

# Legislative Journal

WEDNESDAY, MAY 26, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 134

## HOUSE OF REPRESENTATIVES

The House convened at 10:30 a.m., e.d.t.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

### PRAYER

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

O Lord God, all hearts are open unto Thee, all desires are known by Thee, and there are no secrets hidden from Thee. We pray that Thou wilt cleanse the thoughts and minds of each one of us, fill our hearts with the inspiration of Thy spirit, and challenge us that we may perfectly love Thee and worthily magnify Thy holy and most righteous name. Gracious Father, pour out upon Thy fruitful people the indwelling of Thy presence; keep them walking steadfastly in Thy grace and truth; protect and comfort them against the temptations of life itself; defend them against all enemies of Thy word; and bestow upon them Thy saving peace. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, May 25, 1976, will be postponed until printed.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Bittle.

Mr. BITTLE. Mr. Speaker, I request leaves of absence for Mr. O'CONNELL and Mrs. CRAWFORD for today's session.

The SPEAKER. Without objection, leaves are granted.

The Chair recognizes the lady from Chester, Mrs. Crawford.

Mrs. CRAWFORD. Mr. Speaker, I think the clerical work got a little fouled up yesterday. I am here, I do not want a leave of absence.

The SPEAKER. The lady's presence will be noted.

### MASTER ROLL CALL

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

The roll was taken and was as follows:

#### YEAS—195

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

#### NOT VOTING—8

Gleason	Hayes, D. S.	O'Connell	Walsh, T. P.
Hammock	McGraw	Turner	Yahner

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

### 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. 972

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," authorizing Pennsylvania

Game Protectors to use a flashing or rotating red light on officially marked vehicles, to stop and inspect vehicles for the illegal transportation or concealment of wild birds or wild animals protected by the act.

#### HOUSE BILL No. 1644

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for an appropriation to certain tourist promotion agencies.

#### HOUSE BILL No. 1645

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for an appropriation to certain tourist promotion agencies.

#### HOUSE BILL No. 1650

An Act amending the "Adoption Act," approved July 24, 1970 (P. L. 620, No. 208), providing for certain changes relating to venue.

#### HOUSE BILL No. 1928

An Act amending the act of August 5, 1941 (P. L. 752, No. 286), entitled "Civil Service Act," further providing for provisional appointments.

Whereupon,

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

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 748, printer's No. 3251**, entitled:

An Act amending the "Juvenile Act," approved December 6, 1972 (P. L. 1464, No. 333), further defining "child," "delinquent act" and "deprived child," making editorial changes, placing certain duties on courts and the Department of Justice, further providing for detention under certain circumstances, for regional detention facilities and for certain shelter care situations.

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. 1366, printer's No. 1595**, entitled:

An Act making an appropriation to the Department of Agriculture to support the National Plowing Contest and Pennsylvania Agricultural Progress Days in the bicentennial year of 1976.

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. 1819, printer's No. 2328**, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), further defining occupational disease to include fractionation area employees who develop hepatitis.

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. 2198, printer's No. 3134**, entitled:

An Act amending the act of September 2, 1961 (P. L. 1177, No. 525), entitled "An act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts," increasing the salary of the chairman and board members of the Pennsylvania Board of Probation and Parole and making editorial changes.

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. 2227, printer's No. 3208**, entitled:

An Act providing for the operation of the School of Veterinary Medicine of the University of Pennsylvania as an integral part of the Commonwealth system of higher education; providing for delivery of services by the School of Veterinary Medicine to owners of animals in the Commonwealth; providing for public representation on the Board of Overseers of the School of Veterinary Medicine; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed by the General Assembly; providing for the auditing of expenditures from said appropriations; requiring the President of the University of Pennsylvania and the Dean of the School of Veterinary Medicine to make an annual report of the operations of the School to the Governor and to the General Assembly.

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

Ordered, to be transcribed for third consideration.

The SPEAKER. Are there any amendments to be offered to House bill No. 1658?

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

Mr. ITKIN. Mr. Goodman has amendments to this bill.

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

Will someone check Mr. Goodman's office to see if he is present? We want to move ahead with this calendar.

#### HOUSE BILL No. 1658 PASSED OVER TEMPORARILY

The SPEAKER. The Chair temporarily passes over House bill No. 1658.

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

Mr. SHELHAMER. Mr. Speaker, there is to be an amendment offered to this bill. I do not see the gentleman, Mr. LaMarca, here. If he is not going to offer it, I will get it and reoffer the one that was originally offered.

The SPEAKER. Does the gentleman have an amendment to offer?

Mr. SHELHAMER. I think I have one. A copy of it was put on the members' desks, Mr. Speaker.

I do not have Mr. LaMarca's—

#### SENATE BILL No. 116 PASSED OVER TEMPORARILY

The SPEAKER. Senate bill No. 116 will be passed over temporarily.

#### REQUEST TO HOLD VOTE

The SPEAKER. The Chair recognizes the gentleman

from Northampton, Mr. Ruggiero. For what purpose does the gentleman rise?

Mr. RUGGIERO. Mr. Speaker, the Local Government Committee has just completed its meeting. I wonder if this roll call could be held up for a minute or two until they get here.

The SPEAKER. Does the Local Government Committee know that the session was called for 10:30?

Mr. RUGGIERO. I suppose they thought it would take about 10 or 20 minutes to get to a vote.

The SPEAKER. The House will be at ease.

Will the Chief Clerk please make sure that a page is sent to the Local Government Committee meeting room to tell them to abandon their meeting and report to the floor immediately?

**COMMITTEE REPORTS**

The SPEAKER. Without objection, the Chair will take reports of committees.

The Chair hears no objection.

**BILLS REPORTED FROM COMMITTEES**

**HOUSE BILL No. 1491 (Amended)**

By Mr. SHELHAMER

An Act amending the "Dog Law of 1965," approved December 22, 1965 (P. L. 1124, No. 437), transferring certain functions from the Department of Revenue to the Department of Agriculture.

Reported from Committee on Agriculture.

**HOUSE BILL No. 2369**

By Mr. SHELHAMER

An Act amending the "Inheritance and Estate Tax Act of 1961," approved June 15, 1961 (P. L. 373, No. 207), providing for preferential valuation of land in agricultural use, agricultural reserve use or forest land use.

Reported from Committee on Agriculture.

**HOUSE BILL No. 2392 (Amended)**

By Mr. SHELHAMER

An Act amending the "Cooperative Agricultural Association Act," approved June 12, 1968 (P. L. 173, No. 94), further providing for indemnification of certain officers, providing for records to be open, providing for changes in the articles and bylaws, imposing additional duties on the Department of Agriculture and requiring the filing of a complete audit with the department.

Reported from Committee on Agriculture.

**TRANSPORTATION COMMITTEE MEETING**

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

Mr. BONETTO. Mr. Speaker, the Transportation Committee had scheduled a meeting for 11 o'clock this morning. It has been postponed until 12:30 and I would like to have every member present, if possible.

**STATE GOVERNMENT BILLS ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of House bill No. 2112, printer's No. 3115, entitled:

An Act amending the "Pennsylvania Athletic Code," approved August 31, 1955 (P. L. 531, No. 131), further

defining "promoter" to include certain persons holding certain telecasts.

On the question,

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

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

The question is, shall the bill pass finally?

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

**YEAS—181**

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

**NAYS—2**

Miller, M. E. Zearfoss

**NOT VOTING—20**

Cumberland	Johnson, J.	McIntyre	Rieger
Dreibelbis	Kolter	Myers	Shelton
Gleason	LaMarca	O'Connell	Turner
Hammock	Logue	O'Donnell	Walsh, T. P.
Hayes, D. S.	McGraw	Oliver	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. 2281, printer's No. 3130, entitled:

An Act authorizing the Department of General Services to convey a tract of land and a right-of-way in the City of Oil City to the City of Oil City.

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

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

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

YEAS—187

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

NAYS—1

Haskell

NOT VOTING—15

- |             |              |           |              |
|-------------|--------------|-----------|--------------|
| Cumber' and | Hayes, D. S. | O'Brien   | Turner       |
| Dreibelbis  | Johnson, J.  | O'Connell | Walsh, T. P. |
| Gleason     | Kolter       | O'Donnell | Yahner       |
| Hammock     | McGraw       | Pievsky   |              |

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 Crawford, Mr. Haskell. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.  
Mr. HASKELL. Mr. Speaker, on House bill No. 2281 I inadvertently voted in the negative. I would like to be recorded as "aye."

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

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order,

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

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

On the question,

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

Amend Title, page 1, line 21 by striking out "and gas"  
Amend Sec. 1 (Sec. 1926-A), page 2, line 1 by striking out "gas and"

On the question,

Will the House agree to the amendments?

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

Mr. GOODMAN. Mr. Speaker, this amendment strikes out the word "gas."

The bill would prohibit the drilling of gas and oil in Lake Erie. The Mines and Energy Management Committee concurs with the fact that we should not be drilling for oil in Lake Erie, but we do feel that it is safe and to our benefit to drill for gas at that location.

We had hearings out at that location, and we had testimony from the Department of Environmental Resources, which, as we know, of course, is pro-conservation. They have assured the committee that drilling for gas in Lake Erie is safe.

We have had the Governor's Energy Council, which has studied this question for a 6-month period. They have come to the conclusion that it is safe to drill for gas in Lake Erie, and the Governor's Energy Council has so adopted a resolution requesting the Governor to approve drilling for gas at this location.

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

Mr. WESTERBERG. Mr. Speaker, I support Mr. Goodman in his statements and I hope that there will be an affirmative vote on this amendment.

For lots of years Ontario has been drilling for gas in this same lake, then in turn selling the gas to us here in the United States, and I think it is just a little foolish that we cannot drill the wells ourselves and help to solve this energy crisis.

Thank you.

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

Mr. WRIGHT. Thank you, Mr. Speaker.

As minority chairman of the Mines and Energy Management Committee, I would like to assure all the members of the House that the Canadians have been drilling

for gas in Lake Erie for many years and there have been no environmental consequences. I recommend a "yes" vote on the amendment.

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

Mr. DOMBROWSKI. Mr. Speaker, I rise to oppose this amendment. Many words have been said here about the safety of drilling for gas in Lake Erie, but nobody is saying that the Canadians, when they drill in Lake Erie, do not drill in the portion of Lake Erie that they use for drinking water. Should this amendment pass and should they be allowed to drill for gas in Lake Erie, we are putting probably 11 million people who use Lake Erie for drinking water under the fear of the water being polluted.

Earlier in this session this body passed a resolution allowing us to be involved with the Interstate Joint Legislative Committee on Lake Erie Pollution. At the March meeting this joint commission went on record as opposing any drilling in the American waters of Lake Erie. Therefore, I am suggesting that both sides of the aisle join us in opposing this amendment and passing the bill.

Thank you.

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

Mr. GOODMAN. Mr. Speaker, may I ask the gentleman a question, please?

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

Mr. DOMBROWSKI. I shall.

The SPEAKER. The gentleman may proceed.

Mr. GOODMAN. Mr. Speaker, do you have any evidence at all to support the contention that drilling for natural gas would in any way pollute a water supply?

Mr. DOMBROWSKI. I am not that well versed on it, although I know that they have drilled two wells in Lake Erie in the American waters and presently they are both leaking. They never did continue the drilling operation because there was too much opposition to it.

I am sure that Mr. Laudadio, who has been involved with the legislative committee for many years, can give more of an answer to that.

The SPEAKER. Does the gentleman from Schuylkill Mr. Goodman, desire to pursue the interrogation?

Mr. GOODMAN. No, Mr. Speaker. I would just like to make a retort to that answer, that Canada has drilled more than 900 wells in Lake Erie without any environmental impact whatsoever. We have questions from the Lake Erie Interstate Legislative hearing on the question of Lake Erie being the water source for 11 million people who live in that basin, and it is saying that drilling will in no way place their fresh water supply in jeopardy, that the discharge from pollutants by municipalities and industries bordering the lake is a greater threat to the lake than any gas drilling would be.

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

Mr. LAUDADIO. Mr. Speaker, I would oppose the amendment based on the fact that we did a lengthy study through the interim committee of the four states on the American side.

Back several years ago when all drilling on the American side was stopped, over on the western end of Lake

Erie where Michigan had been doing some drilling, they had hit oil and created a great problem which they could not control for several years. For that reason the interim commission was formed, and we worked on this for 5 or 6 years, and all the states on the American side had agreed that there would be no more drilling on the American side for either gas or oil, because drilling for gas creates a problem. You hit the oil before you hit the gas. For that reason, I would have to say that this amendment should be defeated.

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

Mr. HOPKINS. Mr. Speaker, drilling for oil and gas in the underwater lands or the shorelands of Lake Erie is prohibited at the present time. Opposition to development of these resources is based on information gathered by the Lake Erie Basin Committee during a 6-year study of the plans of Ohio, Pennsylvania, and New York.

As the members considered the economic and environmental aspects, it became apparent that the risks outweighed any potential benefits, either in energy resources or monetary returns to the several states.

Lake Erie's use by nearly 11 million United States residents as their only source of domestic water supply must take precedence over all other uses. Adequate guarantees that these supplies will not be endangered have not, and cannot, be given, for although the threat of pollution from equipment failure, human error or natural disaster, which experts consider inevitable, have not been made.

Maps used by the drilling industry show salt formations underlying a considerable portion of Lake Erie in Ohio and Pennsylvania. Salty water is found at depths throughout western Pennsylvania and has been reported above and below the oil-bearing formations. Scientists believe that a saltwater leak, if of sufficient volume and if undetected, could affect water supplies of major cities within 24 hours; freshwater fish and plants could perish within 48 hours. Salt contamination would disperse rapidly through the bottom waters, and early detection would be difficult.

Though the industry can install devices at surface wellheads, subsea wellheads or in the water to facilitate detection of salt or oil leaks, the following questions asked have not been answered:

Will regulations in all the Lake Erie States require installation of these devices?

Are they effective if the leak is from a fracture in the lakebed?

Is there round-the-clock monitoring?

What is the planned response if a leak occurs?

Have the devices and the routine been tested under year-round Lake Erie conditions?

Though only gas production is presently being promoted by drilling proponents, we are convinced that this is only an opening wedge, and if oil is found in U. S. waters, it will be produced.

Oil has been discovered in Lake Erie by Canadian drillers. One international joint commission report mentions an oil spill in 1957. A 1969 report by the Ontario Petroleum Institute states: "Two wells have been completed, tested and temporarily abandoned. The industry has indicated through the temporary abandonment of these wells, that it is not proceeding at the present time

to develop this energy resource." Canada does not permit oil production in Lake Erie at this time.

Chances of oil discovery are greater on the U. S. side of the lake due to the tilt of the strata underlying the lake. A land-based well recently drilled in Chautauqua County, New York, near Route 20, produced an "oil show." Oil does not need to be present in commercially attractive quantities to endanger drinking water or to damage the environment. Small quantities are considered an expensive nuisance by drillers, and the strictest surveillance would be needed to prevent care-less disposal.

When oil is spilled in water, it does more than just float on top. Approximately 25 percent will evaporate. The remainder is subjected to emulsification, a process that takes place especially well in turbulent water, such as Lake Erie. In this emulsified form it is rapidly dispersed through the water by wind and wave action, resulting in horizontal migration, vertical migration, vertical mixing, and incorporation into the bottom sediments.

Lake Erie is shallow, turbulent, and treacherous. Storms of oceanic ferocity occur with little warning. Any operations or structures are subject to stress from wind and wave action and, for 3 to 4 months, to destructive pressure by ice fields and floes. Detection and immediate correction of oil spills or saltwater leaks would be difficult, perhaps impossible. A United States Coast Guard study, "Oil Pollution Problems Associated With the Extended Navigation Season," documents the extreme difficulty experienced in oil-recovery attempts from cold water and ice.

