawcett	Lederer	Reed	Worrlow
Fee	Lehr	Renninger	Wright
Fischer	Letterman	Renwick	Yohn
Fisher	Levi	Richardson	Zearfoss
Flaherty	Lincoln	Rieger	Zeller
Foster, A.	Logue	Ritter	Zord
Foster, W.	Lynch	Ross	Zwikl
Freind	Mandirino	Ruggiero	
Fryer	Mannmiller	Ryan	Fineman,
Gallagher	McCall	Saloom	Speaker

NAYS—0

NOT VOTING—9

Cohen	Hutchinson, A.	McGraw	Walsh, T. P.
Gleason	Knepper	Rhodes	Yahner
Hammock			

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.

**URBAN AFFAIRS BILL
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 1279, printer's 1809**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Bill, page 2, by inserting between lines 29 and 30:

Section 6. The council of any city of the first class, during the fiscal year ending June 30, 1976 and every fiscal year thereafter, shall not impose a tax on wages in excess of 3 5/16% on nonresidents of the city who render services in such city.

Section 7. The provisions of this act are declared to be nonseverable. If any provision of this act or the applica-

tion thereof to any person or circumstance is held invalid, the remaining provisions or applications of this act shall be void.

Amend Sec. 6, page 2, line 30, by striking out "6." and inserting: 8.

On the question,

Will the House agree to the amendments?

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

Mr. GILLESPIE. Mr. Speaker, thank you.

Mr. Speaker, as we all know, Senate bill No. 1279, which I propose to amend, is the tax enabling legislation that will enable the city of Philadelphia to levy taxes. My amendment addresses itself to the city wage tax on the nonresident who works in the city of Philadelphia. It proposes to put in what the House Urban Affairs Committee chose to disregard and rip out, that which the Senate had amended initially. So what it will do is to put a cap of 3 5/16 on the wage tax and it will also put a non-severability clause in the entire bill. Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I rise in support of the amendment offered by Mr. Gillespie. There will be further amendments that I will support also that will reduce the amount of the tax that can be imposed on nonresidents, but this is as good a place as any to start. We will start here and then work our way forward from this point on, and I would urge that the members support the amendment.

CONSTITUTIONALITY QUESTIONED

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

Mr. RAPPAPORT. Mr. Speaker, I rise to question the constitutionality of this amendment. Our courts have long held, Mr. Speaker, that taxation must be uniform. Those among us who were here in 1970 remember very clearly the problems that we had with the state income tax. When we passed the state income tax for the first time, it went to the courts. Because we tried to put some exemptions in there for the unfortunates of this Commonwealth, they were struck down by the Supreme Court because the taxes were not uniform.

What my friend from Delaware County is attempting to do is to create two classes where there is one class. The class that is taxed are all people working in the city of Philadelphia. Mr. Gillespie is trying to make one class privileged and one class unprivileged.

That, Mr. Speaker, at least in this system of government, is unconstitutional, and I ask for a ruling from the Chair.

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

Mr. GILLESPIE. I believe that in Article VIII, section 1 of the constitution, the rationale behind that is that all taxes shall be equal. Okay? But what we have, with the nonresident paying the same freight that the resident of Philadelphia is paying, is an inequity. So what we are talking about is to bring the tax structure of Philadelphia within the purviews of the constitution, in my opinion.

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

Mr. RAPPAPORT. Mr. Speaker, I will yield to the gentleman from Delaware County, if he cares to be recognized.

Mr. DOYLE. Mr. Speaker, Article VIII, section 1—

Mr. RAPPAPORT. Excuse me, Mr. Speaker, I was yielding to the gentleman, Mr. Ryan.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. That is all right; I will yield to Mr. Doyle.

Mr. RAPPAPORT. You are all heart.

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

Mr. DOYLE. I would just like to point out, just on this one point, that Article VIII, section 1, of our Pennsylvania Constitution states: "All taxes shall be uniform, upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws."

This almost identical wording was declared constitutional in two states when they imposed a different rate of tax on suburban residents; they are the States of Michigan and Kentucky.

In Kentucky, where the tax rate in the city of Louisville was in question, the nonresidents pay 1.45 percent; the residents pay 2.2 percent. The Kentucky Constitution says that the taxes shall be levied and collected for public purposes only and shall be uniform upon all property of the same class subject to taxation within the territorial limits of the authority levying the tax. It is almost verbatim what the Pennsylvania Constitution states, and it was declared constitutional where the city imposed two different rates of taxes.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Rappaport, has raised the matter of the constitutionality of Senate bill No. 1279.

Does the gentleman, Mr. Pancoast, desire to be recognized?

Mr. PANCOAST. Mr. Speaker, will the gentleman from Philadelphia, Mr. Rappaport, consent to be interrogated?

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. PANCOAST. Is it not true that the Philadelphia wage tax is collected on residents who work outside the city of Philadelphia?

Mr. RAPPAPORT. That is correct.

Mr. PANCOAST. Therefore, is there not already a division of people in Philadelphia—those who live outside of the city and work in Philadelphia and those who live in the city and work outside?

Mr. RAPPAPORT. I am sorry, I did not hear the gentleman's question, Mr. Speaker. I cannot quite hear.

Mr. PANCOAST. I believe, Mr. Speaker, in your explanation you said that the gentleman was attempting to divide people between residents and nonresidents. Is that not correct?

Mr. RAPPAPORT. No, Mr. Speaker. I said he was attempting to divide the people who fall within the class of those working in the city of Philadelphia into two classes.

Mr. PANCOAST. Does the present law not make a

division of the people in Philadelphia with respect to the tax?

Mr. RAPPAPORT. No, Mr. Speaker, it does not.

Mr. PANCOAST. Persons who live in Philadelphia are taxed.

Mr. RAPPAPORT. That is an entirely separate class which is taxed. The wage tax applies to two different classes of people—those who work in the city and those who live in the city.

Mr. PANCOAST. And you are saying the constitutional question is that there cannot be a further division between residents and nonresidents?

Mr. RAPPAPORT. I am sorry, I still did not hear you. I apologize to the gentleman. I did not hear that last statement.

Mr. PANCOAST. You are saying that there cannot be a further classification between residents and nonresidents?

Mr. RAPPAPORT. I am saying, Mr. Speaker, to the gentleman that there are two classes of people who are taxed: Those who work in the city of Philadelphia are one class; those who live in the city are another class; and the taxes are uniform between those two classes.

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

Mr. WILSON. On the point of constitutionality, I would briefly like to make just a couple comments: It seems to me that the gentleman from Delaware County's proposal would, in fact, offer reasonable classification between the two different classes of taxpayers—those who are not residents of the city of Philadelphia and those who are residents. It seems to me that in all fairness to the nonresidents, who do not use the services, that we should, in fact, just let the court decide. If the gentleman, Mr. Rappaport, feels that there is a constitutional problem, I suggest he go to the court rather than here.

I would urge the House to vote down the question of constitutionality and let us get on with the amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I have listened here with interest to the remarks of the various gentlemen, and my sentiments, of course, are with Mr. Doyle.

There is precedent, I believe, here in Pennsylvania for what we are proposing today. There would seem to be no adverse decisions to start with, because this has not been tested. However, the law as it exists in Pennsylvania today does permit in all cases, other than where cities of the first class are involved, a credit. So a borough or a township that is levying a wage tax does not collect the full wage tax where that person who works in the borough or township lives in another community that does have a similar tax. So the tax is not uniform in that sense; it is divided. There is a credit given by the one taxing body.

There is no case law in Pennsylvania; however, Mr. Doyle cites other precedent elsewhere in the United States with similar provisions in the constitution.

I agree with Mr. Wilson that this is a matter that can best be disposed of by the Pennsylvania Supreme Court, if need be, and suggest that we get on to find this constitutional by our vote now and then put the amendment in and let the courts have a crack at it.

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

Mr. RAPPAPORT. Mr. Speaker, I expected this type of argument from the gentleman from Bucks County; I did not expect this type of argument from the gentleman from Delaware whose arguments are usually better.

The point made shows to me the basis of this argument. What is Mr. Wilson really proposing here, Mr. Speaker? If he cannot get what he wants, he is going to take his bat and ball and go home and the heck with everybody else, because his friends from Delaware have put into this amendment a nonseverability clause. In other words, if I am right and he is wrong, we still do not get the taxes. Thanks a lot. We appreciate that help.

Now let us talk about the other states' arguments, about what happened in Michigan. Yes, let us talk about what happened in Michigan after this kind of a bill went in. Let us talk about the city of Detroit. The city of Detroit laid off 25 percent of its municipal employes in the past 6 months. Every branch library in the city of Detroit has been closed. The main library in the city of Detroit is only open 3 days a week. It is very well and good to applaud that, but when your children want to use that free library in the parkway, it will not be there.

Mr. Speaker, the further argument advanced by Mr. Ryan talks about crediting provisions. I would remind the gentleman that, under crediting provisions, the full tax is collected by the taxing municipality, and then a cash payment is made; only then. There is not a lesser tax collected.

Mr. Speaker, no one forces our friends from the suburbs to come into Philadelphia and work. If they want to work in the city—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. GILLESPIE. Are we discussing the constitutionality of my amendment? I submit that Mr. Rappaport's comments are not germane.

The SPEAKER. The question before the House is the constitutionality of the amendment offered by the gentleman, Mr. Gillespie. The Chair would request all speakers to confine themselves to the issue before the House.

Mr. RAPPAPORT. Mr. Speaker, there is a constitutional right to travel in this country, but those who wish to travel must pay their fares. They have to pay for the ticket. That is all we ask.

Thank you, Mr. Speaker.

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

Mr. ZEARFOSS. Mr. Speaker, on the issue of constitutionality, I would like to read the provision of the constitution that I assume Mr. Rappaport is referring to: Article VIII, section 1, which says: "All taxes shall be uniform, upon the same class of subjects, . . ."

What Mr. Rappaport is trying to make us believe is that residents of Philadelphia and nonresidents of Philadelphia belong to the same class of subjects. That may be so, but I submit that the contrary conclusion is just as logical. The cases from other states would indicate that classification by place of residence is a reasonable clas-

sification and therefore not violative of a constitutional provision like this.

I submit that we can vote that this is constitutional, because there are reasonable classifications here, reasonable distinctions made as to classification, and that this is constitutional, and if, in fact, at some later date, a court should determine that our interpretation of the constitution is wrong, they will tell us so. But I think for the purposes in this House and on this bill at this time, we should say that it is constitutional.

The SPEAKER. The Chair will now submit the matter of constitutionality to the House. Those members voting to uphold the constitutionality of the amendment will be voting in the affirmative; those members desiring to vote that the amendment is unconstitutional will be voting in the negative.

On the question,

Will the House sustain the constitutionality of the amendments?

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

YEAS—116

Anderson, J. H.	Fischer	Lehr	Schweder
Arthur	Fisher	Levi	Scirica
Bellomini	Foster, A.	Lincoln	Seltzer
Bennett	Foster, W.	Lynch	Shuman
Beren	Freind	Manmiller	Sirianni
Berlin	Gallagher	McClatchy	Smith, E.
Bittle	Gallen	McCue	Smith, L.
Bradley	Garzia	McGinnis	Spencer
Brandt	Geesey	Mebus	Stahl
Brunner	Gillespie	Miller, M. E.	Stapleton
Burns	Goodman	Miller, M. E., Jr.	Taddonio
Butera	Green	Milliron	Taylor
Cessar	Grieco	Moehlmann	Thomas
Cimini	Gring	Morris	Turner
Cowell	Halverson	Noye	Ustynowski
Crawford	Hamilton, J. H.	O'Brien	Vroon
Cumberland	Hasay	O'Connell	Wagner
Davies	Haskell	O'Donnell	Weidner
Deverter	Hayes, D. S.	O'Keefe	Westerberg
DeWeese	Hayes, S. E.	Pancoast	Whelan
Dicarlo	Hepford	Parker, H. S.	Wilson
Dietz	Hill	Perri	Wilt, R. W.
Dininni	Hopkins	Pitts	Wilt, W. W.
Dombrowski	Hutchinson, W.	Polite	Worrilow
Dorr	Itkin	Pratt	Wright
Doyle	Katz	Pyles	Yohn
Dreibelbis	Kistler	Renninger	Zearfos
Eckensberger	Klingaman	Ryan	Zeller
Fawcett	Kusse	Scheaffer	Zord

NAYS—77

Abraham	Greenfield	Mrkonje	Saloom
Barber	Irvis	Mullen, M. P.	Schmitt
Berson	Johnson, J.	Mullen	Shane
Bonetto	Kelly, A. P.	Musto	Shelhamer
Caputo	Kernick	Myers	Shelton
Cianciulli	Kolter	Novak	Shupnik
Cohen	Kowalyszyn	Oliver	Stout
Cole	LaMarca	Perry	Toll
DeMedto	Laudadio	Petrarca	Trelio
DiDonato	Laughlin	Pievsy	Valicenti
Dumas	Lederer	Prendergast	Wansacz
Englehart	Letterman	Rappaport	Wargo
Fee	Logue	Ravenstahl	Wiggins
Flaherty	Manderino	Reed	Williams
Fryer	McCall	Renwick	Wojdak
Geisler	McIntyre	Richardson	Zwick
George	McLane	Rieger	
Grammarco	Menhorn	Ritter	Fineman,
Gillette	Milanovich	Ross	Speaker
Gleason	Miscevich	Ruggiero	

NOT VOTING—10

Gleason	Kelly, J. B.	Rhodes	Walsh, T. P.
Hammock	Knepper	Salvatore	Yahner
Hutchinson, A.	McGraw		

So the question was determined in the affirmative and the constitutionality of the amendment was sustained.

On the question recurring,

Will the House agree to the amendments?

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

Mr. GILLESPIE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to just point out that there are now six cities throughout the United States that grant some kind of difference in taxing their nonresident workers. I would just hope and suggest that we in the Commonwealth do the same for the residents of the suburban Philadelphia area.

The other point that Mr. Rappaport touched on was the nonseverability clause. In all honesty, I put that in there to influence the powers that be.

Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

With the gentleman's permission, I will address several points.

The city of Philadelphia is in extremely bad financial condition right now. On Thursday, July 1 of this year, the first day of the new fiscal year, the city is going to have to go to financial institutions and borrow upwards of \$60 million. In the event that the city cannot borrow that money, we will not meet payroll on Friday, July 2. If, perchance, we are able to get by that date, on December 3, we have, I believe, \$85 million of bond anticipation notes coming due. We must go to the long-term market to fund those. On either of those dates—and if not the first, most definitely the second—the city will default.

What will the default of the city of Philadelphia mean to every legislator sitting in this chamber? Might I suggest that the same thing will happen here when our major city defaults as happened in the State of New York when their major city defaulted. The credit markets were not only closed to the state but to most of the municipalities in that state. That means that Scranton, Harrisburg, Allegheny County, Erie, Carbondale, and places like that will either be unable to borrow any money at all or borrow at a prohibitive rate of interest. This legislature will be forced to run a rescue operation much as the New York State Legislature was forced to do.

Mr. Speaker, when the House Urban Affairs Committee first determined to investigate this situation, the minority leader addressed this House for a few minutes in a very constructive way. He wanted to be assured that the hearings would be held in an open and fair manner, and I think he was reassured at that time. I then complimented him for adopting a very understanding position, a very statesmanlike position, that had been adopted by Mr. Anderson, the Republican leader of the New York Senate in their problems. I regret, despite the comments of the minority leader when we discussed this issue, that a member of the minority leadership has today not followed that lead, unfortunately.

In today's newspaper there is an account that the State of New York just borrowed \$50 million. They paid 7.3 percent. Two years ago, before New York City was in trouble, they paid 5¼ percent. The State of Pennsylvania is now paying around 7 percent. We will undoubtedly have to pay a lot more.

What we are faced with here is a choice for many members of this House as to whether suburban residents around Philadelphia shall help the city of Philadelphia or whether all the taxpayers of this state will help Philadelphia. That is the issue for most of the members seated here today, Mr. Speaker, because, should the city default, like a stone in a pond, those waves will fan out and overwhelm every municipality in this state that is in any way financially weakened, and that includes many suburban municipalities.