Any in-lake construction projects will incur disturbance of sediments on the lakebed, not only from drilling but also pipelaying and possible dredging of channels for the barges which would bring the drilling wastes ashore for disposal. Where sediments are unpolluted, damage due to turbidity is usually limited to possible degradation of the feeding and breeding habitats of aquatic animals. However, the sediments of the U. S. area of Lake Erie are polluted with the accumulation of a century of industrial and municipal wastedumping. Silted over and left relatively undisturbed, they are not considered a serious problem, but possible health hazards due to introduction of these toxic materials into drinking water supplies or ingestion during body-contact water sports cannot be ignored.

The final dispositions of drilling wastes will be onshore since in-lake disposal is prohibited. Many questions regarding this disposal remain unanswered:

Where will these disposal sites be located?

Would this create additional expense to the local government due to shortened life to the facility?

If present sites are not used, will county, town, or private lands be subject to condemnation to provide new waste-disposal sites?

Who would monitor to prevent soil and groundwater pollution?

Who bears these expenses?

The present unemployment situation has been used as an argument by proponents of lake drilling. Drilling companies could not be local. Equipment and crews would be brought in from other areas, probably Canada or the Gulf States. The underwater drilling industry is not a labor-intensive one. The local unskilled or semi-

skilled labor market would not be tapped. Even provisioning would probably not be done here.

In any event, it is doubtful that the needs of industry could be supplied as the Lake Erie reserves are classed as a marginal producing formation. Estimates of the amount of the resource and the production life of the field have varied widely, from the industry's original estimate which equaled a 1-year supply for the residential needs of Erie to the 1975 prediction of a 30- to 40-year supply for everybody. Obviously, this type of prediction is not an exact science, though we note that resource estimates increased as promotion efforts increased.

Pennsylvania taxpayers should be aware that possibly 5 to 6 years would elapse before any resources would be produced or any royalties be received by the state. The state would, however, have to expend considerable money to set up administrative operations—purchase helicopters and fast surface vessels needed for monitoring and hire personnel to operate and maintain them; establish depots to house this equipment; hire and train a staff of inspectors; and, hopefully, set up a base for fast action in the event the disasters predicted by the experts occur—all this before any money comes in. It is doubtful that rental fees from acreage leases would cover these costs since, excepting equipment purchases, all would be continuing, recurring expenses.

A record of this kind does not augur well for the much more difficult monitoring of hazardous in-lake projects by the Department of Environmental Resources which is without experience in this type of operation. The record of the industry, worldwide, hardly inspires confidence that anything but resource production and dollar profits will have priority.

The Lake Erie Basin Committee has repeatedly urged officials to abandon any further consideration of the Lake Erie drilling project and in its place initiate and promote a comprehensive workable program of energy conservation measures.

The resolving of our Nation's energy problems must begin with the elimination of waste and over consumption. The greatest need is not merely exploitation of additional sources of known fuels, but rather in more efficient utilization of fuels presently being produced and in the safe, orderly development of alternate energy sources, particularly the nonpolluting, inexhaustible sources of wind and sun.

I certainly hope that you vote against the amendment.

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

Mr. BENNETT. Mr. Speaker, to make a brief statement in opposition to the amendment.

The SPEAKER. The Chair would like to recognize the gentleman from Erie, Mr. DiCarlo, prior to the gentleman.

The Chair recognizes the gentleman, Mr. DiCarlo.

Mr. DiCARLO. Mr. Speaker, I would like to interrogate the gentleman, Mr. Goodman, but it may be lengthy, so at this time I will yield to Mr. Bennett, if the Chair does not mind.

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

Mr. BENNETT. Thank you, Mr. Speaker, and I thank my colleague for yielding to me.

I, too, rise in opposition to the amendment proposed by

Mr. Goodman. Mr. Speaker, the members of this body will recall that you yourself saw the dangers involved in drilling of Lake Erie many years ago and appointed a committee to meet with the several other states. I was honored to work with John Laudadio at a meeting in Ashtabula, Ohio, many years ago when the Interstate Legislative Commission on Lake Erie was formed. At that point in time a resolution was introduced in the House of Representatives and the Senate of Pennsylvania creating the interstate commission. Members of both parties of both bodies were appointed to that commission, and that commission met for a period of years, adamantly opposing drilling in Lake Erie.

A moratorium was passed by Pennsylvania. Pennsylvania was taking the lead and being in the forefront of legislation opposing drilling of any kind in Lake Erie. Mr. Speaker, that moratorium still exists. I say to the members of this body, Mr. Speaker, that if Pennsylvania backs down at this point in time and does not continue to lead the fight in opposing the drilling in Lake Erie, I have a very real fear that the other states surrounding Lake Erie that are involved in a compact, namely, the States of Michigan, Ohio and New York, would be hard pressed not to follow suit and thus repeal their moratoriums.

Mr. Speaker, a great deal of effort has been put forth over the years by a great number of people in restoring Lake Erie close to its original native beauty. Mr. Speaker, just for the sheer mercenary reasons that I can envision of persons wanting to drill in Lake Erie, I just cannot, in a clear conscience, vote for this and would ask every member of this body to oppose the amendment to allow that drilling. There is just too much to lose. There is a whole lake enjoyed by millions upon millions of people for varied reasons. We have all this to possibly lose if we take this action here today, and I sincerely and strenuously suggest to my colleagues to oppose this amendment.

I thank you.

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

Mr. DiCARLO. Yes, Mr. Speaker, I wish to speak on this very emotional issue, and it is emotional to the legislators from Erie County and northwestern Pennsylvania because Lake Erie is actually the lifeline of our economy up there and also provides a great center of tourism for the entire Commonwealth of Pennsylvania. I must remind you that Erie, Pennsylvania, is only an hour and a half from Cleveland and an hour and a half from Buffalo. We are about 2 hours at the most from Pittsburgh and we are 2 to 2½ hours from Canada. We enjoy the visitors from those surrounding areas not only during the summer but all through the year up in our section of the state.

I would like to interrogate the gentleman, Mr. Goodman. But before I start, I wish to let the House be informed of our references and our guidelines and that, indeed, we are not talking emotionally but do have data which we have been working on over 2½ years on the issue of offshore drilling.

The first reference comes from the Interstate Legislative Committee on Lake Erie, which was mentioned here. I believe John Laudadio and Reid Bennett were the original founders of that group. That consortium is made up of the States of Michigan, Ohio, Pennsylvania and New York.

The second piece of data comes from the League of Women Voters of the State of Pennsylvania and also the State of New York.

The third is the International Joint Commission which also includes Canada. We also have reports to substantiate our arguments from the Ontario Petroleum Institute Incorporation. These were dated 12/2/69, and the title of the periodical is "Twenty-four to forty-eight hours Disaster Prediction." This was the report that was given to the International Joint Commission.

We also have data given to us by the Pennsylvania Federation of Sportsmen, and you should have been contacted by that individual group because the Pennsylvania Federation is opposed to offshore drilling and is opposed to the Goodman amendment.

We also have material from the Woods Hill Oceanographic Institute located in Buffalo, New York, which is perhaps the single most expert in the area of oceanographic studies, fresh water studies and in the area of drilling.

The last document comes from the Department of Environmental Resources. It is titled "Ecology of Pennsylvania's Oil and Gas." It was printed in 1973 by DER, and it was done by their topographic and geologic surveys.

Mr. Speaker, one more thing: The Federal Government and state government in the last 15 years have contributed almost \$25 million for the clean up and preservation of Lake Erie. So, indeed, the state and Federal Governments have made a substantial investment in that area.

Mr. Speaker, with that, I would like to ask the gentleman, Mr. Goodman, if he would submit himself to an interrogation?

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

Mr. GOODMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DiCARLO. Mr. Speaker, I notice that your amendment would just sanction the drilling of gas. Is there any reason that you can explain to this body why you have just singled out gas and perhaps why you have not sanctioned oil drilling also?

Mr. GOODMAN. Well, because I think there is the danger that you mentioned in drilling for oil.

Mr. DiCARLO. What danger would that be, Mr. Speaker?

Mr. GOODMAN. I would assume of an oil spill.

Mr. DiCARLO. What would happen in the occurrence of an oil spill, can you give me any idea, in a fresh water body?

Mr. GOODMAN. I would assume it would pollute the water supply.

Mr. DiCARLO. Mr. Speaker, not only would it pollute, but it would destroy all aquatic life and it would also contaminate the water supply in the lake. And because Lake Erie is a fresh water body, it does not tend to dissipate as it does in salt water.

Secondly, because it is a cold water lake and, if the oil spill should occur during the icing season, that oil spill would lay there, chances are, for 2 to 3 months because there would be no way to get out on the lake to correct it.

Thirdly, the result would be to the land damage along the lake.

Mr. Speaker, in your knowledge of the issue of offshore drilling, are there any incidents where drilling for gas may lead to drilling for oil?

Mr. GOODMAN. Not to my knowledge.

Mr. DiCARLO. Mr. Speaker, are you saying that you do not have that information readily?

Mr. GOODMAN. I can only go by what the Department of Environmental Resources says, and that is that there is not the danger of striking oil if we drill for natural gas.

Mr. DiCARLO. Mr. Speaker, I submit to this House that when the hearings were held in the earlier part of this year in Erie, Pennsylvania, the gentleman, Mr. Fruend—I believe he pronounces his name—from DER did state in public testimony in those hearings that there were deposits of oil in Lake Erie. Those deposits did lay in the western basin of the Lake, and he felt that if we drilled, we would have to make sure that the drilling would have to be contained to the eastern basin of Lake Erie.

Now I want to bring this argument up to you because we know that in the western basin those deposits are there. If the Commonwealth of Pennsylvania breaks and perhaps says, okay, it is all right to drill for natural gas but prohibit oil, we do not know if we have those guarantees in the neighboring State of Ohio, which is west of us, and in the neighboring State of Michigan, which is west of Ohio. We know large deposits of oil do lie in lake basins under those two states.

We also have to keep in mind the fear that if they do strike oil, Pennsylvania and New York are going to suffer the greatest damage because the currents come from Michigan. They come down the coast to Ohio, then they come to Pennsylvania, New York, Niagara Falls, through the St. Lawrence Seaway. So again we are going to suffer the brunt of something those other states may incur.

Mr. GOODMAN. Mr. Speaker, a number of the previous speakers have mentioned this question that Mr. DiCarlo just brought out. I would like to give Mr. Fruend's response to that very question. He states that the tilt or regional tip of the rock strata in the Lake Erie area has nothing to do with Lake Erie or has it improved the chances of finding oil in the Pennsylvania portion of the lake. The oil and gas in both the United States and Canada have been in place for many millions of years before the lake was created. The chances of finding any oil in the Pennsylvania and New York portions of the lake are very remote. However, some oil, as the gentleman mentioned, has been found in the western part of the lake by the Canadians. Therefore, this area has been placed out of bounds for leasing and development by both the International Joint Commission and the Canadians.

Mr. DiCARLO. Mr. Speaker, again he reemphasizes the article that there is oil in the western basin of Lake Erie. Again I have to say that if we drill for gas or oil, we can be assured that the neighboring states, because the pressure was so great in Pennsylvania that we broke, that same pressure is liable to go to Ohio and Michigan. And we know that the results could be disastrous.

Mr. Speaker, there have been comments made about the danger of natural gas as a pollutant. You have stated that natural gas being released in the water does not serve as any pollutant; it does not cause any damage. Could you substantiate that for us and also expand on that?

Mr. GOODMAN. I cannot personally substantiate it. I can only again quote Mr. Fruend in making that statement that it is not in jeopardy by the drilling of natural gas.

Mr. DiCARLO. Mr. Speaker, does the gentleman know how Mr. Fruend perhaps made that test to find out that natural gas released in fresh water will not destroy aquatic life? Does he know how that test was done?

Mr. GOODMAN. Do I know how that test was done?

Mr. DiCARLO. Yes, Mr. Speaker.

Mr. GOODMAN. No.

Mr. DiCARLO. Mr. Speaker, let me tell this body how DER determined that natural gas will not cause any danger to aquatic life. They took a tank and they put fish in that tank. Then they took a natural gas outlet and they pumped bubbles of natural gas into that tank and they studied it. I do not know what the time period was, a week or 2 weeks or something. At the end of that period of time, they found that the fish were still alive. So, because the fish were still alive, they made the assumption that, indeed, there was no danger to aquatic life. Now on the surface, that may seem very good. But we do know from oceanographic studies that fish have been able to survive for long periods of time swimming in mercury, swimming in DDT, and swimming in other toxic substances, and we know that those same substances have indeed proved fatal to man.

I also want to say that Robert Sweeney of the Wood Hole Oceanographic Institute, has talked about this testing, and he feels that the release of natural gas in the waters destroys basic aquatic life. We are talking about the small organisms that fish feed on.

We are reluctant for you sportsmen because if that small aquatic life is destroyed—those organisms which larger fish feed on—that, indeed, will result in the loss of fish life up there simply because they do not have the food.

Secondly, we also have had results from the Oceanographic Institute that we find inland gas wells that have been adjacent to water supplies—this is in Erie County, and there are a couple of cases right now under our local health department—that it indeed is causing toxic effects on human beings drinking that water.

Now, Mr. Speaker, I wanted to also ask the gentleman if he could tell us—

Mr. GOODMAN. Mr. Speaker, could I interrupt? Does the gentleman mind if I call on someone with a little more expertise on this to assist me in the interrogation?

Mr. DiCARLO. No, I do not, Mr. Speaker.

Mr. GOODMAN. I would like to yield to the gentleman, Mr. Dreibelbis, on this.

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

The Chair would suggest to the gentleman, Mr. DiCarlo, that in a matter of this nature if the gentleman has definitive statements of information to impart to the membership of the House, that he do so by making the affirmative statement rather than trying to elicit it though interrogation of Mr. Goodman or Mr. Dreibelbis. It will facilitate our proceedings if you will tell us what you know without trying to elicit it from members that you might want to interrogate.

Mr. DiCARLO. All right, I will respect the wishes of the Chair. Again, I was trying to do that to try to show the membership that perhaps the knowledge that we had because we have been studying it is perhaps a little bit more in depth than that of the committee members on the Mines and Energy Management Committee, but I will yield to the Chair's wishes.



The SPEAKER. The Chair thanks the gentleman.

Mr. DiCARLO. Mr. Speaker, at this time, I believe that will conclude the interrogation.

What I would like to do, since I believe I touched on a lot of the other issues, is say that the main point is that there have been some references made that there has been no damage from offshore drilling in Canada. I want to say to this House that I have something here, and this is not pheasant under glass but this is duck under oil. What I am going to do is circulate it to the membership. The death of this duck—this is what they call a swan duck—was one of 3,000 that were picked up out of the waters and the shores on the Canadian side and some on the American side in November of 1975.

I also want to submit to the House that we asked Mr. Hurrall during the hearings in Erie if he would investigate this. He said he would investigate this, and to this present time, we have not received a response from Mr. Hurrall.

Just a couple of other brief points which are very important that we want to give to the membership because you just have not been in Erie and we grew up on the lake and we know the structure of the land and everything else up there.

Lake Erie and most of western Pennsylvania is made up of what we call sedimentary material. It is a heavy packing; it is a lot of organic material that is constantly compressed upon each other and it differs from southeast Pennsylvania where the ground and the soil is very porous and very hard.

One reason you do find an occurrence of oil and gas is because we do have sedimentary material and that is witnessed by the fact that most of the oil production, in fact the greatest extent, does come from western Pennsylvania.