I said earlier that nobody drags anybody across the county line to work in the city. We have a lot of people out of work. We could use those jobs for our own people. And maybe that is the dues the suburban people have to pay for having a city there that will be the bedroom for the people who do the dirty work in the suburbs, who work in their factories, and who clean their kitchens, who work in the city, who live in the city and commute to the suburbs each day.

We handle the social problems for the entire region. We provide municipal hospitals for the entire region. Indeed, we give you a higher education in our universities that enjoy tax exemptions. We provide you with an art museum and a library and a ball park and, hopefully, a winning hockey team. This is the only way that the suburbs can contribute to that.

We do not want to put a tax on hospital rooms as the city of Pittsburgh did at one time. Our attempt to tax the users of the airport was struck down by the courts. We have no other way to go so that the region contributes to our solving of our problems, because if you do not help us solve the problems in the city, they are your problems. They are coming to the suburbs and they will continue to come to the suburbs.

Mr. Speaker, I ask for a "no" vote on this amendment.

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

Mr. RICHARDSON. Mr. Speaker, I rise to ask for a negative vote on this amendment.

Very seriously, I think that this tax-package bill that is facing us today is a very important piece of legislation. The amendment which I rise to speak against centers itself around the fact that in the city of Philadelphia we are faced with a very serious problem. I think that there needs to be someone standing on this floor addressing himself or herself to the overall total picture of what is facing our city.

This amendment, which is to provide a cap for suburbanites on the tax package, I feel is a move only to get away from the fact that those who live in the suburbs do not want to pay that additional tax.

Now the problem that has come before us is that those living in the city of Philadelphia, those individuals who personally came before the subcommittee on the tax question, did raise the question over and over again, as residents of the city, that suburbanites and those who live in the suburbs should pay the same amount of money in taxes as those who are residents there in the city. So I feel very strongly about the fact that there needs to be someone addressing himself to this particular issue. It seems to me that when we are talking about fairness and when we are talking about responsibility, that those individuals who work in the city of Philadelphia and then leave there from their city offices and go home to the suburbs should pay the same amount of

money as those individuals who live in the city of Philadelphia.

Those who live in the suburbs share the same amount of electricity, of police protection, of other municipal services that all the other city persons get, and I do not see the difference between the two. This, to me, seems to be a way of getting away from the concrete issue of whether or not there should be a tax at all and whether or not the tax burden is too high.

What I would suggest is that the way to move against Senate bill No. 1279, in terms of the amendment that is before us, is to vote the amendment down so that we can vote the bill down in its entirety, and, therefore, that particular situation will not be facing those individuals in the suburbs at this particular time. I think the appropriate time would be when it comes up in the council as to where it stands.

But I think that we are faced with a situation that says to us very clearly, why should those individuals who live in the city pay a different price than those who live in the suburbs? I cannot agree with that. I have to be against that. I have to say to my colleagues here that we are faced with a very serious problem. How can we begin to move against a problem if we do not have all of the facts? To just put a blanket ceiling or cap on the wage tax at this present time does not do anything in really alleviating the situation.

I would hope that those who are proponents of the amendment, who feel that there needs to be that cap on it, perhaps can explain why those who live in the suburbs should not pay the same amount as those who live in the city and must pay all of the burden.

I believe that the burden is on all individuals who come to the city and work there, who are making a living and making "X" number of dollars. As they scurry out of town, running back to the suburbs, we are still faced with living conditions in the city. They should also pay the brunt of that expense and cost. Therefore, Mr. Speaker, I am asking that the members of this House do vote in the negative against this amendment to Senate bill No. 1279.

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

Mr. WILSON. Mr. Speaker, I can understand Mr. Rappaport's position; he is a Philadelphia taxpayer. I can understand Mr. Richardson's position; he is also a Philadelphia taxpayer. I would be up here too fighting to not pay any more money than I had to if I could get the money someplace else. This is really what it is all about.

Frankly, I think the ceiling should be reduced. This is at least a start in the right direction.

What we are talking about is some \$92,000,697 that is contributed right now by the suburban Philadelphia residents, the nonresident taxpayers, to the city of Philadelphia; \$92 million.

This proposal is not going to take anything away from the city of Philadelphia. This proposal is not going to reduce that amount of money. It is going to remain the same. I cannot see where the argument comes from.

The gentleman who just spoke suggests that the suburban person should pay his share for this police protection. I would suggest that he has no choice. When the city council ordains that a tax levy shall be 3 5/16 percent to every person working in the city of Philadel-

phia, he has no vote in that council. He has no choice to see if we want to put a lid on I-95, whether we want to buy a stadium, whether we want to build a new dell, but he has to pay the bill. I suggest that this proposal is at least a half step in the right direction.

The gentleman, Mr. Rappaport, is suggesting, in order to get the vote on this thing of those of you who are not from the suburban counties or from Philadelphia, that you are going to have to bail them out. You are probably going to have to bail them out anyhow. They are going to lay off 25 percent of their workers. It is about time. The papers down there have been talking about it ever since Mr. Rizzo won last November. He bought the election with jobs and now he is going to have to face the facts.

I say that we ought to at least put a lid on this thing and at least protect the person from suburbia who has to pay the bill and does not have a vote down there in City Hall. It cannot eliminate the corruption, if it is down there, but I think we ought to put a lid on it at least.

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

Mr. TRELLO. Mr. Speaker, I would like to interrogate Mr. Rappaport.

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. TRELLO. Mr. Speaker, it is my understanding that whenever a tax rise is imposed on a city or a borough or a township, that they are in dire need of money. Is that correct?

Mr. RAPPAPORT. I did not hear the gentleman's last statement.

Mr. TRELLO. I said, whenever a city or a borough or a township is in dire need of money, they look for an increase in taxes. Is that correct?

Mr. RAPPAPORT. I have voted for numerous taxes since I have been here and I think that is the experience of all government.

Mr. TRELLO. Well, what I am trying to say is this: The fact is that if you do not get the money, the taxpayers are going to suffer cuts in services they normally receive from the city. Is that correct?

Mr. RAPPAPORT. I think that is an understatement. I think that not only are taxes going to have to go up in Philadelphia, whether or not we do anything here, but that services are also going to be cut. Both are going to happen.

Mr. TRELLO. Okay.

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

The SPEAKER. The gentleman is recognized.

Mr. TRELLO. You know, in my borough where I live, we have nonresidents who pay an occupation privilege tax there. Also in our county, there were several departments eliminated altogether, and I know people who worked in those departments who netted, after taxes, \$500 a month. Now they are collecting unemployment compensation at a rate of \$125 a week for 65 weeks, and the taxpayers are paying for that 100 percent. They are netting the same amount of money not working as when they were working. So in my opinion, the taxpayers are going to pay one way or another. I support this tax package rather than pay them the unemploy-

ment compensation and let them be idle and do nothing for the borough or for the town or for the city.

Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, just briefly, on the comments of both Mr. Richardson and Mr. Rappaport, Mr. Richardson makes reference to the fact that the worker from the suburbs goes into Philadelphia, does his day's work, and then, quote, "scurries back to the suburbs." I would add to that: He scurries back to the suburbs to pay real estate taxes, to pay taxes for the police, to make donations to the volunteer fire companies, to pay his water bills, his sewage bills, his trash removal, and every other one of these things that part of his wage tax is paying for for the Philadelphians.

Now the point that seems to be missed by everyone here is the point that Mr. Wilson raised, and that is, the amendment that is before the House right now does not take 5 cents away from the city of Philadelphia. It simply puts a limit at the present rate so that the non-resident taxpayer, should there be an increase by city council in the wage tax, will not have to pay any part of that increase. That is completely fair. I do not see where we have any argument on that one. We are going to have more of an argument on Mr. Wilson's amendments, I am sure, when we talk about a reduction in it.

The other part of Mr. Rappaport's statement concerned the wonderful municipal services that are provided. I agree that Philadelphia is the cultural center, I suppose, of at least the southeastern part of Pennsylvania and perhaps a wider geographic area than that. But all he has to do is take a look at the nonpreferred appropriations to get an idea that the Commonwealth of Pennsylvania is paying a pretty hefty part of that cultural bill. We here in the Commonwealth do give the city of Philadelphia additional moneys. I do not see why the residents of the Philadelphia suburbs have to make up the deficit. We are paying, with our wage taxes, the equivalent—I believe it was stated the last time we were on the floor—of 70 percent of the police and/or 30 percent of the firemen protection, or vice versa, but at least we are paying a good deal of the municipal services. We are not using your schools; we are not paying the light bills. Of course, we are not living down there.

I think that this amendment, of all the amendments that will be offered, is the least onerous, has the least financial impact on the city of Philadelphia and should be the least controversial and adopted almost unanimously with some few exceptions.

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

Mr. RICHARDSON. Mr. Speaker, I have a question for Mr. Wilson.

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

Mr. WILSON. Aye, aye.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. The question I have, Mr. Speaker, is, in that \$92 million that you were referring to, were you talking about Jersey suburbanites or were you just talking about those in the five-county area?

Mr. WILSON. Sir, I could not tell you. All I am citing is the fiscal note that was prepared for me pre-

viously. It does not mention whether they are from Jersey or the five-county area.

Mr. RICHARDSON. By whom was it prepared?

Mr. WILSON. Your Appropriations Committee, Thomas J. Diana, March 11, 1976. The source is the office of the Director of Finance of the city of Philadelphia.

Mr. RICHARDSON. Okay. That is done by the city of Philadelphia. What I am saying is that of the total amount of money coming in that you are referring to, I have no way of determining whether that is just over the five-county area or whether you are talking about any nonresidents who are coming in and paying their wage tax.

Thank you very much, Mr. Wilson.

The question I am raising is the fact that Mr. Ryan spoke to the fact that those individuals who come into the city are coming into the city and working. I was only relating to the wage tax. We pay more than just the wage tax in the city of Philadelphia, also. And I think that what needs to happen is that we need to recognize that, when we are talking about a total picture, it means that everyone should pay, then, the same price. If you are coming from the suburbs and you do come in and share or consume a certain amount of electricity and you consume a certain amount of police protection, then that means that you should also pay the same amount of tax that everyone else does who consumes that same amount of service in this city.

I do not see how you can divide that either, Mr. Speaker. And I am saying to you that it was also very fair that those individuals who do work out of the city and come in and do work in the city should pay the same amount of wage tax that everyone else is paying. I think that that is only fair.

Thank you.

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

Mr. VROON. It has been said here today that there is no difference between the suburbanite who works in the city and the resident of the city who works there, and it has been said by Mr. Rappaport that nobody is forcing the nonresident to come in and work. But let us put a few more facts on the table and let us say it this way: Nobody forces the employer to stay in Philadelphia or to do business in Philadelphia.

I was one of those who had a firm in Philadelphia for many years. I was faced with the choice at one time of whether I wanted to stay in Philadelphia or move out of it. I could have made that decision quite readily, because my corporation was a service corporation. It would have been a real pleasure for me to move to the suburbs and to avoid that tax, but I had a lot of people working for me who lived in Philadelphia and in other areas surrounding Philadelphia and I felt especially concerned about the people who had been in my employ for many long years. So I decided to stay in Philadelphia.

Now when I go to Philadelphia as a worker, I do not share in all this protection that you say, Mr. Richardson. The fact of the matter is that I take up very little. I work in an office building or a factory or a store, all of which are located in the city and all of which are taxed heavily, and the corporation for which I work is taxed heavily by the city. All of these taxes are paid over and above these wage taxes.

Let us not lose sight of one more very important fact. These people who come into the city in droves from the suburbs also spend money by the bucketfull in Philadelphia. Now who is getting the longest end of the stick? I have no doubt whatsoever but that Philadelphia is getting the main benefit of the suburbanite coming in.

All we are saying here now is this, simply this: We do not mind paying what we have been paying so far, but we do not want to pay anymore of your fat, which you have loaded on unnecessarily in the cost of administration in Philadelphia. We do not want to pay for your patronage. We do not want to pay for all the excessive costs of government which you have laid on. That is what we are saying.

If you do not observe what we are saying here and now, let me warn you that you are going to drive more and more businesses out of your city.

I happen to live in an area where we have a mushrooming community of office buildings. There are more and more firms coming out to our community every year. We love it. We are getting new ratables all the time. The people who work for these corporations love it too, because they can go right from the suburbs to a suburban office or a suburban store or a suburban factory.

Let us be very careful, Mr. Speaker, of what we do here. If you insist that we are going to help share all of your costs and pay 30 percent on a constant basis of your cost of government, which includes a lot of fat and a lot of waste, you are going to be asking for an exodus from your city. And you will get less in the long run than if you freeze it right here and now at this level.

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

Mr. GILLESPIE. Thank you, Mr. Speaker.

Mr. Speaker, this argument has been a long one, but I just have to do a few things. One is not very palatable, but I must challenge the credibility of Mr. Rappaport's argument. He has stated, in a prophet-of-doom type of way that if we do enact this cap type of amendment to this legislation, the city of Philadelphia will fall into the Delaware River and everyone else in the suburban communities will fall in too.

I submit that back in December and January and February of this year, the financial director down there, Mr. Moak, was saying what fiscally sound ground the city of Philadelphia was on. Now here we are in a crisis situation a few months later really without any answers to some of the very important questions that have been asked. So with all due respect, I just do not know where to go.

The one thing with my argument is that it will bring credibility to the taxpayers who happen to work in the city of Philadelphia and live in the surrounding counties. I would hopefully suggest that we get on with the business of the House and vote affirmatively.

Thank you.

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

Mr. ZEARFOSS. Mr. Speaker, there was one point that was mentioned by Mr. Rappaport in an earlier debate on this subject, which was brought up again today, that I think bears mentioning. Mr. Rappaport referred to the reverse commuter—the person who lives in Philadelphia but works in the suburbs. This person is taxed

under the Philadelphia wage tax even though he works in the suburbs. This person cannot be taxed under the law as it now stands by the suburban community. Those persons get the services of the suburban communities just as it has been mentioned that the suburban resident who works in Philadelphia gets the services of the city.

I think it is time that some distinction be made here and some recognition of this fact be made. Until the suburban communities are capable, under the law, of taxing the city dweller who works in the suburbs, I think the only fair thing to do is to give this cap to the suburban resident who works in Philadelphia out of a sense of fairness.

Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, the gentleman who spoke about the corporation did not name the corporation that he was referring to. But I must indicate that certainly he saw fit to stay in the city of Philadelphia, which is a large metropolis and where there is certainly a large number of individuals who would certainly support his business.

I would say again that it is quite clear in my mind that those individuals who do work in the city and have seen fit not to move their corporations to the suburbs do not have the same amount of persons living out in the suburbs who could support their business. So it is only right that they would stay there to try to maintain their business.

I am saying that if they come into the city, they should be taxed. Those individuals who do come in, who work there and then leave and go back to the suburbs, should be taxed the amount of money that everyone else in the city is paying. They are taking out more money, anyway. And for those individuals who feel that they are spending bundles of money in the city of Philadelphia, then evidently someone must be pocketing it, because it is not getting to the right source.

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

Mr. RAPPAPORT. Mr. Speaker, will the gentleman, Mr. Zearfoss, consent to an interrogation?

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

Mr. ZEARFOSS. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. RAPPAPORT. Mr. Speaker, the gentleman spoke very persuasively about the problem of the suburban communities that have Philadelphians working in them and cannot levy a tax on them. Will the gentleman support legislation to permit suburban communities to put on a wage tax in a like amount with the Philadelphia wage tax?

Mr. ZEARFOSS. In a like amount? I would support legislation to amend Act 511, which is our taxing authority for suburban areas, to take off all limitations. And I have made such efforts to have a bill that is now in our Finance Committee amended to do that; yes.

I would let it up to the local governments to decide the rate of tax, but I would give the authority to them to levy any tax they thought was necessary on a wage-tax basis.

Mr. RAPPAPORT. Mr. Speaker, I hate to belabor the

point with the gentleman, but am I then to understand that the gentleman would favor a wage tax to be levied by suburban communities?

Mr. ZEARFOSS. I think that the suburban communities should have the opportunity to levy a wage tax on their residents and on the residents of Philadelphia who work in their communities, yes. I think that would be fair. Whether I am advocating it, that is up to our local municipal officials, not up to me. All we do here is give them authority.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. ZEARFOSS. We would like to have a credit provision added so that if we do charge wage taxes in the suburbs, there would be a credit against the city wage tax, obviously.