Up until 10 or 15 years ago, for the last century, all municipal waste of the municipalities that lie along Lake Erie—and this includes Michigan, Ohio, New York—was dumped into the lake, and that is what caused the problems in the early 1960's when you read the article, "The Dying of Lake Erie." Since that time, because of vast amounts of money and the stringent legislation that has been passed, we have been able to clean up the lake. But what has happened, because of the sedimentary type ground there and the materials being packed in, is that that municipal waste still lies on the bottom of Lake Erie and it is packed in there.

Now, what will happen if you drill, and let us talk about drilling. We are talking, I believe, about 47 miles along the Pennsylvania border at 13 miles out to the international line. We are not talking about one well, two wells or five wells. Mr. Fruend, himself, has told us there would be a minimum, I believe, of 400-and-some wells. There could be a possibility of several thousands, and yet any gas supply they may have would be only enough to supply perhaps Erie for one year. But what would happen in that drilling is that it would bring up all of that sedimentary material and release that into the lake, and we know that that would be deleterious to the whole effect there.

The second thing and the most important thing that we are worried about is, even though the Department of Environmental Resources says it is safe and there are no problems and that they will enforce it, I only have to tell the members in this House that last year when

DER, because of budgetary problems, said we are not going to have any more mine inspectors. And I know what happened in your areas. They told us up in Lake Erie, if we do not get any more money, we are not going to have any lifeguards and we cannot open up Presque Isle State Park. We also know that is going to occur and we know that is going to be a threat.

We also know from the DER unit in Erie, which is the Erie County Health Department, that they are opposed to this, because they are saying that it would take sophisticated material to monitor the lake. You would have to have a helicopter. You would have to have the purchase of a boat that would have to go out on the lake and look at these wells.

Let me tell you about Lake Erie. Lake Erie is the shallowest lake in the Great Lakes' system. Lake Erie is the most treacherous, the most turbulent, body of water in the whole Great Lake system because of its shallowness, because of its saucer shape.

We have the United States Coastguard on Lake Erie. They have a 40-foot cutter. That cutter, for 3, 4, and 5 months of the year, is unable to go out onto the lake and, when a storm comes up on Lake Erie, they are no good. In fact, that is why we have been pursuing the use of a helicopter up there, because the cutter just cannot get out there.

Now if we have a break, if we have an oil spill, from bad weather conditions or if the lake freezes, that is going to continue for many months. We have evidence right now: There is a court suit in Erie County from the Hammermill Paper Company, which is disposing the recycling wastes inland and filtering them, cleaning them and then dumping them out—I think it is 8 miles—into Lake Erie. Supposedly the residue is clean and it is not dangerous to the habitation in the lake. This was sanctioned by the DER.

DER set up the guidelines that would be used as far as the construction of the pipes. They set up the depths that they would be placed under water. They determined what the alloys would be that would be used in the pipes, and everything was laid out and approved. What has happened, after 6 months of this very expensive process and this so-called safe pipe being used, a storm came up on Lake Erie, ripped all the piping apart from underground, and now we have all of this effluent just going wild, I think it is, a mile or a mile and a half offshore. The problem is that DER is not enforcing it. Hammermill Paper Company is saying, that is really not our problem because we bought it from the contractor, and the contractor is saying, well, I am not responsible because that is a natural hazard.

What we are saying is, if you put riggings up there, if you have pipelines bringing natural gas in, it is never going to withstand the storm and the turbulence of Lake Erie.

To follow up the point, someone is going to say, well, Ontario is drilling. How come they do not have the same hazard? Well, again it is the structure of Lake Erie.

On the United States side there are cliffs and hard surfaces that the beaches and the waters constantly beat upon. And the people that were up the Erie from the Appropriations Committee a couple years ago, because of the huge damage from erosion, saw that in practice. And we go through that every year, with the thawing of the winter storms and the approaching of spring.

On the Ontario side, they do not have the cliffs; they do not have the sheer rock. They have marshland that goes from lake to marshland and then to inland Canada. What is occurring, the riggings are in the marshland, and by the time the waves get past the marshland, they are completely calm; they are subdued. They do not have the hazards there.

And the last and the most important thing, and I think you have to realize this: Even though Canada is drilling, the sections of Lake Erie where they are drilling are not populated. When you go into Toronto and when you go into the different sections of Ontario, they are not dependent upon Lake Erie for their water supply. In fact, they do not even depend on Lake Erie. They have Lake Ontario and they draw all their fresh water out of there. And they do not have any offshore drilling on Lake Ontario and, indeed, they will not do it.

Mr. Speaker, I think that just about concludes most of my comments. I thank the House for their diligence in listening to me and ask them to oppose the Goodman amendment.

The SPEAKER. The Chair recognizes the gentleman from Schuykill, Mr. Goodman.

Mr. GOODMAN. I yield to Mr. Dreibelbis.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Dreibelbis.

Mr. DREIBELBIS. Mr. Speaker, there is a great deal of inaccuracies in what Mr. DiCarlo has said. May I interrogate him just for a couple brief questions?

The SPEAKER. Will the gentleman from Erie, Mr. DiCarlo, consent to interrogation?

Mr. DiCARLO. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DREIBELBIS. Mr. Speaker, have you ever seen an off-shore drilling of a drilled well in operation?

Mr. DiCARLO. Yes, I have, Mr. Speaker.

Mr. DREIBELBIS. You have?

Mr. DiCARLO. Yes.

Mr. DREIBELBIS. In Lake Erie?

Mr. DiCARLO. Yes, Mr. Speaker. The Interstate Legislative Committee on Lake Erie has made trips throughout Ontario, which legislators from that area are on.

Mr. DREIBELBIS. Mr. Speaker, do you think that all the information about the suspension of natural gas in water is contained in the data received from the little aquarium that DER set up?

Mr. DiCARLO. Mr. Speaker, I can only tell you that the information that was granted to me in checking with DER, and I can only tell you that there is not too much data on what happens when natural gas in fresh water, because Lake Erie is the only body of water in the world that there is offshore drilling in. The rest of the drilling that you read about is in salt water, whether it is the Gulf of Mexico, the Atlantic Ocean or the Pacific.

Mr. DREIBELBIS. Would that not be pretty much the same type of a situation, Mr. Speaker, whether you are drilling in salt water or fresh water other than the ice condition?

Mr. DiCARLO. No, Mr. Speaker. If you take the time to do research with the oceanographic institutes, they will tell you that if you have an oil spill in salt water, especially when the currents are warmer, the oil spill itself will dissipate, I believe is the right word, or emul-

sify much more readily in salt water. And I do not know, I guess perhaps it is the chemical reaction between the hydrocarbons and the oil and the salt in the water. Whereas, in fresh water you do not have that and you have the lingering state of suspension.

Mr. DREIBELBIS. Are you familiar with the fact, Mr. Speaker, that the hydrocarbons and crude oil will remain floating on top of the water and certain properties will suspend in the water where the hydrocarbons of natural gas cannot, in any way, be suspended in and will be exhausted out of the water?

Mr. DiCARLO. Mr. Speaker, I would agree with the gentleman that the hydrocarbons of oil, because it is a thicker substance, has some sort of constancy to it that it would float on top of the water, and because of natural gas, because of being a vaporous substance, it would tend to dissipate.

Mr. DREIBELBIS. The duck that is being passed around in your dead zoo—You did not tell us about that duck—did he happen to get caught in a gas well or what happened to that duck?

Mr. DiCARLO. Mr. Speaker, that duck is one of 3,000 ducks that was found in November of 1975 that was killed from oil. The reason I brought the duck is because, supposedly, there is no drilling for oil in Lake Erie, and what I wanted to show the membership is that, indeed, when drilling for natural gas, you do run the risk of running into oil.

I must also submit to the gentleman that we realized that perhaps there could have been a ship which perhaps sprang a leak and it was a bilge of ship oil or something, but the duck was analyzed and indeed it was crude oil.

Mr. DREIBELBIS. I am glad this is not a court of law, because I do not think your duck would hold much evidence to your case here. But what I might say is that you realize, Mr. Speaker, that all the situations of drilling in Lake Erie presently and what is the strata of the rock underneath Lake Erie in that part that is not drilled yet is really theory. But, in fact, when you do drill a well, it is very easy to tell long before you come to oil—when you hit the Mississippi rocks and the certain stratas—that you are going to run into oil and long before you run into gas. So your argument about the fact of drilling for gas and hitting oil is not really an actual situation that can take place.

That is my interrogation. May I make a statement, Mr. Speaker?

Mr. DiCARLO. Mr. Speaker, he did make a response to the rock strata. I do have information for the House that perhaps would run contrary to the statement he made. Shall I make that now or shall I have him finish his statement?

The SPEAKER. Will the gentleman, Mr. Dreibelbis, yield to the gentleman, Mr. DiCarlo?

Mr. DREIBELBIS. Oh, yes, I will, but then I might have another question.

Mr. DiCARLO. The gentleman made a statement about Pennsylvanian strata, Mississippian strata, and in trying to dig up some geology books, I got this information from "Geology of Pennsylvania's Oil and Gas." This was a periodical put out by the Department of Environmental Resources, first published, I think, in 1957; and secondly, in 1973.

The strata in western Pennsylvania which contains the greatest extent of oil and gas is from the—you may

be able to help me, Mr. Dreibelbis—Paleozoic, I believe, era. That era is divided into different periods—the Permian period, the Pennsylvanian period, the Mississippian period, the Devonian, the Silurian, the Ordovician—I cannot even pronounce it—and the Cambrian period is the last one. That goes from the present time down to 16,000 years.

The gentleman made the comment about the presence of oil perhaps being below natural gas, and he said that that was in the Mississippian period and perhaps the Pennsylvanian period. I can only show you that the strata that was taken from western Pennsylvania and studied does show, in many, many occurrences, that at different depths there are large deposits of natural gas that do, indeed, lie below oil. If that occurs, if you are drilling for gas, it is very possible to drill for gas and hit oil.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Dreibelbis.

Mr. DREIBELBIS. In the first place, I think that one of the problems that maybe Mr. DiCarlo may have is worrying about some gas pipes going down and running into the sewer lines that are going out into the lake from into the lake from the town, but I am really being facetious.

The situation is that I think everybody in Pennsylvania has somewhat of an obligation to others in Pennsylvania. I think that DER—Department of Environmental Resources—has made it possible to keep the scars from the coal that is mined in our area and shipped to Erie or to Philadelphia or somewhere else as minimal as possible.

I think Pennsylvania industry itself is starving for natural gas, and to have a guarantee that there will never be an accident drilling for natural gas is an impossibility, just like saying there is never going to be an accident in this House. We cannot guarantee that.

But what I am saying is that I think as neighbors in Pennsylvania we have to live with each other, and to say, yes, I want your product but I do not want your plant, or yes, I want your product but I do not need your drilling rig, I think is being kind of selfish. And I am sure that Mr. DiCarlo realizes that before DER would put out a tacit approval on drilling, they certainly would have taken into consideration all aspects of the possibilities of pollution. It is a very well-known fact, even outside the little aquarium of DER, that natural gas in itself does not pollute water.

Under that analysis of Mr. DiCarlo's, if that would be the case, we should not drill for gas in water or on land because he cited the fact that it can even pollute even inland water supplies.

What I said about Pennsylvania industries is that they are starving for natural gas.

I do not understand how the natural gas that would be drilled off Lake Erie has anything to do with recreation or Presque Isle Park other than the fact that he determines that if there was an oil spill, there may be an oil slick on the beach. I would agree with him, if there was that possibility, but I do not think there is that possibility.

The gas that would be drilled off Lake Erie would be intrastate gas. It would be able to be sold to Pennsylvania industries. It would not be interstate gas. It would not be controlled by the Federal Allocations Office.

Therefore, I would say that we have a couple of things to consider here: One, can we do it and can we do it without the threat of pollution and the fear of making an oil slick on the shores of Lake Erie? If that were a grave concern of mine, I, too, would vote against this amendment, but I do not think it is. I think it has been proven, and the information has been shared with us by DER.

Secondly, and almost as important, would be the economic situation which I have outlined as to what the natural gas needs are and what the needs are to Pennsylvania and, probably, what those needs are to those industries right in Erie County itself.

So for these reasons, I would say that the bill itself with the Goodman amendment in it might be reasonable, but without the Goodman amendment in it, I think that economic illiteracy is taking over in the fear of a possible lack of guarantee that there will never be any kind of an accident.

Thank you, Mr. Speaker.

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

Mr. SHANE. Thank you, Mr. Speaker.

Well, gee, I certainly hope that oil-soaked duck was not a lame duck, otherwise I would feel an unusual amount of sympathy for him.

I recall reading in the New York Times a couple of days ago that the New York State Legislature just authorized drilling in Lake Erie. I thought my recollection was that that was for oil and gas, but perhaps some of the chaps on the floor here who are following this particular issue more closely than I can fill me in. But I do recall just reading, a couple of days ago, in the New York Times that the New York Legislature had approved drilling in Lake Erie on the part of Lake Erie that is offshore from the State of New York.

Well, this leads me to ponder the question that if there is some kind of risk of an accident—I do not know how probable or how remote that risk is—I would suspect, as the State of Pennsylvania is immediately adjacent to New York, that if an accident happened in New York, we would share the damage with the State of New York. That leads me to ponder if drilling is going to be done in New York and drilling is being done in Canada, it seems to me that we are accepting the risk, whether it is remote or substantial, and getting none of the benefits, which would be the economic benefits of drilling for this precious natural resource.

This leads me to believe that I think I am going to vote for this amendment, because I think it is in line with the recommendation of the Governor's Energy Council, and I think in certain rational situations where we can see our way clear, we should try to help business which, of course, provides the economic foundation of our state. So, through this process of reasoning, which I think has some cogency about it, I intend to vote for this amendment offered by Mr. Goodman.

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

Mr. BELLOMINI. I just would rise to make comments on the article Mr. Shane read in the New York Times. If he had read the article a little closer—and I have not even seen the article—the Lake Erie Basin Committee just recently met with people in New York State, and

what they were saying to the committee was that they were against any drilling in the lake. In New York State they have been experimenting with inland lakes such as Chautauqua Lake. They are drilling inland close to these lakes and experimenting. They have been doing this for years.

Now the fact is that I agree wholeheartedly with all my colleagues' remarks against drilling in Lake Erie, but I would like to point out to the members of the legislature today that the most important factor, which we have not heard about, is the enforcement in case any emergency should arise if the way is cleared for drilling in the lake.

Now DER in the past has divided the Commonwealth into different sections. Now can you imagine—Lake Erie sits up in the northern part of Pennsylvania—what would happen if we needed something in an emergency, such as a pencil or anything, up in Lake Erie, and we have to go back to Butler County—and I am not saying this against Mr. Arthurs in any manner—with our requisition, and from Butler County the requisition is sent to Harrisburg? This is a variation of a slow milk train. By the time it gets to Harrisburg and all the way back to Erie, 3 years will have elapsed. Why has DER not set up a section right there where the lake is? That is number one.

When we had these committee meetings, DER pointed out that they were going to have an office situated in the city of Pittsburgh. So now, if an emergency arises, we have to call Pittsburgh. By the time they make a decision in Pittsburgh as to the emergency in Lake Erie, it could take days and things could really happen.

DER has not taken the position that they are going to set up a laboratory and bring technicians into the area and leave them there permanently, and one of our biggest objections to drilling in Lake Erie is the fact that there is no cause for DER to take the position not to bring everything near the lake where the problems could arise.

I rise here today, Mr. Speaker, to oppose Mr. Goodman's amendment.

Thank you.

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

Mr. ARTHURS. Mr. Speaker, I would just like to try and clarify two points.