Mr. RAPPAPORT. Mr. Speaker, will the gentleman, Mr. Wilson, consent to interrogation?

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

Mr. WILSON. Certainly, counselor.

The SPEAKER. The gentleman will proceed.

Mr. RAPPAPORT. Mr. Speaker, did the gentleman hear—I know that there is a lot of noise in this Chamber—

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority whip. For what purpose does the gentleman rise?

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, it would seem to me that Mr. Rappaport is trying to dodge the issue that is presently before the House by interrogating the various proponents of this amendment to see if he can make a deal. That is not the issue that is before the House—whether or not we are interested in legislation in the suburbs to tax the Philadelphia resident who works in the suburbs. Let us get to the issue that is here. We do not have that one before the floor. We are not ready to make a deal on it.

The SPEAKER. The Chair feels that the gentleman, Mr. Rappaport, has been in order and may proceed.

Mr. RAPPAPORT. Mr. Speaker, I would just add that I do not make deals on things like this. This is much too important. The future of my city is at stake.

Mr. Speaker, did the gentleman, Mr. Wilson, hear the colloquy between the gentleman from Delaware, Mr. Zearfoss, and myself?

Mr. WILSON. I did.

Mr. RAPPAPORT. Would the gentleman, Mr. Wilson, also be in favor of legislation to permit suburban municipalities to levy a wage tax?

Mr. WILSON. Certainly, as long as the gentleman from Philadelphia goes along with an offset so that the wage tax would be paid at the place of residency.

May I ask the gentleman, Mr. Rappaport, the same question?

Mr. RAPPAPORT. Mr. Speaker, I am standing here trying to get authority for my own city council to increase taxes to an enormous amount, a horrendous amount. I think that makes my position clear.

Thank you, Mr. Speaker.

The SPEAKER. For what purpose does the minority whip rise?

Mr. RYAN. Mr. Speaker, I feel neglected. Mr. Rap-

paport failed to interrogate me on the same question that he asked my colleagues.

The SPEAKER. Well, he has already taken care of Delaware County. Mr. Zearfoss spoke on behalf of Delaware County.

The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I just wanted to point out that it has been stressed that we are talking about a five-county area—Philadelphia and the four counties immediately surrounding it—but the Philadelphia wage tax affects thousands more people. I am not talking about New Jersey; I am talking about the people who live in Berks County, the people who live in Lehigh County, Northampton County, Lancaster County, and other counties in the immediate periphery. Mr. Speaker, I think that the people who work in Philadelphia and live in these counties should also be given this consideration.

Thank you.

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

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

YEAS—97

Anderson, J. H.	Freind	Lynch	Sirianni
Beren	Fryer	Manmiller	Smith, E.
Berlin	Gallagher	McClatchy	Smith, L.
Bittie	Gallen	McCue	Spencer
Brandt	Garzia	McGinnis	Stahl
Burns	Geesey	Mebus	Stapleton
Butera	Gillespie	Miller, M. E., Jr.	Tadonilo
Cessar	Goodman	Milliron	Thomas
Cimini	Green	Moehlmann	Turner
Crawford	Grieco	Morris	Ustynoski
Cumberland	Gring	Noye	Vroon
Davies	Haiverson	O'Connell	Wagner
Deverter	Hasay	O'Keefe	Weidner
Dicarlo	Haskell	Pancoast	Westerberg
Dietz	Hayes, D. S.	Parker, H. S.	Whelan
Dininni	Hayes, S. E.	Pitts	Wilson
Dombrowski	Hepford	Polite	Wilt, R. W.
Dorr	Hill	Pyles	Wilt, W. W.
Doyle	Hopkins	Renninger	Worrlow
Fawcett	Hutchinson, W.	Ryan	Wright
Fischer	Kistler	Scheaffer	Yohn
Fisher	Kusse	Scirica	Zearfoss
Foster, A.	Lehr	Shuman	Zord
Foster, W.	Levi		

NAYS—96

Abraham	Gillette	Milanovich	Ross
Arthurs	Gleeson	Miscevich	Ruggiero
Barber	Greenfield	Mrkonic	Saloom
Bellomini	Hamilton, J. H.	Mullen, M. P.	Schmitt
Bennett	Irvis	Mullen	Schweder
Berson	Itkin	Musto	Snane
Bonetto	Johnson, J.	Myers	Shelhamer
Brunner	Katz	Novak	Shelton
Caputo	Kelly, A. P.	O'Brien	Shupnik
Cianciulli	Kernick	O'Donnell	Stout
Cohen	Klingaman	Oliver	Taylor
Cole	Kolter	Perri	Toil
Cowell	Kowalshyn	Perry	Trello
DeMedio	LaMarca	Petrarca	Valicenti
DeWeese	Laudadio	Pievsky	Wansacz
DiDonato	Laughlin	Pratt	Wargo
Dreibelbis	Lederer	Prendergast	Wiggins
Dumas	Letterman	Rappaport	Williams
Eckensberger	Lincoln	Ravenstahl	Wojdak
Englehart	Logue	Reed	Zeller
Fee	Manderino	Renwick	Zwikel
Flaherty	McCall	Richardson	
Geisler	McIntyre	Rieger	Fineman,
George	McLane	Ritter	Speaker
Giammarco	Menhorn		

NOT VOTING—13

Bradley	Kelly, J. B.	Miller, M. E.	Seltzer
Gleason	Knepper	Rhodes	Walsh, T. P.

Hammock
Hutchinson, A. McGraw Salvatore Yahner

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

Amend Title, page 1, line 8, by inserting after ["individuals."]; and providing for a permanent rate of taxation on certain individuals.

Amend Bill, page 2, by inserting between lines 29 and 30:

Section 6. The council of any city of the first class shall not impose a tax on wages in excess of 3 5/16% in the year 1976; 2 5/16% in the year 1977; 1 5/16% in the year 1978, and 1% in the year 1979 and thereafter on nonresidents of the city who render services in such city.

Section 7. The provisions of this act are declared to be nonseverable. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remaining provisions or applications of this act shall be void.

Amend Sec. 6, page 2, line 30, by striking out "6." and inserting: 8.

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

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

Mr. WILSON. Mr. Speaker, this amendment is the one that would hold the limit on the Philadelphia wage tax for nonresidents to its current level this year and gradually reduce it over the next several years until it reaches a point of 1 percent.

The thrust of this thought is: One, I do not wish to put Philadelphia in an immediate financial problem any worse than they have developed on their own accord. I would give them a period of time in which this reduction would gradually take place. My figure in final form would be 1 percent, based on the same argument that Mr. Richardson suggested a minute ago, that the nonresident is spending roughly one-third of his time in the city of Philadelphia and, therefore, owes one-third of the cost of municipal services.

Mr. Speaker, until this Assembly provides the suburban areas of Philadelphia with some other vehicle, some vehicle that could be offset, as suggested to the gentleman, Mr. Rappaport, payable at least to the place of residence, I think that this particular proposal I make is a fair one.

I think also that as long as Philadelphia continues to increase its wage tax on its nonresidents, it is, in fact, going to see an exodus of business and industry to the suburban area. It is just a simple matter of paying less money. The people will go where they are naturally not going to pay the tariff that Philadelphia wishes to charge.

I would suggest that we adopt this and, hopefully, that Philadelphia can take care of its problems by the time this bill begins to take effect, which is next year, not this year.

I thank the gentleman.

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

Mr. RICHARDSON. Mr. Speaker, I just rise to oppose the amendment that has been offered by the gentleman.

I did not use the figure of one-third as the amount of time that those individuals from the suburbs, who come to the city of Philadelphia to work, spend in the city. I did not use that figure at all. But I did say that those individuals who do live in the suburbs should pay the same amount of money. I do not feel that there should be a decrease in that.

Since the amendments prior to this one just went down, I cannot support an amendment that is less than the wage tax that the citizens of the city of Philadelphia are paying. That is all I have to say.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, would the gentleman from Delaware, Mr. Gillespie, consent to interrogation?

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

Mr. GILLESPIE. Most assuredly, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, since I do not have the figures before me, I am wondering if Mr. Gillespie would be kind enough to cooperate by making the figures available that he referred to earlier of the other six cities that have a differential between the wage tax on residents and non-residents.

Mr. GILLESPIE. Yes, Mr. Speaker. They are New York, Detroit, Baltimore, Cleveland, St. Louis and Columbus.

Mr. RYAN. Now, can the gentleman—this is on the blind—tell us what the difference is between resident and nonresident? Do you have that information?

Mr. GILLESPIE. I cannot vouch for the accuracy, but in Detroit, for instance, for the resident it would be 2 percent—

Mr. RYAN. Just a minute. Mr. Speaker, could we have order, please? I think that this is very important.

The SPEAKER. The Chair has been endeavoring to have the House maintain order all day.

The gentleman may proceed.

Mr. GILLESPIE. Thank you, Mr. Speaker.

In Cleveland, the wage tax on the resident is 1 percent; on the nonresident, it is zero; in Detroit, on the resident, it is 2 percent; on the nonresident, .5 percent; in St. Louis, it is 1 percent on the resident; on nonresidents, zero; in Columbus, Ohio, it is 1.5 percent on the resident; on non-residents, it is zero.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, if I might make a few remarks?

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

Mr. RYAN. Mr. Speaker, the cities referred to by Mr. Gillespie are not unlike the city of Philadelphia in that they are large metropolitan centers. These cities evidently recognize that the nonresident does not owe the same financial obligation to the city that the resident owes to the city.

I simply call the statistics provided by Mr. Gillespie to the attention of the House so that this House may see that, again, precedent has been set elsewhere in the United States for a differential tax; that is, a difference in the tax imposed on the resident and the nonresident.

All of the arguments that were used several weeks ago still stand today. The suburban communities are overburdened with their own tax problems, and we feel that this reduction suggested by Mr. Wilson's amendment is

proper, it is fair, and, in the long run, when the final reduction takes place to 1 percent, then and only then will the suburbanites be getting a fair break and not be overpaying for the municipal overburden of the city.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, the Gillespie amendment sought only to strangle us. The Wilson amendment seeks to hang, draw, and quarter us. That seems to be the grand philosophical distinction.

The city of Philadelphia is the basis of the economy for the entire region. One in six jobs in the entire region is directly dependent upon the port of Philadelphia. Yes, I know that the Commonwealth provides some help to the port, and I know we vote nonpreferred appropriations to the various institutions that serve the region, and many of our colleagues from Clarion County and Elk County have been very kind—and Mercer County—and have helped us with our institutions. But our institutions are used by people who live in the region, and they should bear the major burden. Here they are trying to slough it off onto the taxpayers of the entire state.

Mr. Speaker, there are people in the city of Philadelphia who like to spend the summer by the seashore and they may own a home in New Jersey, or they may like to spend the summer in the mountains of Pennsylvania and they may own a home in the Poconos. That is their privilege, and they pay for it.

Mr. Speaker, there are those, many of whom formerly lived in Philadelphia, who perhaps did not like me for a neighbor or maybe did not even like Mr. Richardson for a neighbor and moved to the suburbs. That is their privilege, but it is a privilege that must be paid for.

One's responsibilities do not leave one when one crosses a county line. It is not a magical transformation. And, indeed, Mr. Vroon makes an excellent point. We have people in my district who have moved back from South Jersey and have moved back from the suburbs because they cannot afford the high taxes there. Yes, they cannot afford the luxury of living in the suburbs, and that is what it is. I would suggest that it must continue to be a luxury or else everybody in this state is going to have to pay for the luxuries of a few.

Thank you, Mr. Speaker.

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

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

YEAS—85

Anderson, J. H.	Gallen	Manmiller	Sirianni
Beren	Garzia	McClatchy	Smith, E.
Berlin	Geesey	McCue	Smith, L.
Bittle	Gillespie	McGinnis	Spencer
Brandt	Goodman	Mebus	Stahl
Burns	Grieco	Miller, M. E.	Stapleton
Butera	Gring	Miller, M. E., Jr.	Thomas
Ciminni	Halverson	Moehlmann	Turner
Crawford	Hasay	Morris	Ustynoski
Davies	Hayes, D. S.	Nove	Vroon
Deverter	Hayes, S. E.	O'Connell	Wagner
Dietz	Hepford	O'Keefe	Weidner
Dinizni	Hill	Pancoast	Westerberg
Dorr	Hopkins	Pitts	Whelan
Doyle	Kistler	Poffe	Wilson
Fawcett	Klingaman	Pyles	Wilt, R. W.
Fischer	Kusse	Renninger	Wilt, W. W.
Foster, A.	Laughlin	Ryan	Worrlow

Foster, W.	Lehr	Scheaffer	Wright
Freind	Levi	Scirica	Yohn
Fryer	Lynch	Shuman	Zearfoss
Gallagher			

NAYS—104

Abraham	George	Milanovich	Ross
Arthurs	Giammarco	Milliron	Ruggiero
Barber	Gillette	Miscevich	Saloom
Bellomini	Gleeson	Mrkonje	Schmitt
Bennett	Green	Mullen	Schweder
Berson	Greenfield	Mullen, M. P.	Shane
Bonetto	Hamilton, J. H.	Musto	Shelhamer
Bradley	Haskell	Myers	Shelton
Brunner	Irvis	Novak	Shupnik
Caputo	Itkin	O'Brien	Stout
Cessar	Johnson, J.	O'Donnell	Taddonio
Cianciulli	Katz	Oliver	Taylor
Cohen	Kelly, A. P.	Parker, H. S.	Toll
Cole	Kernick	Perri	Trello
DeMedio	Kolter	Perry	Valicenti
DeWeese	Kowalyszyn	Petrarca	Wansacz
Dicarlo	LaMarca	Plevsky	Wargo
DiDonato	Laudadio	Pratt	Wiggins
Dombrowald	Lederer	Prendergast	Williams
Dreibelbis	Letterman	Rappaport	Wojdak
Dumas	Lincoln	Ravenstahl	Zeller
Eckensberger	Logue	Reed	Zord
Engelhart	Manderino	Renwick	Zwilk
Fee	McCall	Richardson	
Fisher	McIntyre	Rieger	
Flaherty	McLane	Ritter	
Gelsler	Menhorn		

Fineman, Speaker

NOT VOTING—14

Cowell	Hutchinson, A.	McGraw	Seltzer
Cumberland	Hutchinson, W.	Rhodes	Walsh, T. P.
Gleeson	Kelly, J. B.	Salvatore	Yahner
Hammock	Knepper		

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 gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I am going to be very brief on this bill, but now that the bill has come before us in its totality, I want to make it very clear.

We had a hearing in the city of Philadelphia, 4 days of it, and Senate bill No. 1279 was considered. We were ready to ask the question about the tax question in the city of Philadelphia, but we really did not have the bill before us. At that time the Senate had already passed its versions of Senate bills Nos. 1277, 1278 and 1279. We had a hearing in Philadelphia for 4 days dealing with this tax question, and at the time there was a lot of consideration being given to what was happening in the city of Philadelphia, particularly around what is the tax problem. Senate bills Nos. 1277, 1278 and 1279 were bills that were already considered by the Senate at the time and had been passed and were waiting on the table for us to consider.

Back in February of this year I introduced a resolution calling for an immediate investigation of the tax question—

The SPEAKER. Will the gentleman yield?

I wonder if the gentleman would yield for a motion being offered by the gentleman, Mr. Doyle, to reconsider the vote by which the amendment offered by the gentleman,

Mr. Gillespie, was defeated. Will the gentleman yield for that purpose?

Mr. RICHARDSON. Yes, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECONSIDERATION OF VOTE ON GILLESPIE AMENDMENTS TO SENATE BILL No. 1279

Mr. DOYLE moved that the vote by which the Gillespie amendments to Senate bill No. 1279 were defeated on this day be reconsidered.

Mr. O'KEEFE seconded the motion.