I think Mr. Dreibelbis is just a little bit off base on this development of gas in Pennsylvania. We can always use more gas in Pennsylvania, that is true. But I think that you will also find that our gas companies are holding back from developing within Pennsylvania right now, which I think is very logical—and I can speak for one gas company—because any gas that they produce in Pennsylvania is regulated ratewise by the Public Utility Commission. Any gas that they bring in from outside of the state and resell to us goes under the fuel adjustment cost. Now I do not know whether this is a reason, but it would be a darn good one.

Secondly, anyone who knows anything or has had anything to do with drilling for gas and oil in the Pennsylvania area knows that there are bastard pockets of gas and oil all through the state. You can be drilling for gas and hit one of these isolated pockets of oil, or if you are drilling for oil, you can hit isolated pockets of gas.

So I think the main thing here is that we have a great, great chance of disrupting the water supply of Erie and these areas up in that area. I would ask for the defeat of the amendment.

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

Mr. DOMBROWSKI. Just one brief comment, Mr. Speaker. I just want to remind the legislature and Mr. Dreibelbis that there are many inland wells drilled in Erie County that are not being drilled to the fullest extent. They are drilling at 30 percent to 40 percent capacity. So if they want more gas from Erie County, they should use the ones that they have drilled now and get all the gas out of them that they can.

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

Mr. R. W. WILT. Mr. Speaker, I, too, serve, on the joint committee on Lake Erie and attended a meeting just last week with the legislators from all of the states which adjoin the lake. It was reported at that meeting that even though the members from New York State who serve on the committee are opposed, it was the New York State Legislature's posture to continue studying the feasibility of drilling on Lake Erie. That is where it is at with the New York Legislature.

I think the other point that has to be made is that I am opposed to drilling on Lake Erie at this point in time, but I fear that legislation of this type would preclude technological developments which might come into play and also the economic feasibility of drilling in the lake, which is not very practical at this point. What I am simply saying is that there is no one presently whom we have talked to who wants to drill in Lake Erie—the oil companies, the speculators, what-have-you. Economically it is not feasible at this point in time.

The Governor's Office, under executive order, has a mandate against drilling in Lake Erie. In talking to the Governor's Office this morning, they reassured me that they have no intent whatever of lifting this ban at this point in time even though it has been suggested by the Governor's Energy Council. So I think that you should be aware that we do not have derricks sitting on the shore at this point ready to roll into the lake to drill.

I would like to restate that I am opposed to drilling in Lake Erie at this point in time, but I do have some concern about a piece of legislation precluding our ever drilling in it and I have to express that concern.

Thank you.

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

Mr. WESTERBERG. Mr. Speaker, we are discussing, debating, and arguing a question that has been in existence, whether we can drill in Lake Erie. In 1913 the first well was drilled. That was 63 years ago, and right now there are 901 wells that are drilled in Lake Erie.

Now I realize that anyone can make a case that the lake is so much different on our side of the lake from what it is over on the Canadian side of the lake. I doubt if the fish even notice the difference in the water between the two areas.

However, for instance, the water, I am sure, is just as cold and freezes just as quickly on the Ontario side as it does on our side. Maybe it freezes a little quicker. Maybe the waves are a little higher on our side. I do

not know that. But I do know that the waves are much higher down in the Gulf of Mexico where I have visited these offshore wells, and there they drill in very stormy weather. These platforms are out there in deeper water, in very stormy weather, and they just do not have any gas or oil losses, either one.

When I was there, I did appreciate the statement of one of the men there who was in charge of that drilling platform. He said, we are checked so closely for any signs of oil spills around this platform that if the oil attained the same proportion to water as putting one shot of bourbon in 4,000 gallons of water, we would be shut down. Well, now, that would be a pretty weak drink. And I am sure that the same thing can be done in Lake Erie in checking this as has been done on the Ontario side.

As far as going through the chain of command and waiting 3 years, you want to remember that the Governor's hot line is in effect for emergency cases and also that the Governor can call a state of emergency very quickly to take care of emergencies that could exist.

Now if we were talking about something that had never been done, I could see where we could be quite worried. If, as Mr. Dreibelbis said, anyone could guarantee that there would absolutely never be any spill of oil, if there would never be any gas escape into this Lake, that would be wonderful. Nobody can do that.

The Kinzua Dam, which was built in our area, backs up water on a 100-mile shoreline, and Warren sits below that. If that dam would ever give out, that Borough of Warren with about 12,000 people, would be completely wiped out. No one can guarantee that that dam will hold forever, that it might not go out, but the possibility is very remote. I would say it is just as remote as any gas or oil damage to this lake.

When you talk about oil spills that have happened in the ocean, you want to remember that, if not all of them, practically every one of them came from a tanker; not from a drilling operation but from a tanker. Are you going to stop oil tankers from riding in Lake Erie? They are a bigger danger than this drilling for gas or drilling for oil will ever be, and I do not think you are going to stop oil tankers from delivering petroleum products around that lake.

If anyone here in this country thinks that we do not have an energy shortage now and that this energy shortage will not grow, then we are kidding ourselves. We say to each other in this House—and we have committees and we do this—that we are going to do something to solve the energy shortage. By drilling for gas in Lake Erie, I am convinced that there will be no problem with the water, there will be no problem with the environment, and there will be no problem with recreation, but this is one small way we can help in this energy crisis, and I do urge you all to vote for this amendment.

Thank you.

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

Mr. DiCARLO. Mr. Speaker, I will not take any more of the House's time. I think the arguments have been brought out.

As far as the energy needs are concerned, I think you ought to realize—and I think it has been pointed out by Mr. Dombrowski and Mr. Arthurs—that, indeed, even if

you do drill in Lake Erie—and they are talking about a maximum of a 1-year supply for the Commonwealth—you have no guarantee that that natural gas is going to even stay in Pennsylvania, let alone Erie County. That is just not going to occur.

I cited the problems we have on Lake Erie concerning the conditions on the United States side of the lake where all the shipping lanes are. Those fish do know the difference between the Canadian side and the United States side, because we constantly have Canadian ships crossing the international line to the United States side of the water because the fishing is so much better.

I have told you about the \$60 million to \$70 million a year involving tourism, and with that I rest my case, and I hope that the legislature will support the legislators from Erie County.

Thank you.

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

Mr. GOODMAN. Mr. Speaker, in concluding my remarks, I would just like to point out that virtually all of these questions that have been proposed by the gentlemen on the other side have been answered in this testimony given by Mr. Fruend, who is the chief of the Minerals Division in the Department of Environmental Resources. I recommend this reading to the members because all of these questions that were brought up have been responded to by Mr. Fruend.

As Mr. Shane and Mr. Dreibelbis brought out, the drilling that is being done by the Canadians puts us in the position of living with the dangers that they fear are inherent, although they have not been real because they have been doing this drilling since 1913 without any problem. So we are living with that inherent danger, but we are not getting any of the benefits of this natural resource, which is really ours.

Someone just handed me a newspaper which had an AP—Associated Press—release out of Washington yesterday telling us that our natural gas supply is seen as lasting 9 years, that the supply of natural gas will last only 9 years unless more natural gas is discovered.

I think, as Mr. Dreibelbis pointed out, we have an obligation in this Commonwealth to see that our industries, our schools, and our hospitals are supplied with this natural resource which is their lifeline.

Thank you, Mr. Speaker.

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

The yeas and nays were required by Messrs. GOODMAN and DOMBROWSKI and were as follows:

YEAS—90

Anderson, J. H.	Halverson	McLane	Shane
Beren	Hamilton, J. H.	Mebus	Shupnik
Bittle	Hasay	Miscevich	Sirianni
Bradley	Hayes, S. E.	Moehlmann	Smith, E.
Brandt	Hepford	Musto	Smith, L.
Burns	Hill	Noye	Spencer
Butera	Hutchinson, W.	O'Brien	Stahl
Cimlini	Itkin	Pancoast	Thomas
Crawford	Kelly, A. P.	Parker, H. S.	Ustynoski
Davies	Kelly, J. B.	Perri	Vron
Deverter	Klingaman	Pitts	Wagner
Dietz	Knepper	Polite	Wansacz
Dininni	Kolter	Prendergast	Wargo
Dorr	Kusse	Pyles	Weidner
Foster, W.	LaMarca	Renninger	Westerberg
Freind	Lehr	Renwick	Whelan
Fryer	Levi	Ritter	Wilson

Gallen	Lynch	Ryan	Wilt, W. W.
Geesey	Mannmiller	Saloom	Worrilow
George	McCall	Scheaffer	Wright
Goodman	McClatchy	Schmitt	Yohn
Grieco	McCue	Seltzer	Zearfoos
Gring	McGinnis		

NAYS—103

Abraham	Fischer	Lincoln	Richardson
Arthurs	Fisher	Logue	Rieger
Barber	Flaherty	Manderino	Ross
Bellomini	Foster, A.	McIntyre	Ruggiero
Bennett	Gallagher	Menhorn	Salvatore
Berlin	Garzia	Milanovich	Schweder
Berson	Geisler	Miller, M. E.	Scirica
Bonetto	Giammarco	Miller, M. E., Jr.	Shelhamer
Brunner	Gillespie	Milliron	Shuman
Caputo	Gillette	Morris	Stapleton
Cesar	Gleeson	Mrkonic	Stout
Cianciulli	Green	Mullen, M. P.	Taddonio
Cohen	Greenfield	Mullen	Taylor
Cole	Haskell	Myers	Toll
Cowell	Hopkins	Novak	Trello
Cumberland	Hutchinson, A.	O'Donnell	Valicenti
DeMedio	Irvia	O'Keefe	Wiggins
DeWeese	Johnson, J.	Oliver	Williams
Dicarlo	Katz	Perry	Wilt, R. W.
Dombrowski	Kernick	Petrarca	Wojdak
Doyle	Kistler	Pievsky	Zeller
Dreibelbis	Kowalyshyn	Pratt	Zord
Dumas	Laudadio	Rappaport	Zwilk
Eckensberger	Laughlin	Ravenstahl	
Engelhart	Lederer	Reed	
Fawcett	Letterman	Rhodes	
Fee			

NOT VOTING—10

DiDonato	Hayes, D. S.	Shelton	Walsh, T. P.
Gleason	McGraw	Turner	Yahner
Hammock	O'Connell		

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?

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

YEAS—116

Abraham	Foster, A.	McIntyre	Saloom
Arthurs	Fryer	McLane	Salvatore
Barber	Gallagher	Menhorn	Schmitt
Bellomini	Garzia	Milanovich	Schweder
Bennett	Geisler	Miller, M. E.	Scirica
Berlin	Giammarco	Miller, M. E., Jr.	Shelhamer
Berson	Gillespie	Milliron	Shelton
Bonetto	Gillette	Morris	Shuman
Brunner	Gleeson	Mrkonic	Shupnik
Caputo	Green	Mullen, M. P.	Smith, E.
Cesar	Greenfield	Mullen	Stapleton
Cianciulli	Hasay	Myers	Stout
Cohen	Haskell	Novak	Taddonio
Cole	Hopkins	O'Donnell	Taylor
Cowell	Hutchinson, A.	O'Keefe	Toll
Crawford	Irvia	Oliver	Trello
Cumberland	Johnson, J.	Perry	Valicenti
DeMedio	Kernick	Petrarca	Wansacz
DeWeese	Kistler	Pievsky	Wargo
Dicarlo	Kolter	Pratt	Wiggins
Dombrowski	Kowalyshyn	Prendergast	Williams
Doyle	LaMarca	Rappaport	Wilt, R. W.
Dumas	Laudadio	Ravenstahl	Wojdak
Eckensberger	Laughlin	Reed	Zeller
Engelhart	Rhodes	Richardson	Zord
Fawcett	Letterman	Rieger	Zwilk
Fee	Lincoln	Ross	
Fischer	Logue	Ruggiero	
Fisher	Manderino		
Flaherty	McCue		

Fineman, Speaker

NAYS—76

Anderson, J. H.	Goodman	McCall	Scheaffer
Beren	Grieco	McClatchy	Seltzer
Bittle	Gring	McGinnis	Shane
Bradley	Halverson	Mebus	Sirianni
Brandt	Hamilton, J. H.	Miscevich	Smith, L.
Burns	Hayes, S. E.	Moehlmann	Spencer
Butera	Hill	Musto	Stahl
Cimini	Hutchinson, W.	Noye	Thomas
Davies	Itkin	O'Brien	Ustynoski
Deverter	Katz	Pancoast	Vroon
Dietz	Kelly, A. P.	Parker, H. S.	Wagner
Dininni	Kelly, J. B.	Perri	Weldner
Dorr	Klingaman	Pitts	Westerberg
Dreibelbis	Knepper	Polite	Whelan
Foster, W.	Kusse	Pyles	Wilson
Freind	Lehr	Renninger	Wilt, W. W.
Gallen	Levi	Renwick	Worrilow
Geesey	Lynch	Ritter	Wright
George	Manmiller	Ryan	Zearfoos

NOT VOTING—11

DiDonato	Hayes, D. S.	O'Connell	Yahner
Gleason	Hepford	Turner	Yohn
Hammock	McGraw	Walsh, T. P.	

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.

MEMBERS THANKED

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

Mr. DiCARLO. Mr. Speaker, I just want to thank the members for their affirmative votes.

Thank you.

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. Mr. Speaker, on the final passage of House bill No. 1658, printer's No. 2069, I was recorded as voting in the negative. I would like the record to show that I voted "aye."

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

PHOTOGRAPHS TO BE TAKEN

The SPEAKER. The Chair advises the membership that permission has been extended to the Associated Press to take photographs on the House floor today.

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, even though we have not yet completed the morning calendar, it is now 9 minutes past noon, and I would ask that we declare this House in recess for purposes of lunch and that we report back to the floor of the House promptly at 1:30.

We will begin, when we come back on the floor, with those bills which we have not completed from this

morning's session and continue through the afternoon's listing of bills.

Thank you, Mr. Speaker.

### ANNOUNCEMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, let me remind the members of the Transportation Committee that they are to report immediately for a meeting in room 401.

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. TAYLOR, ROSS, COHEN, VROON, STAHL, SCHMITT, ZEARFOSS and A. K. HUTCHINSON **HOUSE BILL No. 2426**

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), further providing for the Insurance Commissioner's written order relieving an assessable mutual insurance company from an assessment or other proceedings to restore certain assets; \*\*\* and prohibiting the members from offsetting against or deducting from an assessment the amount of any of his monetary claims against the company.

Referred to Committee on Consumer Protection.

By Messrs. STAHL, COHEN, ZEARFOSS, TAYLOR and A. K. HUTCHINSON **HOUSE BILL No. 2427**

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), further providing for maintaining unimpaired surplus by certain mutual insurance companies.

Referred to Committee on Consumer Protection.

By Messrs. COHEN, VROON, ZEARFOSS, A. K. HUTCHINSON and TAYLOR **HOUSE BILL No. 2428**

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789, No. 285), providing for the licensing as insurance agents of certain nonresidents of this Commonwealth.

Referred to Committee on Consumer Protection.

By Messrs. VROON, COHEN, ZEARFOSS, TAYLOR, and A. K. HUTCHINSON **HOUSE BILL No. 2429**

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789, No. 285), eliminating countersignature from the definition of insurance agent.

Referred to Committee on Consumer Protection.

By Messrs. COHEN, VROON, ZEARFOSS, TAYLOR, and A. K. HUTCHINSON **HOUSE BILL No. 2430**

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), deleting countersignature requirements.

Referred to Committee on Consumer Protection.

By Messrs. VROON, COHEN, ROSS, ZEARFOSS, TAYLOR and A. K. HUTCHINSON **HOUSE BILL No. 2431**

An Act amending the act of May 11, 1949 (P. L. 1210, No. 367), referred to as the Group Life Insurance Policy Law, eliminating the maximum limit of life insurance on life of debtor making installment payments.

Referred to Committee on Consumer Protection.