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

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

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

YEAS—93

Anderson, J. H.	Freind	Levi	Scirica
Beren	Fryer	Lynch	Shuman
Berlin	Gallagher	Manmiller	Sirianni
Bittle	Gallen	McClatchy	Smith, E.
Bradley	Garzia	McCue	Smith, L.
Brandt	Geesey	McGinnis	Spencer
Burns	Gillespie	Mebus	Stapleton
Butera	Goodman	Miller, M. E.	Taddonio
Cessar	Grieco	Miller, M. E., Jr.	Thomas
Cimini	Gring	Milliron	Turner
Crawford	Halverson	Moehlmann	Ustynoski
Cumberland	Hasay	Morris	Vroon
Davies	Haskell	Noye	Wagner
Deverter	Hayes, D. S.	O'Connell	Weidner
Dicarlo	Hayes, S. E.	O'Keefe	Westberg
Dietz	Hepford	Pancoast	Whelan
Dininni	Hill	Parker, H. S.	Wilson
Dombrowald	Hopkins	Pitts	Wilt, R. W.
Dorr	Hutchinson, W.	Polite	Wilt, W. W.
Doyle	Kistler	Pyles	Worrlow
Fawcett	Klingaman	Renninger	Wright
Fischer	Kusse	Ryan	Yohn
Fisher	Lehr	Scheaffer	Zearfoss
Foster, W.			

NAYS—98

Abraham	Gillette	Milanovich	Ross
Arthurs	Gleeson	Miscevich	Ruggiero
Barber	Green	Mrkonje	Saloom
Bellomini	Greenfield	Mullen, M. P.	Schmitt
Bennett	Hamilton, J. H.	Mullen	Schweder
Berson	Irvis	Musto	Shane
Bonetto	Itkin	Myers	Shelhamer
Brunner	Johnson, J.	Novak	Shelton
Caputo	Katz	O'Brien	Shupnik
Cianciulli	Kelly, A. P.	O'Donnell	Stahl
Cohen	Kernick	Oliver	Stout
Cole	Kolter	Perri	Taylor
Cowell	Kowalyszyn	Perry	Toll
DeMedio	LaMarca	Petrarca	Trello
DeWeese	Laudadio	Plevsky	Valicenti
DiDonato	Laughlin	Pratt	Wansacz
Dreibelbis	Lederer	Prendergast	Wargo
Dumas	Letterman	Rappaport	Wiggins
Eckensberger	Lincoln	Ravenstahl	Williams
Engelhart	Logue	Reed	Wojdak
Fee	Manderino	Renwick	Zeller
Flaherty	McCall	Rhodes	Zwilk
Gelsler	McIntyre	Richardson	
George	McLane	Rieger	
Giammarco	Menhorn	Ritter	

Fineman, Speaker

NOT VOTING—12

Foster, A.	Hutchinson, A.	McGraw	Walsh, T. P.
Gleason	Kelly, J. B.	Salvatore	Yahner
Hammock	Knepper	Seltzer	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 thanks the gentleman, Mr. Richardson, for yielding.

The Chair now recognizes the gentleman, Mr. Richardson.

Mr. RICHARDSON. Thank you very much, Mr. Speaker.

Mr. Speaker, I am rising to oppose Senate bill No. 1279 and I rise because I feel that there are some things that have been left unsaid.

As I was saying prior to the reconsideration vote, there were 4 days of hearings in the city of Philadelphia, for those of you who do not know, and at that time there was consideration around the whole tax question here in the city of Philadelphia. Senate bills Nos. 1277, 1278, and 1279 had been already considered and passed by the Senate and were lying on the table.

At that time, back in February before those bills in the Senate were really considered, I introduced a resolution calling for an immediate investigation of the entire tax matter in the city of Philadelphia, giving subpoena power to the resolution by setting up a bipartisan committee of members of both the Democratic and Republican sides to investigate the entire tax problem as it related to the city.

It was decided by the leadership of this House, the Rules Committee, that that resolution not come out, although I was given an opportunity to speak before that entire committee. It was then, at that time, Mr. Speaker, that I thought it very important that we get down to the real business at hand and begin to try to iron out that which was brought to us as being a very serious problem.

It has been said to legislators here in Harrisburg that Senate bill No. 1279 is a very important piece of legislation and that we must give the enabling legislation to the city in order for the city council to pass that bill.

I am saying to the members here in this House that I do not see the emergency need at this present time because of the fact that it has been made very clear to us that there are going to be individuals who are going to be laid off.

This real estate increase at 29.3 that is being asked, although it has been cut by 3 mills, does not change the overall status of those individuals in the city of Philadelphia who will not be able to pay that tax. They do not have the money now, inflation setting in as it is and people being laid off from their jobs. Those in the city departments have already been told that there would be at least a minimum of 1,000 individual employes who will be laid off from the city. But those individuals who will be laid off will be coming out of city workers, those who are the working-class people. It does not mean those in top administration, who are the deputy mayors whom Rizzo and others have hired, but those individuals who work in the streets department, in the sanitation department, at Philadelphia General Hospital, which they are getting ready to phase out, or for the school district, which is getting ready to have another strike in the city of Philadelphia this year.

These kinds of things must be pointed out to the mem-

bers of this House, because I feel that what we are getting involved in now is a big overall sham, a charade of getting away from the real truth of where the tax question really is in the city. Why is it that we must give a blank check today without undersanding what is the real tax question in the city of Philadelphia? What is preventing us next year or the year after that from doing the same kind of thing, being forced into this situation?

I am saying to the members of this House that it should not be left on the citizens of the city of Philadelphia to pay this increase in tax, but that there should be some overall disclosure of how the 80-point-so-and-so-million-dollar deficit that has been exposed to us at this present time came about after an election of the mayor of the city of Philadelphia, who ran on the theme that there would not be a tax increase in the city of Philadelphia.

I feel that when we begin to look at the total picture, you will find that someone has been playing games on us. It should not be we now who bail them out, but it should be that, if there is any tax that is needed, there needs to be a gradual tax increase on the people, but it should not be the persons in the city of Philadelphia who should receive the whole brunt of the tax all at one time.

It has been made clear to us that some individuals have been coerced and intimidated and told what would happen to them if they do not go for this tax package. I am thinking that the time has come for us to begin to deal with those particular matters as they relate to us as lawmakers, as legislators, and as individuals who have a dedication and commitment to our constituency and to our people.

From my district, I have received letters from people who have indicated that they are against this bill. They are against the other two also. They have stated the reason in a petition form. They are against it because of the fact that the city and the administration have refused to give the type of information that is necessary in order to get that bill passed.

I feel that that is wrong. We sit here as legislators, whether we are Democrat or Republican, and we say that we are supposed to be upholding democracy. Right now democracy is a hypocrisy in this state and this city, because they are watching us play games with their lives. Vast numbers of people all across the city and this state will be out in the streets without jobs because they will have no place to go.

I must express the views and opinions of those individuals in my district and some of those in other districts in the city of Philadelphia who are going to be hurt by this piece of legislation. The thing is that if we are really sincere about the efforts that are really before us, then we must raise the question as to where does city council stand on this particular issue, where are they in relationship to the fact that it is they who must make a decision one way or another to pass a tax package in the city.

We are just saying that you have enabling legislation to pass, but at the same rate we are told that the \$84-plus million that is to be paid off through this enabling legislation will satisfy the particular debts that are owed now.

I believe that the threat or the coercion or the intimidation that is being used is a "psych" job. It is a "psych" on the city to scare legislators into voting for this piece of legislation so that you will give them the enabling tax and free Rizzo from his responsibility and a part of the

corruption and the kind of what, I feel, has been the chief perpetrator of the types of problems that exist within the city. When we talk about corruption, I am speaking of it in its highest form.

The corruption, it seems to me, needs to be eliminated at the level where we are. If we are responsible legislators and we are saying that we have a responsibility, then let us deal with this.

Today is an opportunity for us to go on record as to where we stand. Why should we put an increase on real estate or any other tax on the citizens of the city of Philadelphia without having all the facts? If this body is so hip and so clear on its responsibilities, then why is it that we have not joined in an effort to find out the full total picture of the tax problem in the city?

I am saying to you members here that we have not had that disclosure, and we cannot just close our eyes and give a blank check to the city of Philadelphia because they have made some errors.

I would ask that the other members of this House support me in voting "no" on this piece of legislation, Senate bill No. 1279.

Thank you very much.

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

Mr. COHEN. Mr. Speaker, no one in Philadelphia doubts that the problems facing Philadelphia are serious. Yet eight Philadelphia Democrats and four Philadelphia Republicans will be voting against this bill. Clearly, there is no unity within the Philadelphia delegation on the concept that voting for this bill will help Philadelphia.

Mr. Speaker, it is my belief that raising Philadelphia taxes will only serve the purpose of condoning the unprecedented and outrageous amount of waste in the Philadelphia city government. The people of Philadelphia right now are taxed at a very high level, accepted by them in the past because they felt they were getting their money's worth. Today there is no trust whatever that tax money goes for public purposes. A shockingly high percentage of Philadelphia tax dollars goes for private gain and for political gain and little or nothing else.

People all over Philadelphia are outraged with these taxes. A recent poll conducted by the Philadelphia Bulletin showed that 66 percent of Philadelphians now oppose Mayor Rizzo and only 28 percent support him, a margin of over 2 to 1 against the mayor.

Mayor Rizzo's popularity was recently tested in the Democratic Presidential primary. Mayor Rizzo endorsed front-runner Henry Jackson, who was supported, I should add, by many people not allied with the mayor. Jimmy Carter made a public issue out of the Rizzo-Jackson alliance. Jimmy Carter carried 65 out of Pennsylvania's 67 counties, and one of the other two counties, Montgomery County, was carried by Rizzo foe Morris Udall.

At the Democratic breakfast this morning, Delaware Democratic Senator Joseph Biden said the time in which everybody can get a bigger and bigger slice of a larger and larger pie is over. Biden said that we have to face the fact that the pie might well not expand significantly in the future, and bigger slices for some will mean smaller slices for others.

Biden said we had to have the courage to face unpleasant realities and make cuts where the benefits were marginal or nonexistent.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. LEDERER. I would like to know if the speaker is talking about the bill or an administration in the city of Philadelphia.

The SPEAKER. The issue before the House is Senate bill No. 1279. The Chair would hope the gentleman who has the microphone and all succeeding speakers will confine themselves to the issue that is before the House.

Mr. LEDERER. Thank you, Mr. Speaker.

Mr. COHEN. Mr. Speaker, it is my observation—which the gentleman may care to debate with me, if he chooses—that the conduct of the current administration is intricately tied in with this bill, that if there were a different administration, there might well be no need for this bill.

Mr. Speaker, I would urge my fellow Democrats from outside Philadelphia to vote "no" on this bill. A "no" vote is a vote for fiscally sound and politically responsible city government. A "no" vote is a vote to give Philadelphia a future of prosperity instead of a future of hopelessness and despair.

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

Mr. O'DONNELL. Will Mr. Rappaport consent to interrogation?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Rappaport, consent to interrogation?

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. O'DONNELL. Mr. Speaker, at the conclusion of the hearings in Philadelphia, a majority report was issued by some members of the committee making a number of recommendations which more or less imposed a duty on the city. What was the recommendation that referred to the fiscal plan? "Prudent fiscal plan" is the language that sticks in my mind.

Mr. RAPPAPORT. Mr. Speaker, I do not know what question the gentleman is asking. Did he ask me whether that language was contained in the report? The answer is "yes."

Mr. O'DONNELL. I am asking what the recommendation was that referred to a prudent fiscal plan.

Mr. RAPPAPORT. Precisely that, that the city should adopt a plan of fiscal prudence.

Mr. O'DONNELL. Was it the feeling of the majority that before any tax permission should be given by this body, the city should present a prudent fiscal plan?

Mr. RAPPAPORT. I believe, if I can characterize—and I do not remember the exact language of the report—that we felt that the city would be unable to go to the bond market or the short-term market unless it had adopted such a plan, and that plan would include both tax increases and cuts in city spending.

Mr. O'DONNELL. Have you reviewed the proposed operating budget for the fiscal year beginning July 1, 1976, for the city?

Mr. RAPPAPORT. I have not, because the details only became available several days ago.

Mr. O'DONNELL. The details became available but

the operating budget proposal itself by the mayor has been available for some time and in fact was available and presented to Mr. Rappaport and the other members of the committee when they first met and considered reporting these bills out.

At that time the operating budget was in print, available to the committee, and at that time I asked you specifically in the committee if the mayor's proposal for the next fiscal year constituted a prudent fiscal plan within the meaning of your recommendation contained in the majority report. I indicated at that time that we would have plenty of time between that committee and the meeting on this House floor for the majority as well as yourself to review that. Now what I am suggesting is that there is a failure here to follow up on the very recommendation that the majority report indicated, and I would therefore ask—

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

Mr. RAPPAPORT. Mr. Speaker, I assume the gentleman was asking me a question. If he will give me a chance to answer it, I will do so. He then, of course, is free to make a statement thereafter.

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. RAPPAPORT. I would like to answer his question, if I may, Mr. Speaker.

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

Mr. O'DONNELL. May I finish the question before he answers it?

The SPEAKER. Well, is the gentleman going to make a statement or is he going to pose a question?

Mr. O'DONNELL. The gentleman is in the process of posing the question.

Mr. RAPPAPORT. It has already been three paragraphs long, Mr. Speaker.

Mr. O'DONNELL. May I continue the question or should I sit down, Mr. Speaker?

Mr. RAPPAPORT. Well, I have already forgotten the beginning of the question. Perhaps he might rephrase it.

The SPEAKER. The Chair will permit the gentleman to interrogate the gentleman, Mr. Rappaport. The Chair only requests that the gentleman get to the question without prefacing the question with a lengthy statement.

The Chair will recognize the gentleman for purposes of a statement after his question.

Mr. O'DONNELL. Mr. Speaker, have you reviewed the mayor's proposal? By the proposal—just so there is no confusion—I do not mean the detailed operating budget in this thickness, but rather the mayor's proposal which is a document presented to the city council. Have you reviewed that document?

Mr. RAPPAPORT. I have not reviewed it in any detail, no.

Mr. O'DONNELL. Did you promise at the meeting of the Urban Affairs Subcommittee and, in fact, a full meeting of the Local Government Committee, I guess it is, that you would review that document to see if it constituted a prudent fiscal plan within the meaning of your recommendation?

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman

from Allegheny, Mr. Caputo. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. The action of the Urban Affairs Committee, not the Local Government Committee, was taken by the members present. I think we had 100 percent attendance. We reviewed various recommendations, but we reported these bills out either as amended or as submitted.

My question is whether or not it is proper to go back into the deliberations of the committee at this time.

The SPEAKER. The Chair would certainly hope that the deliberations of the committee would not be spelled out on the floor of the House and that the gentleman would proceed within those constraints.

Mr. O'DONNELL. The question is on the floor.

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

Mr. RAPPAPORT. Mr. Speaker, I do not remember making any such promise. But since the gentleman raises some questions as to the city's operating budget, perhaps this might be the appropriate time to talk about some of the totals.

For the benefit of the House, I am quoting from the position paper prepared by the Greater Philadelphia Partnership, which is an organization of business and financial people in the city of Philadelphia, which incidentally recommends the passage of this legislation.

To summarize this very briefly: In the city of Philadelphia, between the deficit for fiscal year 1974-75 and the deficit for fiscal year 1975-76 and if no taxes are enacted by council or this body, the deficit for the next fiscal year will amount to approximately \$250 million. When one adds to that the proposed deficit of our school district, which of course depends upon the same tax base, we get a deficit of \$350 million which must be made up in the next fiscal year.

I am not about to stand here and say that I agree with what has been done by the city administration in the past 4 years. I have disagreed very publicly with a lot of what they have done. What I am saying to my colleagues is that we are coming here and we are seeking permission to tax ourselves. It is really beyond my understanding why someone would forbid the city of Philadelphia from taxing itself, but so be it.

I think what the gentleman from Germantown has been asking me is whether, in my opinion, the city has as yet advanced a prudent fiscal plan. I must say to the gentleman, the answer is, no.

Do I think it is our responsibility at his point to adopt such a plan, the responsibility of the legislature? The answer is, no. It is the responsibility of the city council in Philadelphia, which is presently holding budget hearings.

Am I optimistic? Slightly. However, this does not relieve us from our responsibilities to do our part. When these bills came over from the Senate, they contained a 14-mill retroactive tax on real estate. Your Committee on Urban Affairs reduced that to 11 mills. That reduces the revenue to the city by some \$15 million. That is 3 mills on the real estate tax.

The cuts in services, programs and employment that have already been announced by the city were merely to bring the city budget down to the 14-mill level. Now

that we are reducing it further, the city will be forced to make further cuts. Where those cuts should be made is a decision for the city council and for the city administration. I would hope that those decisions will be made wisely. However, I do not foresee it as a function of the State legislature to do that.

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

Mr. KATZ. Thank you, Mr. Speaker.

Mr. Speaker, I did not intend to speak on this piece of legislation today, but I feel that I cannot sit here and just watch everything go on without addressing myself to Senate bill No. 1279.

If you were to look at Senate bills Nos. 1277, 1278 and 1279 and you were to put the total picture together, you would see that what is happening here is that the city of Philadelphia is trying to pass an 18-month budget in 1 year, because in Senate bill No. 1279, for the members and the information of the House, you will see that it is retroactive to January 1, 1976. So the city of Philadelphia will receive approximately \$50 million from January 1, 1976 until July of 1976, and then the total year's package in 1976-77. So you really have, in my estimation, an 18-month budget in 1 calendar year; revenues. I apologize.

I wrestled with this problem until about 3 o'clock in the morning last night and I said to myself, do you try to really stop the city of Philadelphia and the legislature from imposing these new taxes? And the answer that I came up with is that we must try to stop the city of Philadelphia, and for a various number of reasons. One of which is that the city administration, in my opinion, has taken a position that it really does not make a difference what any legislator from the city of Philadelphia really thinks.

Now I must say to you, Mr. Speaker, that I have not heard from the city administration on this tax problem. I was in the city of Philadelphia on March 1, 2, 3 and 4; I listened to testimony. The only person who came before that committee was the finance director, Mr. Moak; no one else; not one city councilman nor the mayor of the city nor any other elected official, except Mr. Klenk, who is the city comptroller. And I cannot understand for the life of me the arrogance of the city administration not to come before this legislature and present a prudent plan for the city of Philadelphia.

In my opinion, Mr. Speaker, what they are saying to you is, we want you to pass these taxes. We want the blank check, and we will spend the money as we see fit. Then if we have a problem 2 years from now, we will be back with the same problem, because you fellows were nice to us 2 years ago and you will do it again for us.

I think that you set a precedent if you give them the right, if you give the city of Philadelphia the right, to have these interim taxes, because what you are really saying is, if any local government gets into trouble, come to the legislature and we will be sure to help you.

There were two reports that were filed; there was a majority report and there was a minority report. Both of the reports, in my opinion, had a lot of similarities to them. I would like at this point to interrogate the gentleman from Philadelphia, Mr. Rappaport, on the majority report.

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

Mr. RAPPAPORT. Yes, Mr. Speaker, to the best of my recollection.

The SPEAKER. The gentleman may proceed.

Mr. KATZ. Mr. Speaker, I have the majority report in front of me and I would only like to refer to the opening section of the report which is labeled "Contents." If you were to look at recommendations on number one it says: "The General Assembly should deny emergency taxing authority unless the city Administration produces a prudent fiscal plan for the coming fiscal year which includes substantial spending cuts."

In my opinion, Mr. Speaker, this has not been produced and I would like Mr. Rappaport to answer that question.

Mr. RAPPAPORT. Mr. Speaker, I will try and answer what I think the question to be. Do I think that sufficient cuts in spending have been made at the present time? The answer is "no." It is for that reason that we put an amendment in the bill reducing it from 14 mills to 11 mills. The time that was done I stated publicly that I would hope the city would get a message. I hope they do.

Mr. KATZ. Thank you.

Mr. Speaker, in recommendations on number three, you state here that if the city provides an adequate 1976-77 fiscal plan with substantial spending cuts, the General Assembly should grant emergency taxing authorization. I submit to this General Assembly that they have not done this and I would like Mr. Rappaport to answer that question.

Mr. RAPPAPORT. In other words, you are asking whether I agree with your statement?

Mr. KATZ. Yes.

Mr. RAPPAPORT. I would remind the gentleman, Mr. Speaker, that the city council is presently working on the budget for next year which they must adopt, I believe, not later than May 1.

Has the city council to date made any recommendations? I do not think that they have. I think they are still discussing. They tell us that they are waiting for us to act. I had hoped by this time that they would have given some indication as to what they intend to do. I did receive a copy of a resolution which they passed memorializing this House to give them the authorization to enact these taxes. I think that is about the most that they have done so far.

Mr. KATZ. Okay, Mr. Speaker. I see that you do not want to answer the question, so I will not belabor the point. I want the "yes" or "no" but I will accept your answer.

Mr. RAPPAPORT. Mr. Speaker, I believe it is against the rules for a member to characterize another member as being unwilling or unable to answer questions. The gentleman may be unhappy with my answers; that is his privilege. But I believe I answered them.

Mr. KATZ. Just one moment, Mr. Speaker. I would like to refer Mr. Rappaport to page 12 of the majority report, and I would like to quote from section 7 and I quote: "Determining the precise effect on the city's economic base of various combinations of tax increases and service cutbacks is beyond the scope of the subcommittee's inquiry and more properly belongs to the city administration and the city council." And the question that I have for Mr. Rappaport is, is it not really so,

Mr. Rappaport, that this legislature cannot really determine the amount of moneys that the city really needs and really how to prepare a budget for the city of Philadelphia. Is that not so?

Mr. RAPPAPORT. If the gentleman is asking me whether it is the function of this General Assembly to enact a budget for any local government in this Commonwealth, I would agree with him. It is not our function.

Mr. KATZ. Fine, Mr. Speaker. I would like to tell the General Assembly as to why we are here, and I think the record should reflect the problems in the 1975 budget in order to understand why we are here now facing 1976-77 and what the city administration has done in the 1976-77 budget.

In 1975 when city council passed a budget, they reflected in there some revenues of approximately \$65 million that was based on anticipated income from state and Federal Governments. Of course we all know that anticipated revenue never came forth.

In 1976 for the 1977 budget, on April 1 the city of Philadelphia presented a plan to city council and in that budget, Mr. Speaker, they are doing the exact same thing that they did in 1975. They are presenting the budget to the members of city council with an anticipated revenue that we have not passed in this state Capitol. Specifically, I refer to the real estate tax, the vending machine tax, the food tax, the hotel tax. This is all included for a package of approximately \$240 million.

I submit to you today that the city administration must present a plan or a budget to city council that does not reflect unforeseeable revenue and that is what happened in the city of Philadelphia. It was unforeseeable revenue that never became foreseeable and now we are at this place in time in the House of Representatives trying to pass this tax package on the citizens of Philadelphia.

Last but not least, I think we must ask ourselves, as we vote this bill today, who has the responsibility for the city of Philadelphia? Is it the administration and city council or is it the state legislature in Harrisburg, Pennsylvania? Mr. Speaker, I did not sit in that city council in 1975. I did not have the power to pass that vote. I did not have the power to reject the mayor's budget, and yet that same city council wants us to pass interim taxes for the city of Philadelphia, the same city council that passed the budget—it was phony—has asked this legislature, along with the administration, to pass a tax package of \$240 million on the people of Philadelphia.

Mr. Speaker, you cannot, and I repeat, you cannot, give them the right for interim taxation, to put a retroactive tax package on the citizens of Philadelphia. Do you know what you are saying to the average person? I want to go back to January 1, 1976, and I want to collect six months' worth of taxes plus all your other taxes that you pay, and it is just not fair to the people in the city of Philadelphia.

Now I realize, as I stand at this microphone today, that there are going to be taxes and I know there have been threats of layoffs. I know there have been threats of unemployment, cutbacks, and so on and so forth. But, again, I have no way of knowing really the true scope of the entire package in the city of Philadelphia and exactly what is wrong, because no one will come before this legislature and take the time and really explain to the members of the House of Representatives why we

need "X" number of dollars in a city administration, and I could stand at this microphone until 10 o'clock tonight and tell you where cuts can go on in the city administration.

I am not a city councilman, but just from reading the papers and the editorials and writing letters, I tell you, Mr. Speaker, if they really want to cut that budget in the city of Philadelphia and if they are really sincere about helping the little guy, they will not request and they will not ask for a 23-percent real estate tax increase upon the citizens of Philadelphia, because it is the little guy and it is the senior citizen whom the politicians always talk about that they do not want to hurt. And that is who is going to pay this: the people on fixed incomes, the people who are 65 years and older. They are going to feel this and they do not have the money to go out and make for themselves and to spend for themselves. They are going to pay the brunt of this tax.

Mr. Speaker, in closing, I would ask my Republican caucus and I would ask the Democrats of this House to reject this so-called interim taxation that is being put to our head with a gun today, because we only have 2 days left and they are saying to us that if you do not pass these taxes, we are going to do this and we are going to do that. It is like saying to me, I am going to make you an offer that you cannot refuse and you better not refuse it, because if you refuse this offer, you are going to pay for it later.

Mr. Speaker, I submit to you that I will take my chances and I will pay for it later if I have to. But I do not want to tax the people of Philadelphia, and the people in my district have told me that they do not want Senate bill No. 1279 to become law in this Pennsylvania House of Representatives.

Thank you.

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

Mr. RITTER. Mr. Speaker, I just want to say for the record that I do not think any of us today are voting for a tax on residents or nonresidents in the city of Philadelphia. We are doing what the gentleman, Mr. Rappaport, had asked us earlier. We are giving the city of Philadelphia the authority, the power, if you will, to help themselves. The hue and cry that is being raised today is the same one that was raised in the legislature in New York State about the city of New York. "Do not do this to us"; they said, "we cannot afford it."

The city of New York finally got the help it needed and it got it because it was given the power to tax by the legislature so they could bail themselves out.

Mr. Speaker, I do not consider my vote today for this package of bills a vote for taxes for the city of Philadelphia. But I am going to accede to their request that we give them the power to help themselves. I am going to vote in the affirmative. Thank you.

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

Mr. RICHARDSON. Mr. Speaker, I rise again because of what Mr. Ritter said. I think that the gentleman perhaps did not hear what we were saying earlier. See, perhaps in other cities and other boroughs where the mayor is honest with his people prior to those kinds of situations, maybe your point might be well taken. All we have asked for is a full disclosure of where the tax

problem is in the city of Philadelphia. We do not know that. To say, give power-enabling legislation to the city council to pass a tax, it seems to me that we should have all of those facts. And one of the things that Mr. Ritter failed to point out earlier was the fact that we did have an opportunity to get that information but was denied that information. If Mr. Rappaport was to take the microphone, he, as chairman of the Subcommittee on Urban Affairs, would indicate to you that we did send a letter to the mayor of the city asking and requesting him to come before the subcommittee, and he refused to come. After that we then took a vote as to whether or not this committee should then come back to the full committee and ask for subpoena power for the mayor to come before the committee so that we could get a full disclosure of that tax problem. It was then voted on by that same committee to also deal with the fact of the matter that is in the records that were exposed by Lennox Moak, who spoke for over six hours and said nothing to us about the real tax question. Where is the problem? Why is it that in June of 1975, at the end of the fiscal period, we are \$11.6 million in the surplus and then all of a sudden right after the Rizzo election, we were \$80-point-some million in the red?

It seems to me that there is a problem somewhere. So I do not think that we are just giving enabling legislation to give city council power because they are in trouble. I believe that there is some malarkey, some hanky-panky, some hypocrisy going on that this city has not disclosed to this legislature. You, being a competent legislator, must realize and understand that certainly the position that we are taking today only will help give us the facts. And I must reiterate that again, that we must have the facts in order for us to make a decision. No one in this room votes on anything unless they have the facts totally so that they can have a clear picture. I say "heck, no" to Rizzo's package. I say that it is time that we stand up and deal with the situation as it should be. That is our responsibility as legislators, to make sure that that happens, that the mass layoffs and threats that are being used right now by the Hitler tactics to scare people in the city of Philadelphia should be dealt with. And the thing is that unless we deal with it as legislators to confront city administration, city council and other members of the city, you will find that more persons will be laid off than just those numbers of individuals that they have talked about. So it means that a number of poor and black people will suffer from this particular tax package in total, not because this House regardless of whether it votes the package up or down giving city council enabling legislation, people are going to be in the streets anyway. And I do not hear anyone talking about the picture or the program that is going to deal with taking care of them. And I would hope that as we vote today, we will look at all of the picture in its totality, and that we will not deal with just our emotions and some of the kinds of favors that have been offered to some to try to get this tax package passed. Thank you very much.

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

Mr. BERSON. Mr. Speaker, I think that Mr. Rappaport touched on the central question that is facing this House with this vote, the central question being, "Why should we not permit the citizens of Philadelphia to tax

themselves? I want to attempt to answer that question as briefly as I can.

I do not think that we ought to permit the citizens of Philadelphia to tax themselves, because by so doing, by passing this package, we, as a body, are putting our seal of approval on practices that have prevailed over the last three fiscal periods in Philadelphia, which we should not approve of, as to Philadelphia or any other municipality in this state. What happened was graphically described by Mr. Katz. Nonexistent revenue was plugged into the budget to balance it. Revenue estimates were wildly inflated over what could be realistically anticipated. Then the budget pulls up \$80 million short after the mayor the previous year had told city council that this was a balanced budget—do not listen to the doomsayers, I think was what he called them—that it was a straight, honest budget and suddenly in January we find that the budget is \$80 million short. We, by voting to approve this package, say, that is okay. You can pursue those kinds of fiscal policies and, when you get yourself in a jam, come on up to Harrisburg and we will bail you out."

I think that if for no other reason, we ought to reject this package and send a message to every municipality in this Commonwealth that that kind of budgetary process just will not wash. We will not accept it. We will reject it.

Thank you.

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

Mr. RAPPAPORT. Mr. Speaker, it is quite true that the city budget submitted last year contained items of very speculative revenue and the city has suffered because of that. It was improper then and it is improper now.

In order to meet that problem, this House passed a resolution which I sponsored instructing the Joint State Government Commission to draw up an act requiring uniform accounting standards for every municipality in this Commonwealth.

Let me just say one thing further, Mr. Speaker. The Philadelphia Bulletin, the Philadelphia Inquirer, the Philadelphia Partnership, the Chamber of Commerce and numerous other civic associations have come out in favor of this package. As reluctantly as I have, with the same reservations that I have, but they have come out for it because they see no other alternative to a castastrophe. Be assured that if the legislature cannot help us with this, they may have to help us with something much more concrete than just permission to levy taxes on ourselves. Mr. Speaker, I would ask for an affirmative vote.

(Members proceeded to vote.)

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. HEPFORD. Mr. Speaker, would the Speaker inquire of the distinguished Senator, if he would afford members of the House the same privilege that we notice he enjoys on our floor?

The SPEAKER. Well, I can answer that. The answer

is "No." However, we want to be more respectful than they are to us.

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

Mr. RICHARDSON. Mr. Speaker, has the board been open for 10 minutes?

The SPEAKER. The Chair will announce when the time is up, Mr. Richardson.

Mr. RICHARDSON. That was not my question, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, shall we take up a collection for a watch?

The SPEAKER. Is it all right with you, Miss Sirianni, if I lock the board now? Can I close out the vote?

Miss SIRIANNI. I am sorry, sir, I did not hear you.

The SPEAKER. I was asking your consent to my closing out the vote.

Miss SIRIANNI. Since when do you care?

The SPEAKER. Carmel, I love you.

The lady, Miss Sirianni, is recognized.

Miss SIRIANNI. I love you, too, but I hate the way you run this House.

MISS SIRIANNI REQUESTED TO PRESIDE

The SPEAKER. The Chair invites the lady, Miss Sirianni, to temporarily preside.

THE SPEAKER PRO TEMPORE (Carmel Sirianni) IN THE CHAIR

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—77

Table listing names of members who voted 'YEAS' (77 total). Includes names like Abraham, Arthurs, Bellomini, Bonetto, Bradley, Caputo, Cianciulli, Cote, Cowell, DeMedio, DeWeese, DiDonato, Dombrowski, Dreibeibis, Eckensberger, Englehart, Fee, Flaherty, Geisler, George, Giammarco, Gillette, Goodman, Green, Irvic, Itkin, Kernick, Kolter, Kowalyshyn, LaMarca, Laudadio, Laughlin, Letterman, Lincoln, Logue, Manderino, McCall, McIntyre, McLane, Menhorn, Milanovich, Milliron, Misceovich, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, O'Brien, Perry, Petrarca, Prendergast, Rappaport, Ravenstahl, Reed, Renwick, Rieger, Ritter, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shelhamer, Shelton, Shupnik, Stout, Trello, Valicenti, Wansacz, Wargo, Williams, Zeller, Zwicki, Fineman, Speaker.