By Messrs. STAHL, COHEN, ZEARFOSS, SCHMITT, TAYLOR and A. K. HUTCHINSON **HOUSE BILL No. 2432**

An Act relating to group annuity contracts, describing types permitted, prescribing standard contract provisions; providing for existing policies and providing for rules and regulations.

Referred to Committee on Consumer Protection.

By Messrs. LEHR, POLITE, ZELLER, PITTS and ZORD **HOUSE BILL No. 2433**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, requiring the recommendation of the sentencing judge for reduction of a minimum sentence by commutation.

Referred to Committee on Judiciary.

By Messrs. LEHR, POLITE, ZELLER, PITTS and ZORD **HOUSE BILL No. 2434**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes providing for sentencing by a panel of judges.

Referred to Committee on Judiciary.

By Messrs. LEHR, POLITE, ZELLER, PITTS and ZORD **HOUSE BILL No. 2435**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for minimum sentences in judicial districts.

Referred to Committee on Judiciary.

By Miss SIRIANNI, Messrs. O'CONNELL, MANDERINO, RYAN, W. W. WILT, THOMAS and WANSACZ **HOUSE BILL No. 2436**

An Act amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," providing cost-of-living allowances.

Referred to Committee on Local Government.

### COMMITTEE REPORT

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

The Chair hears no objection.

### BILL REPORTED FROM COMMITTEE

**HOUSE BILL No. 2270** (Amended) By Mr. ARTHURS

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further authorizing county commissioners to make grants or appropriations to historical societies.

Reported from Committee on Local Government.

### RECESS

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

### AFTER RECESS

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

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

**CALENDAR**

**LABOR RELATIONS BILL ON  
FINAL PASSAGE POSTPONED**

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. LaMARCA, the House resumed consideration on final passage of **Senate bill No. 116, printer's No. 1138, entitled:**

An Act amending the act of December 5, 1936 (2nd Sp. Sess. 1937, P. L. 2897, No. 1), entitled "Unemployment Compensation Law," extending coverage to growing and harvesting of mushrooms; and further providing for employer contributions and amounts of bonds or deposits for certain nonprofit and governmental employers.

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

The question is, Shall the bill pass finally?

**RECONSIDERATION OF VOTE ON  
SENATE BILL No. 116**

Mr. LaMARCA, under unanimous consent, moved that the vote by which SENATE BILL No. 116, printer's No. 1138, was agreed to on third consideration on May 12, 1976, be reconsidered.

Mr. PITTS seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 4), page 2, line 18, by removing the period after "ACT" and inserting: if both the employer and the employe agree that the growing, harvesting and processing shall be deemed "employment."

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. LaMarca.

Mr. LaMARCA. Mr. Speaker, these amendments and this entire bill are very familiar to the members of the House, and I do not intend to belabor any of you with an extended discussion of them.

Simply to refresh your recollection of them, let me state to you that this amendment will leave the choice as to whether or not the mushroom worker shall be considered agricultural or whether he shall be considered as being an employee.

We have discussed it, rehashed it and beat it around, and I believe that most of you are familiar with the problem. There are those in Pennsylvania who seek to keep it as it is, maintaining the fact that it is an agricultural situation. There are those who feel that it would be expedient to have it in the nature of employment.

It is my position in offering this amendment, Mr. Speaker, that we can satisfy both, those who wish to maintain the status as agricultural and those who seek to have it as employment.

On page 2 it now states: "provided, however, that the growing, harvesting, and processing of mushrooms shall be considered 'employment' covered by this act," and the amendment simply adds the following wording: "if both the employer and the employe agree that the growing, harvesting and processing shall be deemed 'employment.'"

The choice lies between the employe and the employer. For those who desire that this act and this amendment will permit it, for those who desire to maintain status quo, status quo will be maintained.

I recommend that this is the best solution to a rather difficult problem that has been vexing the legislature for a number of years. I urge your support of the amendment.

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

Mr. VALICENTI. Mr. Speaker, I oppose the amendment. I think that Mr. LaMarca knows very well that this is not negotiable. As far as the unemployment insurance tax, this cannot be negotiated, and I cannot understand why he would bring up an amendment like this. I am just not going to belabor the point. We are against the amendment.

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

Mr. PITTS. Mr. Speaker, I want to rise to support Mr. LaMarca's amendment. I think that in all the time we have been dealing with this issue, this is really the first compromise that has been reached by the two different positions that could satisfy both sides and harm neither side. I think that this amendment is a very reasonable approach. It opens up the mushroom-growing industry to unemployment compensation. It makes it negotiable, and I think, although it does not specifically deal with the difference, there is a difference in operation between the large companies—there are very few, three or four large—and then the great number of small growers that we have.

I would just like to mention two things. This bill without the amendment would mandate even the small farmers being covered, and we have, for instance, about 400 growing operations in Chester County. There are between 100 and 150 in Berks County, and there are others scattered throughout the state. Most of the farmers are very small operations.

Now the cost factor on the small farmer is something like \$2 million total, and the initial cost is something like a little over \$1 million. If you understand the situation of the mushroom farmer and the devastation that has hit this industry in the last 3 years, you will understand why these small people are fighting for their lives, really. There was an article in this Sunday's Philadelphia Inquirer and this article said that the mushroom industry is a dying industry.

Regarding the severe economic distress of the small mushroom farmer, in the last 3 years, 125 growers have gone out of business in the State of Pennsylvania and 6 processing plants have gone out of business. Now this represents hundreds of jobs. We should be concerned about preserving jobs, and it is much more important, I think, to preserve the jobs than to talk about providing unemployment after they are out of a job.

What we are trying to do is open it up, make it negotiable, let everyone be happy and be satisfied with this



one amendment provision. Those who want it—the large companies who say they want it—can provide it. The small farmer, who is hanging on by the skin of his teeth, is not automatically mandated to be covered.

One other point, Mr. Speaker: I think when we talk about a Pennsylvania industry and a Pennsylvania enterprise, we should think, Mr. Speaker, about the nature of the mushroom-growing industry. This is an industry which is particularly unique to Pennsylvania. We are number one in the nation in producing mushrooms. Most of our mushrooms are sold out of state; 88 percent of them are sold out of state. Why should we put an additional cost on our growers, the small growers, who are trying to compete in this market place, which growers in other states do not have? If we are soliciting companies to come to this state—we have seen an example recently, trying to get a German plant into this state—we are going to be sure that the climate we provide for them is equitable as far as other states. We are going to try to even give them preferential treatment, maybe, and in this case we should try to keep our growers competitive in the market when they are competing with growers in other states. So I ask for support of Mr. LaMarca's amendment. I think it is a reasonable one. It opens it up; it provides unemployment compensation; but it does not lock in the very small grower who cannot afford it at this time.

Thank you, Mr. Speaker.

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

Mr. ARTHURS. Mr. Speaker, I am not going to belabor the point whatsoever, but I just want the people to remember that we defeated this amendment once before and we heard the reasons why, because of the discrimination and everything like that, and I ask for the defeat of the amendment.

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

Mr. SHELHAMER. Mr. Speaker, the board up there shows that we are voting on the bill. Could it be indicated that we are considering an amendment?

The SPEAKER. We are voting on the amendment to Senate bill No. 116, offered by the gentleman, Mr. LaMarca.

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment offered by Mr. LaMarca. I believe it is a reasonable approach.

There is a wide diversity in the industry in Pennsylvania, and his amendment would allow both of these areas to be taken care of. I ask for support of the amendment.

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

Mr. VALICENTI. Mr. Speaker, Mr. Pitts stated that some of the mushroom growers were going out of business. Now this thing has not even gone into effect. I think what he ought to spell out is that it is not by the effect of this bill that mushroom growers are going out of business; it is by the effect that the United States went into Taiwan and showed them how to grow the mushrooms in the mines. That is what is hurting the mushroom industry here. The Federal Government ought to get so that they would not import that stuff. This thing is needed.

There hardly is an industry in the United States of America—especially in Pennsylvania—that is not covered by unemployment insurance. I cannot understand why these people are battling this thing. This thing is needed. If these people are not put on unemployment compensation, the general public is going to pick up the tab. Let us not try to bull anybody, because if they have no recourse with the unemployment compensation, then they have to go on public assistance. I think the employer should pay this, not the general public. Vote against the amendment and any amendment that comes up. We want this bill clear when it goes to the Governor.

Thank you.

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

(Members proceeded to vote.)

The SPEAKER. The Chair would remind the members that only those members in their seats are permitted to be recorded, only those members in their seats.

Mr. LaMARCA. Mr. Speaker, I hear Miss Sirianni's clock. I hear it way over here. Do you not hear it up there?

Miss SIRIANNI. Mr. Speaker?

The SPEAKER. Nothing is in order but the taking of the roll.

Miss SIRIANNI. Mr. Speaker, I had my clock tested by the same testing device that they suggested we use for radar. I had it tested by the same testing device that they tested the radar system that picked me up, and it is not 10 minutes yet.

The SPEAKER. I hope your clock is not as messed up as our radar system is.

Miss SIRIANNI. I am glad you said that.

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

The yeas and nays were required by Messrs. LaMARCA and VALICENTI and were as follows:

YEAS—94

Anderson, J. H.	Goodman	McCall	Shelhamer
Beren	Grieco	McClatchy	Shuman
Bittle	Gring	McGinnis	Sirianni
Bradley	Halverson	Mebus	Smith, E.
Brandt	Hamilton, J. H.	Miller, M. E., Jr.	Smith, L.
Butera	Hasay	Milliron	Spencer
Cimini	Haskell	Moehlmann	Stahl
Cole	Hayes, S. E.	Morris	Stout
Davies	Hepford	Noye	Taddonio
Deverter	Hill	O'Brien	Thomas
DeWeese	Hopkins	Pancoast	Ustynoski
Dietz	Hutchinson, W.	Parker, H. S.	Vroon
Dininni	Katz	Perri	Wagner
Dorr	Kelly, J. B.	Petrarca	Weidner
Dreibelbis	Kernick	Pitts	Westerberg
Eckensberger	Kistler	Polite	Wilson
Fawcett	Klingaman	Prendergast	Wilt, R. W.
Fisher	Knepper	Pyles	Wilt, W. W.
Foster, A.	Kusse	Ryan	Wright
Foster, W.	LaMarca	Salvatore	Yohn
Freind	Lehr	Scheaffer	Zearfoss
Fryer	Levi	Scirica	Zeller
Gallen	Lynch	Seltzer	Zord
Geesey	Manmiller		

NAYS—94

Abraham	Fischer	Logue	Richardson
Arthurs	Flaherty	Manderino	Ritter
Barber	Gallagher	McCue	Ross
Bellomini	Garzia	McIntyre	Ruggiero
Bennett	Geisler	McLane	Saloom
Berlin	George	Menhorn	Schmitt
Berson	Giannmarco	Milanovich	Schweder
Bonetto	Gillespie	Miller, M. E.	Shane

Brunner	Gillette	Miscevich	Shelton
Burns	Gleeson	Mrkonic	Shupnik
Caputo	Green	Mullen, M. P.	Stapleton
Cessar	Greenfield	Mullen	Taylor
Cianciulli	Hutchinson, A.	Musto	Toil
Cohen	Irvis	Myers	Trello
Cowell	Itkin	Novak	Valicenti
Crawford	Johnson, J.	O'Keefe	Wansacz
DeMedio	Kelly, A. P.	Oliver	Wargo
Dicarlo	Kolter	Pievsky	Wiggins
DiDonato	Kowalyshyn	Rappaport	Wojdak
Dombrowski	Laudadio	Ravenstahl	Worrlow
Doyle	Laughlin	Reed	Zwikel
Dumas	Lederer	Renninger	
Englehart	Letterman	Renwick	<b>Fineman,</b>
Fee	Lincoln	Rhodes	<b>Speaker</b>

NOT VOTING—15

Cumberland	McGraw	Pratt	Whelan
Gleason	O'Connell	Rieger	Williams
Hammock	O'Donnell	Turner	Yahner
Hayes, D. S.	Perry	Walsh, T. P.	

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

On the question recurring,  
Will the House agree to the bill on third consideration?  
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 were taken and were as follows:

YEAS—109

Abraham	Garzia	Menhorn	Saloom
Arthurs	Gelsler	Milanovich	Schmitt
Barber	George	Miller, M. E.	Schweder
Bellomini	Gillespie	Miller, M. E., Jr.	Shane
Bennett	Gleeson	Miscevich	Shelton
Berlin	Green	Mrkonic	Shupnik
Berson	Greenfield	Mullen	Stapleton
Bonetto	Halverson	Mullen, M. P.	Stout
Brunner	Hutchinson, A.	Musto	Taddonio
Burns	Irvis	Myers	Taylor
Caputo	Itkin	Novak	Toll
Cessar	Johnson, J.	O'Brien	Trello
Cianciulli	Kelly, A. P.	O'Keefe	Valicenti
Cohen	Knepper	Oliver	Wansacz
Cowell	Kolter	Parker, H. S.	Wargo
Cumberland	Kowalyshyn	Petrarca	Westerberg
DeMedio	Laudadio	Pievsky	Whelan
Dicarlo	Laughlin	Pratt	Wiggins
DiDonato	Lederer	Rappaport	Wilson
Dombrowski	Letterman	Ravenstahl	Wojdak
Doyle	Lincoln	Reed	Worrlow
Dumas	Logue	Renninger	Yohn
Englehart	Manderino	Renwick	Zord
Fawcett	Manmiller	Rhodes	Zwikel
Fee	McCall	Richardson	
Fischer	McCue	Ritter	<b>Fineman,</b>
Flaherty	McIntyre	Ross	<b>Speaker</b>
Gallagher	McLane	Ruggiero	

NAYS—59

Anderson, J. H.	Foster, W.	Klingaman	Salvatore
Beren	Freind	Kusae	Scheaffer
Bradley	Fryer	LaMarca	Scirica
Brandt	Gillette	Levi	Shelhamer
Cimini	Grieco	Lynch	Shuman
Cole	Gring	McClatchy	Smith, E.
Davies	Hamilton, J. H.	Mebus	Ustynoski
Deverter	Hasay	Milliron	Vroon
DeWeese	Haskell	Moehlmann	Wagner
Dininni	Hayes, S. E.	Noye	Weidner
Dorr	Hill	Pancoast	Wilt, R. W.
Dreibelbis	Hopkins	Perri	Wilt, W. W.
Eckensberger	Katz	Pitts	Wright
Fisher	Kelly, J. B.	Polite	Zearfows
Foster, A.	Kistler	Pyles	

NOT VOTING—35

Bittle	Hammock	O'Connell	Spencer
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Butera	Hayes, D. S.	O'Donnell	Stahl
Crawford	Hepford	Perry	Thomas
Dietz	Hutchinson, W.	Prendergast	Turner
Gallen	Kernick	Rieger	Walsh, T. P.
Geesey	Lehr	Ryan	Williams
Giammarco	McGiannis	Seltzer	Yahner
Gleason	McGraw	Sirianni	Zeller
Goodman	Morris	Smith, L.	

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. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, Mr. Pitts was attempting to get recognition from the floor prior to a final-passage vote in order to debate it. He was asking for recognition. Miss SIRIANNI. And I am locked out, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. PITTS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PITTS. Mr. Speaker, there was some voting by people who were not in their seats. Is there any way we could get that vote tabulated correctly on the amendment?

VOTE STRICKEN

The SPEAKER. The vote was properly taken and recorded. The Chair admonished the membership that only those members in their seats were to be recorded. The Chair was willing to challenge anyone's vote if the individual's absence is brought to the attention of the Chair.

The Chair has stricken the vote for the purpose of allowing the gentleman to debate the merits of the bill. The Chair did not have to do that. The Chair would hope the gentleman would now address himself to the merits of the bill. The vote was recorded and taken.