NAYS—115

Table listing names of members who voted 'NAYS' (115 total). Includes names like Anderson, J. H., Barber, Bennett, Beren, Berlin, Berson, Bittle, Brandt, Brunner, Burns, Butera, Freind, Fryer, Gallagher, Gallen, Garzia, Geesey, Gillespie, Gleeson, Greenfield, Grieco, Gring, Lynch, Manmiller, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Miller, M. E., Jr., Moehlmann, Noye, O'Connell, Shuman, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Taddonio, Taylor, Thomas, Turner.

Table listing names of members who were present but did not vote. Includes names like Cessar, Cimini, Cohen, Crawford, Cumberland, Davies, Deverter, Dicarolo, Dietz, Dininni, Dorr, Doyle, Dumas, Fawcett, Fischer, Fisher, Foster, A., Foster, W., Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Katz, Kelly, A. P., Kistler, Klingaman, Kusse, Lederer, Lehr, Levi, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Pievsky, Pitts, Polite, Pratt, Pyles, Renninger, Richardson, Ross, Ryan, Scheaffer, Scirca, Seltzer, Toll, Ustynoski, Vroon, Wagner, Weidner, Westerberg, Whelan, Wiggins, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrlow, Wright, Yohn, Zearfoss, Zord.

NOT VOTING—11

Table listing names of members who did not vote. Includes names like Gleason, Hammock, Hutchinson, A., Johnson, J., Kelly, J. B., Knepper, McGraw, Rhodes, Salvatore, Walsh, T. P., Yahner.

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

STATE GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

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—178

Table listing names of members who voted 'YEAS' (178 total). Includes names like Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Bonetto, Bradley, Brandt, Brunner, Butera, Caputo, Cessar, Cianciulli, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, DeMedio, Deverter, DeWeese, DiCarlo, DiDonato, Dininni, Dombrowski, Doyle, Dreibeibis, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Irvic, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Kolter, Kowalyshyn, Manmiller, McCall, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Milliron, Miller, M. E., Misceovich, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Pievsky, Pitts, Polite, Saloom, Salvatore, Scheaffer, Schmitt, Schweder, Scirca, Shane, Shelhamer, Shelton, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Taddonio, Taylor, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vroon, Wagner, Wansacz, Wargo, Whelan, Wiggins, Williams.

Dumas	Kusse	Pratt	Wilt, R. W.
Eckensberger	LaMarca	Prendergast	Wilt, W. W.
Englehart	Laudadio	Pyles	Wojdak
Fawcett	Laughlin	Rappaport	Worrilow
Fee	Lederer	Ravenstahl	Yohn
Fischer	Lehr	Reed	Zearfoss
Fisher	Letterman	Renwick	Zeller
Flaherty	Levi	Richardson	Zord
Foster, W.	Lincoln	Rieger	Zwinkl
Fryer	Logue	Ritter	Fineman,
Gallen	Lynch	Ross	Speaker
Garzia	Manderino	Ruggiero	

NAYS—14

Burns	Gallagher	Renninger	Westerberg
Dorr	McClatchy	Ryan	Wilson
Foster, A.	Miller, M. E., Jr.	Weidner	Wright
Freind	Moehlmann		

NOT VOTING—11

Berson	Hammock	McGraw	Walsh, T. P.
Dietz	Hutheinson, A.	Rhodes	Yahner
Geason	Knepfer	Seltzer	

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

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

The SPEAKER pro tempore. Will the press please put the camera on the clock in the back of the House so that we can time it according to Mr. Fineman's rules?

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DIETZ. I would like to have my vote recorded as "yes" on House bill No. 1579. I was locked out.

The SPEAKER pro tempore. The Chair thanks the gentleman, and his remarks will be spread on the record. Now, how was your switch blocked out? I did not block it out.

These are the tricks I would like to know.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. Thank you, Carmel. Let us have a big hand for the lady.

RECONSIDERATION OF VOTE ON SENATE BILL No. 1279

Mr. MYERS moved that the vote by which SENATE BILL No. 1279, printer's No. 1809, was defeated on final passage on this day be reconsidered.

Mr. BONETTO seconded the motion.

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

On the question recurring,
Shall the bill pass finally?

SENATE BILL No. 1279 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. MYERS moved that SENATE BILL No. 1279,

printer's No. 1809, be placed on the final passage postponed calendar.

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

WELCOME

The SPEAKER. The Chair would like to introduce to the House a gentleman who pulled a very stunning upset on April 27 during the course of the primary election that took place in this Commonwealth, the gentleman who won the Democratic nomination for the post of State Treasurer, Mr. Robert E. Casey.

The Chair recognizes the lady from Chester, Mrs. Crawford.

Mrs. CRAWFORD. Mr. Speaker, I think maybe since you made the announcement about Mr. Casey, it would be nice to give me equal time, too, because I won the Republican nomination for State Treasurer.

The SPEAKER. Mr. Casey, have you met Mrs. Crawford?

Very good.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2117, printer's No. 3084**, 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 third consideration?
Mr. SALOOM requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 4, page 5, by inserting after line 30:
Loans under this act may be made for any of the purposes of this subsection undertaken by a volunteer fire company, volunteer ambulance service and volunteer rescue squad on or after November 4, 1975, the date of the approval of the referendum approving the borrowing of money for the purposes of this act.

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

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

Mr. SALOOM. Mr. Speaker, all this amendment does is change the effective date to November 4, 1975, when the referendum was on the ballot and was ratified by the voters of Pennsylvania.

Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, for the benefit of the members, what Mr. Saloom is trying to do is very much needed due to the fact that when this bill passed, many, many fire companies had the impression that this was a bill that would go into effect immediately, and many of them got into investments in regard to their own equipment as well as buildings. I believe that it is very vital because a lot of them did not really realize this, and it has been taking a long time to get implementing legislation through. That is why I feel that the effective

date of the referendum is most needed. So I would appreciate it very much if the members would approve this amendment.

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

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

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

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

YEAS—191

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Abraham | Gallagher | McCue | Scheaffer |
| Anderson, J. H. | Gallen | McGinnis | Schmitt |
| Arthurs | Garzia | McIntyre | Schweder |
| Barber | Geesey | McLane | Scirica |
| Bellomini | Geisler | Mebus | Seltzer |
| Bennett | George | Menhorn | Shane |
| Beren | Giammarco | Milanovich | Shelhamer |
| Berlin | Gillespie | Miller, M. E. | Shelton |
| Berson | Gillette | Miller, M. E., Jr. | Shuman |
| Bittle | Gleeson | Milliron | Shupnik |
| Bonetto | Goodman | Miscevich | Sirianni |
| Bradley | Green | Moehlmann | Smith, E. |
| Brandt | Greenfield | Morris | Smith, L. |
| Brunner | Grieco | Mrkonje | Spencer |
| Burns | Halverson | Mullen, M. P. | Stahl |
| Butera | Hamilton, J. H. | Mullen | Stapleton |
| Caputo | Hasay | Musto | Stout |
| Cessar | Haskell | Myers | Taddonio |
| Cianciulli | Hayes, D. S. | Novak | Taylor |
| Cimini | Hayes, S. E. | Noye | Thomas |
| Cohen | Hepford | O'Brien | Thomas |
| Cole | Hill | O'Connell | Toll |
| Cowell | Hopkins | O'Donnell | Trello |
| Crawford | Hutchinson, W. | O'Keefe | Turner |
| Cumberland | Irvic | Oliver | Ustynoski |
| Davies | Itkin | Pancoast | Valicenti |
| DeMedio | Johnson, J. | Perri | Vroon |
| Deverter | Katz | Perry | Wagner |
| DeWeese | Kelly, A. P. | Petrarca | Wansacz |
| Dicarlo | Kernick | Pievsky | Wargo |
| DiDonato | Kistler | Pitts | Weidner |
| Dietz | Klingaman | Polite | Westerberg |
| Dininni | Kowalyszyn | Pratt | Whelan |
| Dombrowski | Kusse | Prendergast | Wiggins |
| Dorr | LaMarca | Pyles | Williams |
| Doyle | Laudadio | Rappaport | Wilson |
| Dreibelbis | Loughlin | Ravenstahl | Wilt, R. W. |
| Dumas | Lederer | Reed | Wilt, W. W. |
| Eckensberger | Lehr | Renninger | Wojdak |
| Englehart | Letterman | Renwick | Worrilow |
| Fawcett | Levi | Richardson | Wright |
| Fee | Lincoln | Rieger | Yohn |
| Fischer | Logue | Ritter | Zearfoss |
| Fisher | Lynch | Ross | Zeller |
| Flaherty | Manderino | Ruggiero | Zord |
| Foster, A. | Manmiller | Ryan | Zwickl |
| Foster, W. | McCall | Saloom | |
| Freind | McClatchy | Salvatore | |
| Fryer | | | |

Fineman, Speaker

NAYS—0

NOT VOTING—12

- | | | | |
|---------|----------------|---------------|--------------|
| Gleason | Hutchinson, A. | Kolter | Rhodes |
| Gring | Kelly, J. B. | McGraw | Walsh, T. P. |
| Hammock | Knepper | Parker, H. S. | Yahner |

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 Senate bill No. 825, printer's No. 899, entitled:

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," creating an advisory council.

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

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

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

YEAS—191

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Abraham | Gallen | McGinnis | Scheaffer |
| Anderson, J. H. | Garzia | McIntyre | Schmitt |
| Arthurs | Geesey | McLane | Schweder |
| Barber | Geisler | Mebus | Scirica |
| Bellomini | Gillespie | Menhorn | Seltzer |
| Bennett | George | Milanovich | Shane |
| Beren | Giammarco | Miller, M. E. | Shelhamer |
| Berlin | Gillette | Miller, M. E., Jr. | Shelton |
| Berson | Gleeson | Milliron | Shuman |
| Bittle | Goodman | Miscevich | Shupnik |
| Bonetto | Green | Moehlmann | Sirianni |
| Bradley | Greenfield | Morris | Smith, E. |
| Brandt | Grieco | Mrkonje | Smith, L. |
| Brunner | Halverson | Mullen, M. P. | Spencer |
| Burns | Hamilton, J. H. | Mullen | Stahl |
| Butera | Hasay | Musto | Stapleton |
| Caputo | Haskell | Myers | Stout |
| Cessar | Hayes, D. S. | Novak | Taddonio |
| Cianciulli | Hayes, S. E. | Noye | Taylor |
| Cimini | Hepford | O'Brien | Thomas |
| Cohen | Hill | O'Connell | Toll |
| Cole | Hopkins | O'Donnell | Trello |
| Cowell | Hutchinson, W. | O'Keefe | Turner |
| Crawford | Irvic | Oliver | Ustynoski |
| Cumberland | Itkin | Pancoast | Valicenti |
| Davies | Johnson, J. | Parker, H. S. | Vroon |
| DeMedio | Katz | Perri | Wagner |
| Deverter | Kelly, A. P. | Perry | Wansacz |
| DeWeese | Kelly, J. B. | Petrarca | Wargo |
| Dicarlo | Kernick | Pievsky | Weidner |
| DiDonato | Kistler | Pitts | Westerberg |
| Dietz | Klingaman | Polite | Whelan |
| Dininni | Kowalyszyn | Pratt | Wiggins |
| Dombrowski | Kusse | Prendergast | Williams |
| Dorr | LaMarca | Pyles | Wilson |
| Doyle | Laudadio | Rappaport | Wilt, R. W. |
| Dreibelbis | Loughlin | Ravenstahl | Wilt, W. W. |
| Dumas | Lederer | Reed | Wojdak |
| Eckensberger | Lehr | Renninger | Worrilow |
| Englehart | Letterman | Renwick | Wright |
| Fawcett | Levi | Richardson | Yohn |
| Fee | Lincoln | Rieger | Zearfoss |
| Fischer | Logue | Ritter | Zeller |
| Fisher | Lynch | Ross | Zord |
| Flaherty | Manmiller | Ruggiero | Zwickl |
| Foster, A. | McCall | Ryan | |
| Foster, W. | McClatchy | Saloom | |
| Freind | McCue | Salvatore | |
| Fryer | | | |
| Gallagher | | | |

Fineman, Speaker

NAYS—0

NOT VOTING—12

- | | | | |
|---------|----------------|-----------|--------------|
| Dumas | Hammock | Kolter | Rhodes |
| Gleason | Hutchinson, A. | Manderino | Walsh, T. P. |
| Gring | Knepper | McGraw | Yahner |

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 Philadelphia, Mr. Dumas. For what purpose does the gentleman rise?

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

Mr. DUMAS. Mr. Speaker, I wish to vote in the affirmative on Senate bill No. 825, printer's No. 899.

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

TAX BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2058, printer's No. 2663**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), providing for issuance of replacement checks in lieu of outstanding checks.

On the question,

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

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

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

YEAS—190

- | | | | |
|-----------------|-----------------|--------------------|------------------|
| Abraham | Gallagher | McCall | Ryan |
| Anderson, J. H. | Gallen | McClatchy | Saloom |
| Arthurs | Garzia | McCue | Salvatore |
| Barber | Gessey | McGinnis | Scheaffer |
| Bellommi | Geisler | McIntyre | Schmitt |
| Bennett | George | McLane | Schweder |
| Beren | Giammarco | Mebus | Scirica |
| Berlin | Gillepie | Menhorn | Seltzer |
| Berson | Gillette | Milanovich | Shane |
| Bittle | Gleeson | Miller, M. E. | Shelhamer |
| Bonetto | Goodman | Miller, M. E., Jr. | Shelton |
| Bradley | Green | Milliron | Shuman |
| Brandt | Greenfield | Miscevich | Shupnik |
| Brunner | Grieco | Moehlmann | Sirianni |
| Burns | Gring | Morris | Smith, E. |
| Butera | Halverson | Mrkonje | Smith, L. |
| Caputo | Hamilton, J. H. | Mullen, M. P. | Spencer |
| Cassar | Hasay | Mullen | Stahl |
| Cianciulli | Haskell | Musto | Stapleton |
| Cimini | Hayes, D. S. | Myers | Stout |
| Cohen | Hayes, S. E. | Novak | Taylor |
| Cole | Hepford | Noye | Thomas |
| Cowell | Hill | O'Brien | Toll |
| Crawford | Hopkins | O'Connell | Trello |
| Cumberland | Hutchinson, W. | O'Donnell | Turner |
| Davies | Irvis | O'Keefe | Ustynoski |
| DeMedio | Itkin | Oliver | Valicenti |
| Deverter | Johnson, J. | Pancoast | Vroon |
| DeWeese | Katz | Parker, H. S. | Wansacz |
| Dicarlo | Kelly, A. P. | Perri | Wargo |
| DiDonato | Kelly, J. E. | Perry | Weidner |
| Dietz | Kernick | Petrarca | Westerberg |
| Dininni | Klingaman | Pievsky | Whelan |
| Dombrowski | Kolter | Pitts | Wiggins |
| Dorr | Kowalshyn | Polite | Williams |
| Doyle | Kusse | Pratt | Wilson |
| Dreibelbis | LaMarca | Prendergast | Wilt, R. W. |
| Dumas | Laudadio | Pyles | Wilt, W. W. |
| Eckensberger | Laughlin | Rappaport | Wojdak |
| Englehart | Lederer | Ravenstahl | Worrilow |
| Fawcett | Lehr | Reed | Yohn |
| Fee | Letterman | Renninger | Zearfoss |
| Fisher | Levi | Renwick | Zeller |
| Flaherty | Lincoln | Richardson | Zord |
| Foster, A. | Logue | Rieger | Zwinkl |
| Foster, W. | Lynch | Ritter | |
| Freind | Manderino | Ross | |
| Fryer | Manmiller | Ruggiero | Fineman, Speaker |

NAYS—5

- | | | | |
|---------|----------|--------|--------|
| Fischer | Taddonio | Wagner | Wright |
| Kistler | | | |
- NOT VOTING—8

- | | | | |
|---------|----------------|--------|--------------|
| Gleason | Hutchinson, A. | McGraw | Walsh, T. P. |
| Hammock | Knepper | Rhodes | Yahner |

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2141, printer's No. 2924**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Does the majority leader desire to recommit House bill No. 2141, printer's No. 2924?

Mr. IRVIS. No, Mr. Speaker, the motion is to be made by Mr. Rhodes.

MOTION TO RECOMMIT HOUSE BILL No. 2141

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

Mr. RHODES. Mr. Speaker, I move that House bill No. 2141, printer's No. 2924, be recommitted to the Committee on Appropriations.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I would oppose the gentleman's amendment and I would oppose it for a number of reasons.

The SPEAKER. The gentleman has a motion before the House.

Mr. LAUGHLIN. His motion I would oppose for a number of reasons, Mr. Speaker.

We passed the budget earlier today and in that budget there was no provision for the millions of dollars that would be needed from the general fund to take care of senior citizens' needs. Thus we are going to need the same bill that we passed last year to use the anticipated revenue of the lottery to pay out these grants. So I would ask the members of the House to vote "no" on this motion.

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

Mr. WOJDAK. Mr. Speaker, I would also ask the membership to vote in the negative on this motion for the very same reasons that Mr. Laughlin has given to the House.

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

Mr. RHODES. I would like to explain the purpose for my motion.

The SPEAKER. Will the gentleman confine his remarks to the motion?

Mr. RHODES. Yes, Mr. Speaker.

Mr. Speaker, I move to recommit House bill No. 2141 to the Committee on Appropriations for two reasons. The

first reason goes to the point that this bill basically calls for the House of Representatives to make the same amendment in the act that we made last year, which allows the lottery fund to pay off its current year's obligations from next year's revenue.

If you read the memo I circulated to the members of the House, you will see that, contrary to what the lottery or the Revenue Department says about how much money will be available at the end of this fiscal year to pay off the obligations that the lottery has received this year, in fact there will be a substantial deficit even if you take the revenue figures as calculated for this fiscal year. There will be a substantial deficit going into next year.

The SPEAKER. Will the gentleman confine his remarks to the motion? The remarks of the gentleman are not on the motion.

Mr. RHODES. Well, Mr. Speaker, I make the motion because it is my feeling that the bill in its current form is not the best solution to our problem with the lottery and with the senior citizens' programs. There are better ways to deal with this problem on the substantive side, and we should refer it back to the Appropriations Committee and deal with the real problem, which is the fact that we are going to be faced with a \$75-million tax increase next year if we pass this bill. And there are other ways to deal with it.

The second reason, which is to the heart of the motion, is that there is no fiscal note attached to this legislation. Our rules specifically call for such fiscal notes being attached if there are revenue implications, and I will guarantee you that if you read this bill carefully and you study the problems related to the lottery, Mr. Speaker, there are definite fiscal implications of enormous proportions in House bill No. 2141.

Albeit the intentions of the bill are good and my intentions are similar, we do not want to shortchange senior citizens in Pennsylvania. Nobody wants to do that. But this legislation is not the vehicle to do it, and there is still time this year to make the proper change.

Thank you, Mr. Speaker.

The SPEAKER. The Chair has extended the widest latitude to the gentleman on his motion. I am certain the gentleman appreciates that his remarks were not in order.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. RHODES and LAUGHLIN and were as follows:

YEAS—48

Anderson, J. E.	Gallen	Morris	Spencer
Brandt	George	O'Keefe	Stahl
Burns	Gillespie	Pancoast	Taddonio
Cumberland	Haskell	Pratt	Turner
Davies	Hayes, D. S.	Renwick	Vroon
Deverter	Hayes, S.E.	Rhodes	Wagner
Dietz	Hill	Richardson	Westerberg
Dorr	Hopkins	Ryan	Whelan
Doyle	Kusse	Scheaffer	Wilson
Dreibelbis	Lehr	Scirica	Wilt, R. W.
Fisher	Letterman	Shane	Zearfoss
Foster, A.	Levi	Shuman	Zord

NAYS—142

Abraham	Garzia	McGinnis	Ritter
Arthurs	Geesey	McIntyre	Roos
Bellomini	Geisler	McLane	Ruggiero
Bennett	Giammarco	Mebus	Saioom
Beren	Gillette	Menhorn	Salvatore
Berlin	Gleeson	Milanovich	Schmitt
Berson	Goodman	Miller, M. E.	Schweder

Bittle	Green	Miller, M. E., Jr.	Seltzer
Bonetto	Greenfield	Milliron	Shelhamer
Bradley	Grieco	Miscevich	Shelton
Brunner	Halverson	Moehlmann	Shupnik
Butera	Hamilton, J. H.	Mrkonic	Sirianni
Caputo	Hasay	Mullen, M. P.	Smith, E.
Cessar	Hutchinson, W.	Mullen	Smith, L.
Cianciulli	Irvic	Musto	Stapleton
Cimini	Itkin	Myers	Stout
Cohen	Johnson, J.	Novak	Taylor
Cole	Katz	Noye	Thomas
Cowell	Kelly, A. P.	O'Brien	Toll
Crawford	Kelly, J. B.	O'Connell	Trello
DeMedio	Kernick	O'Donnell	Ustynski
DeWeese	Kistler	Oliver	Valicenti
DiDonato	Klingaman	Parker, H. S.	Wansacz
Dininni	Kowalyshyn	Perri	Wargo
Dombrowski	LaMarca	Perry	Weidner
Dumas	Laudadio	Petrarca	Wiggins
Eckensberger	Laughlin	Pievsky	Williams
Englehart	Lederer	Pitts	Wilt, W. W.
Fawcett	Lincoln	Polite	Worrlow
Fee	Logue	Prendergast	Wright
Fischer	Lynch	Fyles	Yohn
Flaherty	Manderino	Rappaport	Zeller
Foster, W.	Manmiller	Ravenstahl	Zwiski
Freind	McCall	Reed	
Fryer	McClatchy	Renninger	Fineman,
Gallagher	McCue	Rieger	Speaker

NOT VOTING—13

Barber	Hammock	Knepper	Walsh, T. P.
Dicarlo	Hepford	Kolter	Wojdak
Gleason	Hutchinson, A.	McGraw	Yahner
Gring			

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? 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 Allegheny, Mr. Rhodes.

Mr. RHODES. Mr. Speaker, may I speak to the substance of the bill?

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

Mr. RHODES. Since it is not the pleasure of the House to recommit the bill to committee, I would like to reveal to the House or discuss with the House briefly what the implications of this bill will be if we pass it as it is.

Basically the lottery is generating a \$25-million-a-year deficit. This is not because the lottery is poorly run or badly administered or because anyone is stealing the money, as far as I know as chairman of the Lottery Committee. The problem emanates from the fact that we in the Assembly have imposed a \$75-million-a-year obligation onto a \$50-million-a-year fund.

We have gotten around this problem annually by allowing the lottery to pay off its current year's obligations by using next year's revenue, as estimated from the current year's take of the lottery. We therefore have to each year use more and more of the subsequent year's revenue to pay off the current year's obligation. If we pass this bill, at the end of next year we will have close to a \$70-million deficit in the lottery, and we will only have 1 more year we can do this game of postponing the deficit because we will have to use an entire year of revenues to pay off the previous year's obligations for the three senior citizen programs.

No one questions that these senior citizen programs are

vital. The question is, is this the way to do it? This is exactly the way New York City got itself into all of its problems—by hocus-pocus accounting to give itself more revenue than it really had.

Therefore, Mr. Speaker, I oppose the motion. I think we ought to deal with the problem on a substantive level, by transferring the lottery fund entirely into the general fund and appropriating the money and not shortchanging the senior citizens from the general fund. And the reason this would work—even though, as Mr. Laughlin has pointed out, we just passed an appropriation bill using up all of our anticipated revenue—if the lottery staff and the Revenue Department projections are accurate and we do not have to worry next year because the new game is going to bring in so much more revenue, and we transfer the lottery fund entirely into the general fund, then those anticipated new revenues will go right into the general fund. We will have that much more money we can use to pay off the deficit, just as they project.

So if their projections are accurate, transferring the lottery fund to the general fund will work out very neatly. If their projections are not correct, which is what I suggest—that they are not and that we are going to be even deeper into debt next year—then we would have faced the problem now rather than postponing it until next year, when we will be faced again with a substantial tax increase in order to pay off these lottery deficits.

In other words, you can, if you choose today, one more time delay facing the lottery deficit, because we do have 1 more year. We have just enough left in next year's anticipated revenue to pay off this year's program. But if we do it today, we are going to be faced with a horrendous fiscal problem at the end of next year. There is still plenty of time left in this fiscal year to properly handle the lottery problem. This is irresponsible for us to pass House bill No. 2141, and we are going to regret it later.

Therefore, Mr. Speaker, I ask the membership to vote "no" on this motion, and let us get down to the real problem of the lottery and introduce additional legislation which we can deal with before July 1.

Thank you, Mr. Speaker.

The SPEAKER. For the information of the gentleman, the issue before the House is, Shall this bill pass finally? There is not a motion before the House.

Mr. RHODES. Sorry, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, Mr. Rhodes mentioned the number of problems that the lottery faces. As of the end of March, I received the lottery's figures as to what the income has been for this year. The indication to me is there is approximately \$102,551,464 that had been taken in in 9 months, with a net revenue of \$42,705,000 on hand. Less the \$25½ million to \$26 million that was used last year leaves them with a \$17-million fund on hand with 3 months remaining in the lottery.

I have talked to the members of the Lottery Commission along with the members of the Department of Revenue on this matter, and, as last year, they indicate that things are hopefully going to look better. I cannot say definitely, Mr. Speaker, that they are. All I can do is accept their word for it and say that I hope they are right.

I do not think that we can now deprive our senior citizens of the money that they are depending on for their rent and their tax rebate. I think we can address ourselves to a long-term problem after we get this year over, but I do not think we can interrupt it right now.

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

Mr. DOYLE. Mr. Speaker, would Mr. Laughlin submit to interrogation?

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

Mr. LAUGHLIN. Yes, sir.

The SPEAKER. The gentleman may proceed.

Mr. DOYLE. I am trying to understand the divergence between your point and Mr. Rhodes' point.

The bill changes the word "percentages" to "amounts," and it would appear that in the face of it this bill would nevertheless, even if it passes, reduce the amounts that the senior citizens would receive this year, unless you crank into it the anticipated revenues next year. Is that correct?

Mr. LAUGHLIN. Mr. Speaker, line 9 of the bill on page 2 explains that to you. It says: ". . . the amount in the State Lottery Fund shall include funds available including revenue estimated to be available for the purposes of administrative expenses and claims."

Mr. DOYLE. Would the senior citizens receive their full amount? Say that it is \$200. Would they receive their full amount of \$200, not reduced by anything, any deficit that would occur in a fund this year? By changing the word does not change the process here; they would still receive less if there is not that much in the fund? Is that correct?

Mr. LAUGHLIN. The money will be available in the fund by using the anticipated revenues of next year, Mr. Speaker, based on the figures that the lottery has projected.

Mr. DOYLE. Right. Now if those figures do not work out and there is a deficit there, then the payments to the senior citizens would be reduced. Is that correct?

Mr. LAUGHLIN. I am sorry, Mr. Speaker, I did not catch the last part of the question.

Mr. DOYLE. Would the payments to the individual senior citizen be reduced if the figures did not work out?

Mr. LAUGHLIN. Mr. Speaker, I cannot say that the figures are going to be reduced, because the lottery fund indicates the figures will work out that there will be enough revenue to pay the fund off for this year.

Mr. DOYLE. From revenues this year?

Mr. LAUGHLIN. From the anticipated revenues of next year, Mr. Speaker, which is what we are using.

Mr. DOYLE. All right. I would submit then that it appears to me that we would be far safer to put in some money from the general fund to pay the claims this year against this year's revenues even though we have to go someplace else to do it. And I would agree with Mr. Rhodes that perhaps the best thing to do would be to table it. Could we table it?

Mr. LAUGHLIN. I do not agree with tabling it, and the members of the House do not either, Mr. Speaker.

Mr. DOYLE. All right, Mr. Speaker.

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

Mr. SHANE. Mr. Speaker, when it comes to pork bar-

rel thinking and a Pavlovian response to constituent groups, there is no distinction between Republican and Democrat. I am reminded of the saying of Pogo: We have met the enemy and he is us.

I recall that when this program was set up it had fine promises and I thought it was a fine concept. We started off by providing real estate tax refunds up to \$200, and this was a fine idea. Then we went on and extended it to renters and again this seemed logical. Then we went the step that was probably excessive when we decided to subsidize public transit. Again a good idea but perhaps loading down this program with too much baggage. We did it. We deserve the blame if this lottery gets into trouble because we are the ones who pushed it too far. Now we are going to engage in the same kind of Alice in Wonderland fiscal policy that got New York in trouble.

I oppose both alternatives proposed by previous speakers. I oppose anticipating lottery funds from next year. That is precisely the New York gambit. Secondly, I oppose allocating money from the general fund to bail these programs out. We never promised our senior citizens that it would be a continued upward spiral in the lottery fund. The original understanding and intent, as I heard the original debates, was that the fortunes of these programs would go up and go down with the fortunes of the lottery. I think that we ought to stick by that historical context.

I am willing to vote for many other different kinds of legalized gambling in Pennsylvania to increase the revenues of this fund and maximize the possibilities that there need not be any cutbacks in these programs. But I am strongly opposed to anticipating revenue which is the New York fakery and I am strongly opposed to letting the camel poke his nose into the general funds. I suggest that we defeat this bill and possibly consider recommendations that the Rules Committee may come up with concerning other extensions of legalized gambling in Pennsylvania. I, therefore, urge a "no" vote on this bill.

On the question recurring,
Shall the bill pass finally?

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

YEAS—152

- | | | | |
|------------|-----------------|--------------------|-----------|
| Abraham | Gillespie | McIntyre | Scheaffer |
| Arthurs | Gillette | McLane | Schmitt |
| Barber | Gleason | Menhorn | Schweder |
| Bennett | Goodman | Milanovich | Seltzer |
| Beren | Green | Miller, M. E. | Shelhamer |
| Berlin | Greenfield | Miller, M. E., Jr. | Shelton |
| Berson | Grieco | Milliron | Shuman |
| Bittle | Halverson | Miscevich | Shupnik |
| Bradley | Hamilton, J. H. | Moehlmann | Smith, L. |
| Brunner | Hasay | Mrkonic | Spencer |
| Butera | Hayes, D. S. | Mullen, M. P. | Stahl |
| Caputo | Hayes, S. E. | Mullen | Stapleton |
| Cianciulli | Hepford | Musto | Stout |
| Cimini | Hopkins | Myers | Taddonio |
| Cohen | Hutchinson, W. | Novak | Taylor |
| Cole | Irvis | Noye | Thomas |
| Cowell | Itkin | O'Brien | Toll |
| Crawford | Johnson, J. | O'Donnell | Trello |
| Cumberland | Katz | Oliver | Ustynoski |
| Deverter | Kelly, A. P. | Pancoast | Valicenti |
| DeWeese | Kernick | Parker, H. S. | Vroon |
| Dicarlo | Kistler | Perry | Wansacz |
| DiDonato | Klingaman | Perry | Wargo |
| Dininni | Kolter | Petrarca | Weidner |
| Dombrowski | Kowalyszyn | Pievsky | Wiggins |
| Doyle | LaMarca | Pitts | Williams |
| Dumas | Laudadio | Polite | Wilson |

- | | | | |
|--------------|-----------|-------------|-------------|
| Eckensberger | Laughlin | Pratt | Wilt, R. W. |
| Fee | Lederer | Prendergast | Wilt, W. W. |
| Fischer | Levi | Rappaport | Wojdak |
| Flaherty | Lincoln | Ravenstahl | Worriow |
| Foster, W. | Logue | Reed | Wright |
| Freind | Lynch | Rieger | Yohn |
| Gallagher | Manderino | Ritter | Zeller |
| Gallen | Manmiller | Ruggiero | Zwikel |
| Garzia | McCall | Ryan | |
| Geisler | McClatchy | Saloom | Fineman, |
| George | McCue | Salvatore | Speaker |
| Giammarco | McGinnis | | |

NAYS—41

- | | | | |
|-----------------|------------|------------|------------|
| Anderson, J. H. | Fisher | Mebus | Scirica |
| Brandt | Foster, A. | Morris | Shane |
| Burns | Fryer | O'Connell | Sirianni |
| Cessar | Geesey | O'Keefe | Smith, E. |
| Davies | Gring | Pyles | Turner |
| DeMedio | Haskell | Renninger | Wagner |
| Dietz | Hill | Renwick | Westerberg |
| Dorr | Kusse | Rhodes | Whelan |
| Dretbelbis | Lehr | Richardson | Zearfoss |
| Engelhart | Letterman | Ross | Zord |
| Fawcett | | | |

NOT VOTING—10

- | | | | |
|-----------|----------------|---------|--------------|
| Bellomini | Hammock | Knepper | Walsh, T. P. |
| Bonetto | Hutchinson, A. | McGraw | Yahner |
| Gleason | 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.