The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I think the point of parliamentary inquiry raised by the gentleman was whether or not it is possible under our parliamentary rules to reconsider the vote by which the amendment failed, 94-94.

The SPEAKER. Any question may be twice considered.

Mr. RYAN. Mr. Arthurs advises that it was the second time that that particular amendment was considered. I am asking the Chair if that is so?

The SPEAKER. The Chair will check.

Mr. VALICENTI. Mr. Speaker, that amendment—

The SPEAKER. Will the gentleman yield until the Chair checks on the factual situation?

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

Mr. ECKENSBERGER. Mr. Speaker, may I make a very brief announcement regarding House bill No. 1375?

The SPEAKER. What is House bill No. 1375?

Mr. ECKENSBERGER. That is the magistrate's bill that we—

The SPEAKER. Will the gentleman yield until we finish this piece of business?

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

Mr. PITTS. Mr. Speaker, on the bill.

The SPEAKER. The Chair recognizes the gentleman on the bill.

Mr. PITTS. Mr. Speaker, now we are talking about the bill as it appears without amendment, and this bill attempts to say that mushroom growing is not agriculture, for one thing. It singles out the mushroom-growing industry in placing them under the unemployment compensation system without affecting any other aspect of agriculture. And it is discriminatory on its face and unconstitutional, I think, for that reason.

I cannot understand why we, in Pennsylvania, would want to penalize or put an economic burden on one aspect of agriculture and not to think about applying it to all of agriculture. Would Idaho, for instance, penalize their potato growers? Or would Virginia penalize their apple growers or would North Carolina put additional burden on their tobacco growers? It just seems unreasonable for the State of Pennsylvania to select the largest cash crop in the State of Pennsylvania and try to put an economic requirement on them that they do not put on any other aspect of agriculture.

I suggest the most reasonable approach would be to have Federal legislation that would apply to all states equally and to all of agriculture. There is legislation pending in Washington now to do just that, and the mushroom farmers have not objected to that because they would then be on the same footing as other mushroom farmers in other states.

But I think that to single out the mushroom-growing industry which is larger than any other crop in Pennsylvania—their cash crop is larger than all the nuts and fruits combined and larger than all the vegetable crops combined, larger than any single grain crop, larger than all the field crops combined, and to single out this aspect of agriculture—is just discriminatory, I think.

I would like to say that, although this issue has been before the House for 2 or 3 years, never, not once, has any House committee ever come to the mushroom-growing areas to talk to the farmers and the workers themselves and get facts on this issue. We have never had that courtesy. I know that we need facts to make our decisions. We have had some facts bantered around, but I do not think we have all of the facts to really make an intelligent decision.

I think we are dealing with an aspect of agriculture. The Federal Government recognizes them as agriculture. The Internal Revenue Service, the Small Business Administration, the Department of Commerce and their Bureau of Census, the U.S. Department of Agriculture, and everyone in all other states recognizes mushroom growing as agriculture. I cannot see and conceive of the Pennsylvania Legislature penalizing and saying to the mushroom growers that they are not agriculture. So for this reason, Mr. Speaker, I would like to oppose the bill.

One other thing, we are about to put into the fund, the unemployment compensation fund, if we pass this kind of a bill, a new class of employees. All of you know the status of the unemployment compensation fund. Last year it began, I think, with a balance of \$520 million. Through the year, employers put in an additional \$400 million. At present, I think they have borrowed something like \$450 million from the Federal Government.

The fund is bankrupt. Now I ask you, what is this bill going to do as far as the unemployment compensation fund is concerned? When a mushroom worker who is unemployed starts drawing on this fund, where is the money coming from? It is going to be drawn against the general fund. It is going to be drawn against money that has been put in there by industrial workers for 10 years and 20 years. It is going to further weaken our unemployment compensation fund.

It is not necessary at this time. Our workers are covered by SUA—Supplemental Unemployment Assistance—in Pennsylvania. This bill is completely unnecessary at this present time. Therefore, I urge the defeat of this bill.

The SPEAKER. The Chair recognizes the gentleman from Snyder, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I would just like to further elaborate on some of the comments that were made earlier today and the last time we debated this bill. I did not rise to the microphone at that time, but I think a few things should be pointed out to the membership before we do vote this bill.

It seems to me that this is another measure where we could be penny-wise and pound-foolish. Mr. Pitts reminded you that the mushroom industry of Pennsylvania was quite sizable and he said Pennsylvania is number one in mushroom production. It is a \$79-million industry, in fact. Pennsylvania does produce 60 percent of the nation's mushrooms.

Now I agree, too, with Mr. Pitts when he says, perhaps we should delay on a measure of this importance because of several reasons which I would like to allude to.

I think we should delay, awaiting Federal action on the bill he spoke of, which is H.R. 10210. It was reported from Ways and Means at the Federal level. It is now in the Rules Committee, awaiting to be rereported for final action there.

If and when we get Federal regulatory measures, then I could condone what we are attempting to do here today. But to do this for the State of Pennsylvania creates an unfair competitive measure against this particular industry which has such an impact.

We employ something like 14,000 people in this industry and to place them in the unfair competition with the rest of the state and with our foreign trade does not seem to me to be logical. Senator Stauffer once made the statement that our imports had risen 79 percent in the past 5 years, when we are talking about mushrooms coming from the Far East or our foreign shores.

I think in addition to this, this is a measure that can wind up being nothing except against the best interests of consumers. It can do nothing for us except raise the price of the food basket when we go to the market. I urge that you give these things some serious consideration.

Now, if my calculations are correct, if we pass this bill today and it is invoked upon the mushroom industry, the initial cost to industry will be \$1,176 million. If after the experience rate is established and it goes to the maximum, the cost could be \$2,352 million.

Now Mr. Pitts alluded to another thing that I want to alert all of you to. Our unemployment fund is defunct, and that we are all aware of. There is a proposal now by our own State Department of Labor and Industry to raise not only the base but also the percentage. If we raise the base from \$4,200 to \$6,000 and if we raise the experience

factor from 4 percent to 5 percent, the cost to the mushroom industry could very conceivably be, by the time this bill is enacted into law, \$4,200 million. This, Mr. Speaker, is just enough to snuff out the entire industry in Pennsylvania. I urge a "no" vote on the bill.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. LaMarca.

Mr. LaMARCA. Mr. Speaker, I realize that most of the members of the House are aware of the content of this particular piece of legislation. And whether or not you believe an edict that came from the halls of labor that mushroom growers are oppressing people, does not really concern me as something else does at this very moment. That concern is that all of us have sworn to give due deliberation to the passage of a piece of legislation. The amendment that I propose would have, of course, completely reversed the legislation now before you. But that amendment was not—I repeat, was not—properly voted on.

Now I realize that a challenge should have come at the time, but in the process of the votes, it did not. But I hasten to suggest to you, all of you, to look around you and to determine if 10 votes that were voted opposing this amendment were not here, and they were not and are not now, should we properly pass this bill? Is it truly the wish of this legislature? Or is it further the wish of this legislature that the honest majority shall determine?

I submit to you that it is the honest majority who should determine this and not who is fastest on the switch or who can occupy two chairs at one time.

If you consider this bill, you are considering a bill that vitally affects an industry in Pennsylvania. It may not be big to some people, but it is big to the people who are in it.

The question involved is a lot more than a labor principle. I have fought labor and I have fought for labor, but I tell labor here and now that when I think you are wrong, I will say you are wrong. If they wish to discredit me for opposing them on that, then let them oppose.

But the truth of the matter is that for year upon year upon year in Pennsylvania, mushroom growing has been considered agricultural. Suddenly, by someone's whim it is no longer agricultural. But somebody says, let us show them what a good bunch of guys we are. Let us get them on the unemployment roll. Let us prove to them we are doing something. Does that make it right? Does that change the concept? Does that suddenly make agriculture now employment? It does not. Did this House deliberate? Did this House investigate? It did not.

If you vote for this bill today, you are taking somebody else's word about something you know nothing about and you are taking it because you did not even try to find out. What is even worse, it will be done without the proper amount of numbers.

Mr. Speaker, I ask that this bill be defeated for several reasons: First, on the logic of the bill, it is not there. The facts have not been introduced; and, secondly, to maintain the integrity of this House.

I ask, Mr. Speaker, that every member, and only those members, present and in their seats be counted as voting.

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

Mr. McCUE. Mr. Speaker, I had not intended to take the floor on this issue, but I am compelled to speak in

clarification of some misleading statements made by the gentlemen, Mr. Pitts and Mr. LaMarca.

The fact was referred to that there was discrimination against a particular phase of agriculture. On the one hand, he speaks of agriculture and, on the other hand, he speaks of industry. All right, what is it? Is it agriculture or is it industry? He calls it industry. I submit, in my county it is an industry.

My county has been blessed with some of the greatest mineral resources that any place has had in the world—coal, gas, fireclay and limestone. And in the limestone industries, the limestone miners went underneath the ground. And they removed the limestone, and they were covered by unemployment compensation.

When the limestone was removed from the land, it was considered that the land was valueless, and it was so written off the tax rolls—worthless, mined out.

Then someone was able to discover that these limestone voids had value, perhaps a value even greater than when the limestone was in place. In some areas these voids, these mine shafts, mine caverns are used for storage, for protection in the event of air raids and for the production of mushrooms.

The mushroom industry—and I emphasize the term "industry"—is a substantial industry in my county. It employs, 1,000 people. In an area such as I represent, an employer who employs 1,000 people is a substantial source of employment. I am mighty glad for the mushroom industry. I am very happy that we have the mushroom industry as a source of employment. The mushroom industry now ranks with the glass, the steel, the coal, the nuclear and the textile industries which we have. It is important to us.

I have had the pleasure of being a guest in these mines. This source of employment came along at a time when some of our ceramic industry, our tile works and brick works were going down.

The persons, who were formerly employed in these other industries which ceased to operate, were able to find employment in this new industry. This is also a source of industry for persons who, perhaps, work in restaurants, in stores, in law offices and various other places. These persons are permanent, substantial and good citizens in my community. They are not migrants. They are there; they own their own homes. They pay their taxes. They send their children to school. They are a substantial part of my area. And they are my friends and neighbors.

When I visited the mines, I will tell you what I found as to what the employes do. They report at the given hour and they punch a time clock. They put on their hard hats, light their carbide lamp and go into the mines. They work their 8 hours or whatever their hours are, and when they go home, they punch a time clock. They do this throughout the year. It has all the aspects of an industry.

When I first discovered that these persons were not covered by unemployment compensation, I was surprised. I have said before at this microphone and I say again, I cannot see the difference between a coal miner, a limestone miner and a mushroom miner.

Now it has also been stated earlier this afternoon that covering this classification of industrial workers will hurt the fund. It was argued several days ago that they did not need to be covered because there are never any lay-

offs, that they work year round. Well, you cannot argue both ways. If there are not going to be any layoffs, they cannot hurt the fund. They can only improve the fund. These people are certainly industrial workers. They should be entitled to the same protection as persons in other industries.

Now I submit that this is the proposition whether anyone here believes in the principle of unemployment compensation or not. That cannot be the issue. We already have unemployment compensation as part of our law. If one class of industrial workers should be covered, another class should be covered. All of these employes came from some other industry where they were covered. They are now in a new industry and they find that they are not. This is the reason that I have taken the floor this afternoon in support of this measure. I thank you.

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

Mr. ZELLER. Mr. Speaker, I, too, had not intended to get involved, but there are some points that I want to bring out that I think are worthwhile listening to. We always hear, during election year especially, when we go out and tell our people that we are out to protect the consumer, we are out to protect you, and we always hear, especially during election years, public officials who want to be reelected telling their people how we are trying to protect them as consumers. We are trying to do everything we can to help you and keep the cost down because we know you are being ripped off something terrible.

Then, next, we come out with a bill like this whereby we are going to tell the mushroom industry that it is no longer agriculture; now it is industry. Next we are going to have to do that with the dairy business, because anybody can tell me that people working on dairy farms work just as long as people in the mushroom industry, probably longer. And they work early in the morning until late at night taking care of these cattle. You know that milk keeps coming and you have got to get it out, and you have to feed these animals. You have to take care of them. You also have to take and process the milk.

Next you are going to have the turkey and chicken industry. You know these individuals who come out with these bills do not realize what they are going to ask for because the chickens have to eat; the turkeys have to eat. We have a case in South Whitehall Township in Lehigh County where there are people who are trying to change this from agriculture to industry because they do not want the odor. They do not want the dust. They do not want these conditions on a farm where they moved into this area knowing very well these conditions exist, but they do not want any part of it. Now they moved out of an area, say a city somewhere, and they moved out into the country. Now all of a sudden the manure does not smell good. All of this stuff has got to go. It is no longer agriculture; now it is industry. So just remember what you are getting yourself into.

Next is hog raising. Mr. Thomas knows all about this. He can tell you that before you know it those hogs have got to eat. They have got to be processed. So now all of a sudden, the hog industry is going to be industry.

Next is going to be all those chicken eggs. We have all these chickens laying all these eggs, and somebody has to gather them every day and you have to feed them. All this is going to wind up being the food that you are eating. That price is going to be passed on to you.

What I am getting at is this, you take some of these people who are trying to push this are some of these people who sit down here and they eat their lobster tails and steaks and they do not know what is going on out in the field. They just do not know what is happening. Therefore, they are going to push this price on to the consumer, the very person you say you are trying to protect.

So if you want to do that, that is your prerogative. All I am saying is this: If you want to protect those people you will vote this bill down. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. S. E. Hayes.

Mr. S. E. HAYES. Mr. Speaker, during Mr. Valicenti's remarks, he mentioned that he was asking for support because he wanted to prevent the specter of welfare from coming down upon those persons who are presently employed by the mushroom growers of Pennsylvania.

I would have to ask Mr. Valicenti, Mr. Speaker, how long does unemployment compensation last? Just how long? How many months does unemployment compensation last? It does not last forever. At best, it lasts only for a few months. Once those benefits expire, what alternatives will those unfortunate workers have?

They will have the mere alternative of welfare, and welfare is a syndrome that has now gripped us not for one generation, not for just two generations or three, but, yes, in some cases, four generations. To the gentleman from Allegheny, I say, it lasts a lot longer than unemployment compensation. It lasts for generations.

He speaks of foreign imports as the key to this problem. I do not know whether that is the key. I can certainly recognize the merit in what he says that it would be a problem for our growers to continue competition against foreign growers. But, Mr. Speaker, we in this General Assembly have no control over that. Whatever inaction the Federal Government may be displaying, certainly does not help our dilemma. It is not sufficient for us to say, that is the problem. The best we can do as a state is to guard against further exacerbating a very difficult problem.

I come from the farmlands of Pennsylvania. I do not have any mushroom growers in my district, but I am somewhat familiar with agriculture. I know, Mr. Speaker, that you can only shear the sheep once. If we pass this bill, we are trying to shear that sheep twice, and that will not work over the long haul.

We have the problem of foreign imports and now we are trying to lay another burden on the growers, unemployment compensation. I suggest we are placing it upon the worker himself. Once unemployment compensation runs out, that worker will be consigned to what we all abhor, the welfare syndrome.

I have not had the opportunity and I do not think anyone else in this chamber has had the opportunity to benefit from what our House Committee on Agriculture may be able to learn for us.

I certainly believe that this question goes far beyond just the metaphysical or classical consideration of whether we want to provide unemployment compensation for a group of people. We are talking about a very important part of our economic base in this Commonwealth. I believe, Mr. Speaker, that it is incumbent upon us to seek the counsel of the House Committee on Agriculture with respect to this question.

MOTION TO RECOMMIT SENATE BILL No. 116

Mr. S. E. HAYES. At this time, Mr. Speaker, I move to recommit this bill to the Committee on Agriculture. Thank you.

The SPEAKER. The question is on the motion made by the gentleman, Mr. Hayes, to recommit.

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

Mr. VALICENTI. I oppose the motion to recommit to the Agriculture Committee.

Mr. Hayes made some statements and said that the unemployment compensation only lasted a couple of months. He is wrong there. It lasts more than that. To my recollection—

The SPEAKER. Will the gentleman yield?

Mr. VALICENTI. Yes, sir.

The SPEAKER. The issue before the House is on the motion to recommit. Will the gentleman confine his remarks to the motion?

Mr. VALICENTI. I oppose the motion to recommit to Agriculture. The only thing they are trying to do is kill the bill.

Thank you.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

VOTES CHALLENGED

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. We are going to end up challenging votes. I am wondering whether or not we should do it now or later.

The SPEAKER. The Chair would remind the members that only those members who are in their seats and who are present in the hall of the House are permitted to be recorded.

The Chair would solicit the cooperation of the members in making certain that they do not operate anyone's voting apparatus other than their own.

Mr. RYAN. Shall we start, Mr. Speaker?

The SPEAKER. If the gentleman has challenges, let him name them.

Mr. RYAN. Mr. Berson?

The SPEAKER. Is the gentleman, Mr. Berson, in the hall of the House? Will someone please remove his vote?

Mr. RYAN. DiDonato?

The SPEAKER. Will someone please remove Mr. DiDonato's vote?

Mr. RYAN. He is not voted.

The SPEAKER. Go on, Mr. Ryan.

Mr. RYAN. I am just checking here.

Mr. MANDERINO. While he is waiting, I would like to challenge a few votes that are on the other side of the aisle.

Mr. RYAN. All right, do you want to go first or do you want me to go first.

The SPEAKER. The Chair recognizes the minority whip. Do you have any challenges, Mr. Manderino?

Mr. RYAN. Mr. Lederer?

The SPEAKER. Is the gentleman, Mr. Lederer, in the hall of the House? He is present.

Mr. Manderino, do you have any challenges?

Mr. MANDERINO. Is Mr. McGinnis in the hall of the House?

The SPEAKER. Mr. McGinnis? Present.

Mr. MANDERINO. Is Mr. David Hayes in the hall of the House?

The SPEAKER. Is David Hayes in the hall of the House?

Mr. RYAN. He is not voted, Mr. Speaker.

The SPEAKER. He is not recorded.

Mr. MANDERINO. Is Mr. Perri from Philadelphia in the hall of the House?

Mr. RYAN. Not voted.

The SPEAKER. The gentleman is not recorded.

Mr. RYAN. Milanovich?

The SPEAKER. Is the gentleman, Mr. Milanovich, present?

The gentleman is present.

Does the gentleman, Mr. Ryan, have any further challenges?

Mr. RYAN. Misceovich?

The SPEAKER. Mr. Misceovich?

The gentleman is present.

Mr. RYAN. I am sorry. He looks better on this side.

Mr. RYAN. Mrkonic?

The SPEAKER. Any further challenges, Mr. Ryan?

Mr. RYAN. Yes; Mrkonic.

The SPEAKER. The gentleman, Mr. Mrkonic?

Someone will strike the gentleman's vote from the board, please.

Mr. RYAN. Martin Mullen?

The SPEAKER. Mr. Mullen's vote will be stricken.

Mr. RYAN. Mr. Perry? Is he voted, Mr. Speaker?

He is not, I am sorry. All right, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. S. E. HAYES and VALICENTI and were as follows:

YEAS—80

Anderson, J. H.	Fryer	Levi	Shelhamer
Beren	Gallen	Lynch	Shuman
Bittle	Geesey	Manmiller	Sirianni
Bradley	Grieco	McClatchy	Smith, E.
Brandt	Gring	McGinnis	Smith, L.
Cimmi	Hamilton, J. H.	Mebus	Stahl
Cole	Hassay	Milliron	Stout
Crawford	Haskell	Moehlmann	Taddonio
Davies	Hayes, S. E.	Morris	Thomas
Deverter	Hepford	Noye	Vroon
DeWeese	Hill	Pancoast	Wagner
Dietz	Hopkins	Petrarca	Weidner
Dininni	Hutchinson, W.	Pitts	Westerberg
Dorr	Katz	Polite	Wilt, R. W.
Dreibeltis	Kelly, J. B.	Pyles	Wilt, W. W.
Eckensberger	Kistler	Ryan	Wright
Fawcett	Klingaman	Salvatore	Yohn
Foster, A.	Kusse	Scheaffer	Zearfoss
Foster, W.	LaMarca	Sdrlica	Zeller
Freind	Lehr	Seltzer	Zord

NAYS—91

Abraham	Geisler	McLane	Ross
Arthurs	George	Menhorn	Ruggiero
Barber	Gillespie	Mitanovich	Saloom
Bennett	Gillette	Miller, M. E.	Schmitt
Berlin	Goodman	Miller, M. E., Jr.	Schweder
Bonetto	Green	Miscevich	Shane
Brunner	Greenfield	Mullen	Shupnik
Burns	Halverson	Musto	Stapleton
Caputo	Hutchinson, A.	Myers	Taylor
Cessar	Irvic	Novak	Toil
Cianciulli	Itkin	O'Brien	Trello
Cohen	Kelly, A. P.	O'Keefe	Valicenti
Cowell	Kernick	Oliver	Wansacz
DeMedio	Kolter	Parker, H. S.	Wargo

Dicarlo	Kowalyszyn	Prendergast	Whelan
Dombrowski	Laughlin	Rappaport	Wiggins
Doyle	Lederer	Ravenstahl	Wilson
Dumas	Letterman	Reed	Wojdak
Englehart	Lincoln	Renninger	Worrilow
Fischer	Logue	Renwick	Zwinkl
Fisher	Manderino	Rhodes	
Flaherty	McCall	Richardson	Fineman,
Gallagher	McCue	Ritter	Speaker
Garzia			

NOT VOTING—32

Bellomini	Gleeson	Mrkonic	Rieger
Berson	Hamnoek	Mullen, M. P.	Shelton
Butera	Hayes, D. S.	O'Connell	Spencer
Cumberland	Johnson, J.	O'Donnell	Turner
DiDonato	Knepper	Perri	Ustynoski
Fee	Laudadio	Perry	Walsh, T. P.
Giammarco	McGraw	Pievsky	Williams
Gleason	McIntyre	Pratt	Yahner

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

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. Does the gentleman, Mr. Shelhamer, desire to be recognized?

Mr. SHELHAMER. Is the bill up for final vote at this position now?

The SPEAKER. The bill is in position for final vote.

Mr. SHELHAMER. Yes, Mr. Speaker, I wish to speak on it.

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

Mr. SHELHAMER. Mr. Speaker, the job of being a legislator many times encompasses many controversial issues. There are issues that are sometimes of a general nature to all of us throughout this state and there are issues of a parochial nature that affect us more individually. Generally speaking those issues that are of a general nature, we find uniform agreement on, pretty well.

When we find issues that are of a more parochial nature, that are applicable only to certain areas, we find differences of opinion. Therein is where we find ourselves today. We find a difference of opinion between the laboring community and the agricultural community.

I would point out to the members of the House that Senate bill No. 116 is not a controversial issue. It was brought before this House by the agriculture community. It was one that was forced upon us by other than agriculture.

I would also like to point out to the members of this House that many times we have heard pleas in this House for issues from your area. I point out to you that a couple of weeks ago the city of Philadelphia came before this House and asked members of this House to help them in their outlook for money. Many of us who had no interest in that gave the city of Philadelphia our vote. Other times the city of Pittsburgh has come before this House. In fact, there are some bills on our calendar today that do not affect our area. You have begged us for help in your area. We have given you that help because it did not affect our area and we have given it willingly and freely and we, now from the agricultural community, come to you who have said to us, if it does not affect you, why can you not vote for us? And we come to you—

Mr. Speaker, there are many times when we request help from each other. We in the agricultural community now ask those of you, our city friends, for help. We feel that this is a two-way street. It is unfortunate that we have to face this situation. We had hoped that we could have those areas that were strongly unionized and those areas that were organized, that the amendment would have allowed those areas to have had that thing if they wanted it. I for one do not oppose organization or unionization of agricultural labor, but that was voted down. Whether it was legally or illegally done is not a question at this time before this House. The fact of the matter is we are now faced with the bill. For that reason, we ask those of you who come from areas other than agriculture to help us. We ask for a negative vote.

The SPEAKER. Only those members in their seats will be recorded.

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. RYAN. Mr. Berson?

The SPEAKER. Let us not go through the necessity of having to have members who are not present have their votes stricken from the board.

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

Mr. RYAN. Mr. Bellomini? Okay.

Mr. Berson?

The SPEAKER. Mr. Berson?

Mr. RYAN. Mr. Laudadio?

The SPEAKER. Mr. Laudadio is not recorded.

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—91

Abraham	George	McLane	Ruggiero
Arthurs	Gillespie	Menhorn	Saloom
Barber	Gillette	Milanovich	Schmitt
Bellomini	Goodman	Miller, M. E.	Schweder
Bennett	Green	Miller, M. E., Jr.	Shane
Berlin	Greenfield	Miscevich	Stapleton
Bonetto	Halverson	Mullen	Stout
Brunner	Hutchinson, A.	Myers	Taddonio
Burns	Irvis	Novak	Taylor
Cessar	Itkin	O'Keefe	Toil
Cianciulli	Johnson, J.	Oliver	Trello
Cohen	Kelly, A. P.	Parker, H. S.	Valicenti
Cowell	Kernick	Petrarca	Wansacz
DeMedio	Kolter	Prendergast	Wargo
Dicarlo	Kowalyszyn	Rappaport	Whelan
Dombrowski	Laughlin	Ravenstahl	Wiggins
Doyle	Lederer	Reed	Wilson
Dumas	Letterman	Renninger	Wojdak
Englehart	Lincoln	Renwick	Worrilow
Fischer	Logue	Rhodes	Zwinkl
Flaherty	Manderino	Richardson	
Gallagher	McCall	Ritter	Fineman,
Garzia	McCue	Ross	Speaker
Geisler			

NAYS—81

Anderson, J. H.	Freind	LaMarca	Seltzer
Beren	Fryer	Lehr	Shelhamer
Bittle	Gallen	Levi	Shuman
Bradley	Geesey	Lynch	Strianni
Brandt	Grieco	Manmiller	Smith, E.
Caputo	Gring	McClatchy	Smith, L.
Cimini	Hamilton, J. H.	McGinnis	Spencer
Cole	Hasay	Mebus	Stahl
Crawford	Haskell	Milliron	Thomas
Davies	Hayes, S. E.	Moehmann	Vroon

Deverter  
DeWeese  
Dietz  
Dininni  
Dorr  
Dreibelbis  
Eckensberger  
Fawcett  
Fisher  
Foster, A.  
Foster, W.

Hepford  
Hill  
Hopkins  
Hutchinson, W.  
Katz  
Kelly, J. B.  
Kistler  
Klingaman  
Knepper  
Kusse

Morris  
Noye  
Pancoast  
Pitts  
Polite  
Pyles  
Ryan  
Salvatore  
Scheaffer  
Scirica

Wagner  
Weidner  
Westerberg  
Wilt, R. W.  
Wilt, W. W.  
Wright  
Yohn  
Zearfoss  
Zeller  
Zord

Englehart  
Fawcett  
Fee  
Fischer  
Fisher  
Flaherty  
Foster, W.  
Freind

LaMarca  
Laudadio  
Laughlin  
Lederer  
Lehr  
Letterman  
Levi

Ravenstahl  
Reed  
Kenninger  
Renwick  
Rhodes  
Richardson  
Ross

Wojdak  
Worrlow  
Yohn  
Zearfoss  
Zeller  
Zord  
Zwick

NAYS—8

Foster, A.  
Geesey  
Hutchinson, A.

Menhorn  
Milliron

Schweder  
Wright

Fineman,  
Speaker

NOT VOTING—31

Berson  
Butera  
Cumberland  
DiDonato  
Fee  
Giammarco  
Gleason  
Gleeson

Hammock  
Hayes, D. S.  
Laudadio  
McGraw  
McIntyre  
Mrkonic  
Mullen, M. P.  
Musto

O'Brien  
O'Connell  
O'Donnell  
Perri  
Perry  
Pievsky  
Pratt  
Rieger

Shelton  
Shupnik  
Turner  
Ustynoski  
Walsh, T. P.  
Williams  
Yahner

NOT VOTING—30

Berson  
Cianciulli  
Crawford  
Cumberland  
DiDonato  
Giammarco  
Gleason  
Hammock

Hayes, D. S.  
Johnson, J.  
Kelly, A. P.  
McCue  
McGraw  
McIntyre  
Misevich  
Mullen, M. P.

O'Connell  
O'Donnell  
Perry  
Pievsky  
Rieger  
Ritter  
Shelton

Thomas  
Toll  
Turner  
Valicenti  
Walsh, T. F.  
Williams  
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.

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 891, printer's No. 1695, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," providing that the county commissioners shall have the sole responsibility for collective bargaining negotiations for all employees paid from the county treasury.

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—165

Abraham  
Anderson, J. H.  
Arthurs  
Barber  
Bellomini  
Bennett  
Beren  
Berlin  
Bittle  
Bonetto  
Bradley  
Brandt  
Brunner  
Burns  
Butera  
Caputo  
Cessar  
Cimini  
Cohen  
Cole  
Cowell  
Davies  
DeMedio  
Deverter  
DeWeese  
Dicarlo  
Dietz  
Dininni  
Dombrowski  
Dorr  
Doyle  
Dreibelbis  
Dumas  
Eckensberger

Fryer  
Gallagher  
Gallen  
Garzia  
Geisler  
George  
Gillespie  
Gillette  
Gleason  
Goodman  
Green  
Greenfield  
Grieco  
Gring  
Halverson  
Hamilton, J. H.  
Hasay  
Haskell  
Hayes, S. E.  
Hepford  
Hill  
Hopkins  
Hutchinson, W.  
Irviss  
Itkin  
Katz  
Kelly, J. B.  
Kernick  
Kistler  
Klingaman  
Knepper  
Koltter  
Kowalshyn  
Kusse

Lincoln  
Logue  
Lynch  
Manderino  
Manmiller  
McCall  
McClatchy  
McGinnis  
McLane  
Mebus  
Milanovich  
Miller, M. E.  
Miller, M. E., Jr.  
Moehlmann  
Morris  
Mrkonic  
Mullen  
Musto  
Myers  
Novak  
Noye  
O'Brien  
O'Keefe  
Oliver  
Pancoast  
Parker, H. S.  
Perri  
Petrarca  
Pitts  
Polite  
Pratt  
Prendergast  
Pyles  
Rappaport

Ruggiero  
Ryan  
Saloom  
Salvatore  
Scheaffer  
Schmitt  
Scirica  
Seltzer  
Shane  
Shelhamer  
Shuman  
Shupnik  
Sirianni  
Smith, E.  
Smith, L.  
Spencer  
Stahl  
Stapleton  
Stout  
Taddonio  
Taylor  
Trello  
Ustynoski  
Vroon  
Wagner  
Wansacz  
Wargo  
Weidner  
Westerberg  
Whelan  
Wiggins  
Wilson  
Wilt, R. W.  
Wilt, W. W.

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.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, I inadvertently neglected to vote on Senate bill No. 891. I would like to be recorded in the affirmative.

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

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, may I be recorded in the affirmative on Senate bill No. 891?

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

The Chair recognizes the gentleman from York, Mr. Anderson.

Mr. ANDERSON. Mr. Speaker, I would like to be recorded in the negative on Senate bill No. 891, please.