REASON FOR VOTE

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

Mr. O'CONNELL. Mr. Speaker, I wonder if I might make a comment for the record in support of my "no" vote on House bill No. 2141.

I agree wholeheartedly with several of the speakers on the floor this afternoon, but I take exception to the figures that were presented by Mr. Laughlin. I think they are absolutely incomplete to this degree: He indicated the balance and he indicated the revenues, but he failed to indicate what the obligations would be against those revenues come July when the senior citizens' and renters' tax-relief refunds would have to be paid.

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 2178, printer's No. 2842, entitled:

An Act amending "The Land and Water Conservation and Reclamation Act," approved January 19, 1968 (P. L. 990, No. 443), redesignating funds for stream pollution from mine damage to prevention of surface subsidence and extinguishment of mine fires.

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

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

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

YEAS—191

Abraham	Garzia	McGinnis	Scheaffer
Anderson, J. H.	Geesey	McIntyre	Schmitt
Arthurs	Gelsler	McLane	Schweder
Barber	George	Mebus	Scirica
Bennett	Giammarco	Menhorn	Seltzer
Beren	Gillespie	Milanovich	Shane
Berlin	Gillette	Miller, M. E.	Shelhamer
Berson	Gleason	Miller, M. E., Jr.	Shelton
Bittle	Goodman	Milliron	Shuman
Bonetto	Green	Miscevich	Shupnik
Bradley	Greenfield	Moehlmann	Sirianni
Brandt	Grieco	Morris	Smith, E.
Brunner	Hamilton, J. H.	Mrkonic	Smith, L.
Burns	Hasay	Mullen, M. P.	Spencer
Butera	Haskell	Musto	Stahl
Caputo	Hayes, D. S.	Myers	Stapleton
Cassar	Hayes, S. E.	Novak	Stout
Cianciulli	Hepford	Noye	Taddonio
Cimini	Hill	O'Brien	Taylor
Cohen	Hopkins	O'Connell	Thomas
Cole	Hutchinson, W.	O'Donnell	Toll
Cowell	Irvic	O'Keefe	Trello
Crawford	Iklin	Oliver	Turner
Cumberland	Johnson, J.	Pancoast	Ustynoski
Davies	Katz	Parker, H. S.	Valicenti
DeMedio	Kelly, A. P.	Perrl	Vroon
Deverter	Kelly, J. B.	Perry	Wagner
DeWeese	Kernick	Petrarca	Wansacz
Dicarlo	Kistler	Plevsky	Wargo
DiDonato	Klingaman	Pitts	Weidner
Dietz	Kolter	Polite	Westerberg
Dininni	Kowalshyn	Pratt	Whelan
Dombrowaki	Kusse	Prendergast	Wiggins
Doyle	LaMarca	Pyles	Williams
Dreibelbis	Laudadio	Rappaport	Wilson
Dumas	Laughlin	Ravenstahl	Wilt, R. W.
Eckensberger	Lehr	Reed	Wilt, W. W.
Englehart	Lederer	Renninger	Wojdak
Fawcett	Letterman	Renwick	Worrilow
Fee	Levi	Rhodes	Wright
Fischer	Lincoln	Richardson	Yohn
Fisher	Logue	Rieger	Zearfoss
Flaherty	Lynch	Ritter	Zeller
Foster, A.	Manderino	Ross	
Foster, W.	Manmiller	Ruggiero	
Freind	McCall	Ryan	
Fryer	McClatchy	Saloom	
Gallagher	McCue	Salvatore	
Gallen			Fineman, Speaker

NAYS—2

Dorr	Halverson
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NOT VOTING—10

Bellommi	Hammock	McGraw	Walsh, T. P.
Gleason	Hutchinson, A.	Mullen	Yahner
Gring	Knepper		

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.

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1764, printer's No. 2258, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965, P. L. 1656, No. 581), providing for membership in mayoral associations and authorizing the payment of expenses relating thereto.

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—128

Abraham	Fryer	McIntyre	Ruggiero
Barber	Gallagher	McLane	Saloom
Bennett	Geesey	Menhorn	Salvatore
Berlin	Gelsler	Milanovich	Schmitt
Berson	Giammarco	Milliron	Schweder
Bonetto	Gillette	Miscevich	Shane
Bradley	Gleason	Morris	Shelhamer
Brunner	Goodman	Mrkonic	Shelton
Burns	Greenfield	Mullen, M. P.	Shupnik
Butera	Grieco	Mullen	Spencer
Caputo	Hamilton, J. H.	Musto	Stapleton
Cassar	Hayes, D. S.	Myers	Stout
Cianciulli	Hepford	Novak	Taylor
Cimini	Irvic	O'Brien	Toll
Cohen	Iklin	O'Connell	Trello
Cowell	Johnson, J.	O'Donnell	Turner
Crawford	Katz	Oliver	Ustynoski
DeMedio	Kelly, A. P.	Perrl	Valicenti
DeWeese	Kernick	Perry	Vroon
Dicarlo	Kolter	Petrarca	Wagner
DiDonato	Kowalshyn	Plevsky	Wansacz
Dietz	LaMarca	Pratt	Whelan
Dininni	Laudadio	Prendergast	Wiggins
Dombrowaki	Laughlin	Pyles	Williams
Dreibelbis	Lederer	Rappaport	Wilson
Dumas	Levi	Ravenstahl	Wilt, R. W.
Eckensberger	Lincoln	Reed	Wilt, W. W.
Englehart	Logue	Rhodes	Wojdak
Fawcett	Lynch	Richardson	Worrilow
Fee	Manderino	Rieger	Zearfoss
Fisher	Manmiller	Ritter	Zord
Flaherty	McClatchy	Ross	Zwickl
Freind	McCue		Fineman, Speaker

NAYS—56

Anderson, J. H.	Halverson	Miller, M. E., Jr.	Smith, E.
Arthurs	Hasay	Moehlmann	Smith, L.
Beren	Haskell	Noye	Stahl
Brandt	Hayes, S. E.	O'Keefe	Taddonio
Cumberland	Hill	Pancoast	Thomas
Davies	Hopkins	Parker, H. S.	Wagner
Deverter	Kistler	Pitts	Weidner
Dorr	Klingaman	Polite	Westerberg
Doyle	Kusse	Renwick	Wilson
Foster, A.	Lehr	Scheaffer	Wilt, R. W.
Foster, W.	Letterman	Scirica	Wilt, W. W.
George	McCall	Seltzer	Wright
Gillespie	McGinnis	Shuman	Yohn
Green	Mebus	Sirianni	Zeller

NOT VOTING—19

Bellommi	Garzia	Hutchinson, W.	Renninger
Bittle	Gleason	Kelly, J. B.	Ryan
Cole	Gring	Knepper	Walsh, T. P.
Fischer	Hammock	McGraw	Yahner
Gallen	Hutchinson, A.	Miller, M. E.	

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.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. GRIECO. Thank you, Mr. Speaker.

On House bill No. 1764, printer's No. 2258, I voted in error. I would like to change my vote to "no."

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

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

Mr. TURNER. Mr. Speaker, on House bill No. 1764, printer's No. 2258, I would like to change my vote to "no."

Agreeable to order,

The House proceeded to third 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.

On the question,

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

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

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

YEAS—193

Abraham	Gallen	McCue	Salvatore
Anderson, J. H.	Garzia	McGinnis	Scheaffer
Arthurs	Geesey	McIntyre	Schmitt
Barber	Geisler	McLane	Schweder
Bellomini	George	Mebus	Scirca
Bennett	Giammarco	Menhorn	Seltzer
Beren	Gillespie	Milanovich	Shane
Berlin	Gillette	Miller, M. E.	Shelhamer
Berson	Gleeson	Miller, M. E., Jr.	Shelton
Bittle	Goodman	Milliron	Shuman
Bonetto	Green	Miscevich	Shupnik
Bradley	Greenfield	Moehlmann	Sirianni
Brandt	Grieco	Morris	Smith, E.
Brunner	Halverson	Mrkonic	Smith, L.
Burns	Hamilton, J. H.	Mullen, M. P.	Spencer
Butera	Hasay	Mullen	Stahl
Caputo	Haskell	Musto	Stapleton
Cessar	Hayes, D. S.	Myers	Stout
Cianciulli	Hayes, S. E.	Novak	Taddonio
Cimini	Hepford	Noye	Taylor
Cohen	Hill	O'Brien	Toll
Cole	Hopkins	O'Connell	Trello
Cowell	Hutchinson, W.	O'Donnell	Turner
Crawford	Irvis	O'Keefe	Ustynoski
Cumberland	Itkin	Oliver	Valicenti
DeMedio	Johnson, J.	Pancoast	Vroon
Deverter	Katz	Parker, H. S.	Wagner
DeWeese	Kelly, A. P.	Perri	Wansacz
Dicario	Kelly, J. B.	Perry	Wargo
DiDonato	Kernick	Petrarca	Weidner
Dietz	Kistler	Pievsky	Westerberg
Dininni	Klingaman	Pitts	Whelan
Dombrowski	Kolter	Polite	Wiggins
Dorr	Kowalyszyn	Pratt	Williams
Doyle	Kusse	Prendergast	Wilson
Dreibelbis	LaMarca	Pyles	Wilt, R. W.
Dumas	Laudadio	Rappaport	Wilt, W. W.
Eckensberger	Laughlin	Ravenstahl	Wojdak
Englehart	Lederer	Reed	Worrlow
Fawcett	Lehr	Renninger	Wright
Fee	Letterman	Renwick	Yohn
Fischer	Levi	Rhodes	Zearfoss
Fisher	Lincoln	Richardson	Zeller
Flaherty	Logue	Rieger	Zord
Foster, A.	Lynch	Ritter	Zwikel
Foster, W.	Manderino	Ross	
Freland	Manmiller	Ruggiero	
Fryer	McCall	Ryan	
Gallagher	McClatchy	Saloom	Fineman, Speaker

NAYS—0

NOT VOTING—10

Davies	Hammock	McGraw	Walsh, T. P.
Gleason	Hutchinson, A.	Thomas	Yahner
Gring	Knepper		

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.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, I was not recorded on House bill No. 1804, printers No. 2307. I would like to be recorded in the affirmative.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Mr. Speaker, on House bill No. 1764, printer's No. 2258, I would like to be recorded in the negative.

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

Mr. D. S. HAYES. Mr. Speaker, on House bill No. 1764, printer's No. 2258, I would appreciate being recorded in the negative. I voted in error.

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

Mr. DORR. Mr. Speaker, I would like to be recorded in the affirmative on House bill No. 2178, printer's No. 2842.

The SPEAKER. Any further corrections to the journal?

COMMITTEE OF CONFERENCE
REPORT REMOVED FROM THE TABLE

The SPEAKER. Does the majority leader desire to be recognized?

Mr. IRVIS. Yes, Mr. Speaker.

On page 19, I move that the Committee of Conference Report to House bill No. 796, printer's No. 2795, be taken from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

HOUSE SCHEDULE ANNOUNCEMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, an announcement for the members: We shall be in session all day tomorrow. Starting at 9:30 in the morning, we will pick up the calendar. I have already discussed with Mr. Butera the schedule for tomorrow, and we have agreed that we will go through those bills which we have jointly agreed to be on the schedule until we come to a time when either the Republican caucus must meet on a particular issue or we must meet on a particular issue, at which time we shall break.

If we do not get to that point prior to lunch, we shall break for lunch tomorrow, and there will be a meeting of the Rules Committee in my office at noon tomorrow. That meeting will substitute for the meeting which we had intended to call at the end of today's session. There will not be a Rules Committee meeting at the end of today's session. There will be one at noon tomorrow.

We shall work in session all afternoon tomorrow and

we will end the session, hopefully, late tomorrow afternoon. We do not anticipate being here on Thursday.

But for the benefit of those members who do not understand next week's situation, we will be in committee meetings on Monday and committee meetings on Tuesday. We will meet in session on Wednesday morning here in the hall of the House so that we may pass those resolutions necessary to be passed for the special session in Philadelphia late Wednesday afternoon. We will explain those details to you later. I have no further business, Mr. Speaker.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

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

SENATE BILL No. 1153

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.

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. 379

An Act amending the act of December 19, 1974 (No. 319), entitled "Pennsylvania Farmland and Forest Land Assessment Act of 1974," requiring the State Tax Equalization Board to consider preferential use assessments for school subsidy purposes.

HOUSE BILL No. 1464

An Act amending the act of June 1, 1933 (P. L. 1172, No. 290), entitled "Borough State Highway Law," deleting a route in Hookstown Borough, Beaver County.

HOUSE BILL No. 1465

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting Route 04052 in Beaver County.

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

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned:

HOUSE BILL No. 690

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining the offense of robbery, adding an additional grade for the offense and amending the offense of theft by extortion.

HOUSE BILL No. 1054

An Act amending the act of April 27, 1937 (P. L. 318, No. 90), entitled "The Pennsylvania Plant Pest Act of 1937," by adding a Fruit Tree Improvement Program and providing for financing said program and further providing for certificates of inspection and dates of inspection.

HOUSE BILL No. 1431

An Act amending the act of May 13, 1915 (P. L. 286, No. 177), entitled, as amended, "Child Labor Law," changing the applicability of the act to members of volunteer fire companies, volunteer ambulance corps and rescue squads in certain instances.

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.

WELCOMES

The SPEAKER. The Chair would like to welcome to the hall of the House fifth-grade students from St. Madeline School in Ridley Park, accompanied by their teachers, Sister Catherine Terrance and Mrs. MacIntyre. They are the guests of the gentlemen from Delaware, Messrs. O'Keefe and Gillespie.

The Chair also welcomes to the hall of the House a group of 20 students from the New Life Boy's Ranch of Harleysville, Pennsylvania, and their teachers, Carol Valenti and Bill Rice. They are the guests of the gentlemen from Montgomery, Messrs. Pancoast and Polite.

The Chair also welcomes to the hall of the House today Mr. and Mrs. Dale Whitman, who are teachers in the Souderton Area School District gaining an insight into state government. They are the guests of the gentleman from Bucks, Mr. Weidner, and the gentleman from Montgomery, Mr. Pancoast.

The Chair is pleased to welcome a government class of Palmerton High School, accompanied by their teacher, Mr. Fred Young. They are here as the guests of the gentleman from Carbon, Mr. McCall.

The Chair is pleased to welcome a group from Avonmore, Pennsylvania. They are the Belle Avon Women's Club. Their leader is Mrs. Louise Clawson. They are here as the guests of the gentleman from Westmoreland, Mr. Petrarca.

The Chair would also like to bid welcome to a group of senior citizens, the Over-55 Club of Penn, Pennsylvania, in Westmoreland County. These folks are here as the guests of the gentleman from Westmoreland, Mr. Laudadio.

The Chair is pleased to welcome Dr. Thomas J. Connolly, president of the Harrisburg City School Board, who is here as the guest of the gentleman from Dauphin, Mr. Reed.

ADJOURNMENT

Mr. DUMAS moved that this House do now adjourn until Wednesday, May 12, 1976, at 9:30 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 6:30 p.m., e.d.t.) the House adjourned.