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

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

Mr. McCUE. Point of personal information. Mr. Speaker, how am I recorded on the vote for Senate bill No. 891?

The SPEAKER. How is the gentleman, Mr. McCue, recorded?

Not recorded, Mr. McCue.

Mr. McCUE. May I be recorded in the affirmative on Senate bill No. 891?



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

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

Mr. CAPUTO. Mr. Speaker, I voted wrongly on Senate bill No. 891. I would like to be recorded in the negative.

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

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I would like to be recorded in the negative on Senate bill No. 891.

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

Are there any further corrections for the record?

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 188

Mr. IRVIS called up for concurrence in Senate amendments, from page 16 of today's calendar, House bill No. 188, printer's No. 3206.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 188

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," further providing for the term "tangible personal property" and exempting certain fish feed from the sales 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 clerk read the following amendments made by the Senate:

Amend Title, page 1, line 10, by inserting after "penalties" the following: "further providing for the term 'tangible personal property' and"

Amend Bill, page 1, by inserting after line 14 the following:

Section 1. Clause (m) of Section 201, Act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," amended August 31, 1971 (P. L. 362, No. 93), is amended to read:

Section 201. Definitions.—The following words, terms and phrases when used in this Article II shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

\* \* \*

(M) "Tangible personal property." Corporeal personal property including, but not limited to, goods, wares, merchandise, steam and natural and manufactured and bottled gas for non-residential use, electricity for non-residential use, intrastate telephone and telegraph service for non-residential use, spirituous or vinous liquor and malt or brewed beverages and soft drinks; but the term shall not include household supplies purchased at retail establishments for residential consumption, including but not limited to, soaps, detergents, cleaning and polishing preparations, paper goods, household wrapping supplies and items of similar nature, or sanitary napkins, tampons or similar items used for feminine hygiene. Nor shall said term include steam, natural and manufactured and bottled gas, fuel oil, electricity or intrastate telephone or telegraph service when purchased directly by the user thereof solely for his own residential use. Nor shall said

term include steam, natural and manufactured and bottled gas, fuel oil, electricity or intrastate telephone or telegraph service when purchased for residential use by a non-profit cooperative community housing corporation which for purposes of this section means a non-profit corporation:

(i) Having one and only one class of stock outstanding;

(ii) Each stockholder of which is entitled, solely by reason of his ownership of stock in the corporation, to occupy for dwelling purposes, a house, or an apartment in a building owned or leased by such corporation;

(iii) No stockholder of which is entitled (either conditionally or unconditionally) to receive any distribution out of earnings and profits of the corporation, except on a complete or partial liquidation of the corporation; and

(iv) Eighty per cent or more of gross income of which, for the taxable year in which the taxes and interest are paid or incurred, is derived from tenant-stockholders.

\* \* \*

Amend Bill, page 3, line 4, by striking out after "Section" the number "1" and inserting in lieu thereof "2" and by striking out after "204" all the remainder of said line; line 5, by striking out at the beginning of the line "No. 2), known as the "Tax Reform Code of 1971," and inserting immediately thereafter "of the act"

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, for the information of the members on the Democratic side and the Republican side, this is the same bill that we asked for a nonconcurrence in yesterday and there was a dispute over the bill. We had thought that we had been asked to nonconcur by Mr. Brunner, but he has informed us that that is not so. He and Mr. George have been interested in this bill. They say that even though the amendments inserted by the Senate may give them some problems, the language of the bill is so important that it ought to be concurred in.

Therefore, Mr. Speaker, I move that on the question of concurring in amendments to House bill No. 188, printer's No. 3206, by the Senate, that the House do concur.

On the question recurring,

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

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

YEAS—179

Table listing names of members who voted 'YEAS' (179 total). Names include Abraham, Anderson, J. H., Arthur, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cesar, Cianciulli, Cimini, Cohen, Cole, Cowell, Crawford, Davies, DeMedio, Deverter, Gallen, Garza, Geesey, Geisler, George, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, S.E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvin, Itkin, Johnson, J., Katz, McClatchy, McCue, McGinnis, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, Moehmann, Morris, Mrkonic, Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Donnell, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Salvatore, Scheaffer, Schmitt, Schweder, Scirca, Seltzer, Shane, Sheibamer, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Taddonio, Taylor, Thomas, Toll, Trello, Ustynoski, Valicenti, Vroon, Wansacz.

DeWeese	Kelly, A. P.	Plevsky	Wargo
Dicarlo	Kelly, J. B.	Pitts	Weidner
Dietz	Kernick	Polite	Whelan
Dinanni	Kistler	Pratt	Wiggins
Dombrowski	Klingaman	Prendergast	Williams
Dorr	Knepper	Pyles	Wilson
Doyle	Kolter	Rappaport	Wilt, R. W.
Dreibelbis	Kowalshyn	Ravenstahl	Wilt, W. W.
Dumas	Laudadio	Reed	Wojdak
Eckensberger	Laughlin	Renninger	Worrlow
Fawcett	Lederer	Renwick	Wright
Fee	Lehr	Rhodes	Yohn
Fischer	Letterman	Richardson	Zearfoss
Fisher	Levi	Rieger	Zeller
Flaherty	Lincoln	Ritter	Zord
Foster, A.	Logue	Ross	Zwick
Foster, W.	Lynch	Ruggiero	
Freind	Manmiller	Ryan	
Fryer	McCall	Saloom	Fineman, Speaker
Gallagher			

NAYS—6

Gillespie	LaMarca	Wagner	Westerberg
Kusse	O'Keefe		

NOT VOTING—18

Berson	Gleason	McIntyre	Shelton
Cumberland	Hammock	Mullen, M. P.	Turner
DiDonato	Hayes, D. S.	O'Connell	Walsh, T. P.
Engelhart	Manderino	Perry	Yahner
Giammarco	McGraw		

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE ON SENATE BILL No. 116

Mr. VALICENTI moved that the vote by which SENATE BILL No. 116, printer's No. 1138, was defeated on final passage on this day be reconsidered.

Mr. NOVAK 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. 116 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. VALICENTI moved that SENATE BILL No. 116, printer's No. 1138, be placed on the final passage postponed calendar.

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

TRANSPORTATION BILL ON THIRD CONSIDERATION

Agreeable to order,  
The House proceeded to third consideration of House bill No. 2147, printer's No. 2792, entitled:

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

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

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 2147 be recommended to the Committee on Consumer Protection.  
Motion was agreed to.

BUSINESS AND COMMERCE BILLS ON THIRD CONSIDERATION

Agreeable to order,  
The House proceeded to third consideration of House bill No. 1571, printer's No. 2918, entitled:

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

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—93

Barber	Garzia	Milanovich	Ruggiero
Bennett	Geisler	Miller, M. E.	Saloom
Berlin	George	Miller, M. E., Jr.	Schmitt
Bonetto	Gillespie	Milliron	Shane
Bradley	Gillette	Miscevich	Shelton
Brunner	Gleason	Morris	Shupnik
Burns	Greenfield	Mullen	Smith, E.
Caputo	Hutchinson, A.	Musto	Stout
Cianciulli	Irvic	Myers	Taylor
Cohen	Itkin	Novak	Toll
Cole	Kelly, A. P.	O'Brien	Trello
Cowell	Kolter	Oliver	Valicenti
DeMedio	Kowalshyn	Petrarca	Wagner
DeWeese	Laudadio	Plevsky	Wargo
Dicarlo	Lederer	Pratt	Whelan
Dombrowski	Letterman	Prendergast	Wiggins
Dumas	Lincoln	Rappaport	Wilson
Eckensberger	Logue	Reed	Wojdak
Engelhart	Manderino	Renwick	Zearfoss
Fee	McCall	Rhodes	Zwick
Fischer	McCue	Richardson	
Flaherty	McIntyre	Rieger	Fineman, Speaker
Freind	McLane	Ritter	
Gallagher	Menhorn	Ross	

NAYS—89

Anderson, J. E.	Goodman	Lehr	Schweder
Arthurs	Green	Levi	Scirica
Bellomini	Grieco	Lynch	Seltzer
Beren	Gring	Manmiller	Shelhamer
Bittle	Halverson	McClatchy	Shuman
Brandt	Hamilton, J. H.	McGinnis	Sirianni
Cessar	Hasay	Mebus	Smith, L.
Cimini	Haskell	Moehlmann	Spencer
Crawford	Hayes, S.E.	Mrkonc	Stahl
Davies	Hepford	Noye	Stapleton
Deverter	Hill	O'Keefe	Thomas
Dietz	Hopkins	Pancoast	Ustynoski
Dinanni	Hutchinson, W.	Parker, H. S.	Vroon
Dorr	Katz	Perri	Wansacz
Doyle	Kelly, J. B.	Pitts	Weidner
Dreibelbis	Kernick	Polite	Westerberg
Fawcett	Kistler	Pyles	Wilt, R. W.
Fisher	Klingaman	Ravenstahl	Wilt, W. W.
Foster, A.	Knepper	Renninger	Worrlow
Foster, W.	Kusse	Ryan	Yohn
Fryer	LaMarca	Salvatore	Zeller
Gallen	Laughlin	Scheaffer	Zord
Geesey			

NOT VOTING—21

Abraham	Gleason	Mullen, M. P.	Turner
Berson	Hammock	O'Connell	Walsh, T. P.

Butera  
Cumberland  
DiDonato  
Giammarco

Hayes, D. S.  
Johnson, J.  
McGraw

O'Donnell  
Perry  
Taddonio

Williams  
Wright  
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.

### QUESTIONS OF PERSONAL PRIVILEGE

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

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

Mr. STAHL. Mr. Speaker, my switch was apparently out of order. On House bill No. 1571 on final passage, I was recorded as voting in the negative. I wish to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Luzerne, Mr. O'Brien. For what purpose does the gentleman rise?

Mr. O'BRIEN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. O'BRIEN. Mr. Speaker, I voted wrongly on House bill No. 1571, printer's No. 2918. I would like to be recorded "no."

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

Agreeable to order.

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

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

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1, page 1, lines 13 through 19, by striking out all of said lines

Amend Sec. 1, page 2, line 1, by striking out all of said line and inserting: for the tenants:

(1) making or filing a complaint or grievance or stating the intent to make or file a complaint or grievance to any authority charged with the responsibility to enforce applicable standards, codes, regulations, ordinances and/or management of the dwelling unit;

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

Amend Sec. 1, page 2, line 6, by striking out "(4) the" and inserting: (3)

Amend Sec. 1, page 2, line 8, by striking out "(5) any other" and inserting: (4)

Amend Sec. 3, page 2, line 30, by striking out "DAMAGE" and inserting: damages

Amend Sec. 4, page 3, line 5, by striking out "or malicious act of the tenant." and inserting: negligent or malicious act of the tenant, a member of his family, or other person on the premises with the consent of the tenant.

Section 5. Any attempted waiver by a tenant of this act or any portion thereof whether by contract or otherwise shall be void and unenforceable.

On the question,

Will the House agree to the amendments?

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

Mr. BENNETT. Mr. Speaker, I rise to make a few brief statements concerning House bill No. 1570—

The SPEAKER. Will the gentleman address himself to the amendments?

Mr. BENNETT. It is my understanding, Mr. Speaker, that the amendments were agreed to.

The SPEAKER. Will the gentleman explain the amendments on the floor in accordance with the rules of the House?

Mr. BENNETT. Certainly, Mr. Speaker.

The amendments are purely technical in nature. Section 1, page 1, line 13, puts after the word "for" inserting "the tenants" and it inserts new language, "making or filing a complaint or grievance or stating the intent to make or file a complaint or grievance to any authority charged with the responsibility to enforce applicable standards, codes, regulations, ordinances and/or management of the dwelling unit."

### AMENDMENTS DIVIDED

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

Mr. DORR. Mr. Speaker, can that amendment be divided?

Mr. BENNETT. It is agreed to.

The SPEAKER. Will the gentleman suspend until we get a copy of the bill up here?

How does the gentleman propose to divide the amendments? Mr. Dorr, how does the gentleman propose to divide the amendment?

Mr. DORR. Mr. Speaker, can the portion of the amendment that starts with "Section 5", the last several lines of the amendment, be split off?

The SPEAKER. The Chair sees no reason why at that point the amendment could not be divided.

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

Mr. BENNETT. Mr. Speaker, would you just defer that for just one moment, please, before announcing your decision?

The SPEAKER. The Chair will.

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

Mr. BENNETT. Mr. Speaker, if the Speaker is ready to make his decision on that, I would appreciate it.

The SPEAKER. The Chair is of the opinion that the amendment may be divided so that the last three lines thereof are separated from the balance of the amendment.

The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, for my part, I would agree to the first part of the amendment and request a vote on that part which was split off, Section 5.

On the question,

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

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

Mr. BENNETT. Mr. Speaker, I would ask the mem-

bers of this body to also accept the second part of the amendment.

I would say to the membership that these particular amendments were debated at great length in committee and I would further say to the members of the House that the amendments were accepted by the committee, and I would ask for an affirmative vote.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, we are now dealing only with the Bennett amendment, just Section 5?

The SPEAKER. That is correct.

Mr. RITTER. Mr. Speaker, I have a question relating to the first part, so I will withhold that for the moment.

The SPEAKER. The first part of the amendment has been accepted by the House.

On the question,

Will the House agree to Part II of the amendments?

The yeas and nays were required by Messrs. BENNETT and DORR and were as follows:

YEAS—101

Abraham	George	Milanovich	Saloom
Barber	Gillespie	Miller, M. E.	Schnitt
Bennett	Gillette	Milliron	Scirica
Berlin	Gleeson	Miscevich	Shane
Bonetto	Goodman	Morris	Shelton
Brunner	Green	Mullen	Shupnik
Burns	Greenfield	Musto	Stapleton
Caputo	Haskell	Myers	Stout
Cianciulli	Hutchinson, A.	Novak	Taylor
Cohan	Irvis	O'Brien	Toll
Cole	Itkin	O'Keefe	Trelio
Cowell	Kelly, A. P.	Oliver	Valicenti
DeMedio	Knepper	Petrarca	Wagner
DeWeese	Kolter	Pievsky	Wansacz
Dicarlo	Laudadio	Pratt	Wargo
Dombrowski	Laughlin	Prendergast	Wiggins
Doyle	Lederer	Rappaport	Williams
Dumas	Letterman	Ravenstahl	Wilson
Englehart	Lincoln	Reed	Wilt, W. W.
Fee	Logue	Renninger	Wojdak
Fischer	Manderino	Renwick	Zearfos
Flaherty	McCall	Rhodes	Zwinkl
Freind	McIntyre	Richardson	
Gallagher	McLane	Rieger	Fineman.
Garzia	Mebus	Ritter	Speaker
Geisler	Menhorn	Ross	

NAYS—82

Anderson, J. H.	Foster, W.	Levi	Schweder
Arthurs	Fryer	Lynch	Seltzer
Bellomani	Gallen	Manmiller	Shelhamer
Beren	Geesey	McClatchy	Shuman
Bittle	Grieco	McCue	Sirianni
Bradley	Grieng	McGinnis	Smith, E.
Brandt	Halverson	Miller, M. E., Jr.	Smith, L.
Butera	Hamilton, J. H.	Moehlmann	Spencer
Cessar	Hasay	Noye	Stahl
Cimini	Hayes, S. E.	Pancoast	Thomas
Crawford	Hill	Parker, H. S.	Ustynoski
Davies	Hopkins	Perri	Vroon
Deverter	Hutchinson, W.	Perry	Weidner
Dietz	Katz	Pitts	Westerberg
Dininni	Kernick	Polite	Whelan
Dorr	Kistler	Pyles	Wilt, R. W.
Dreibelbis	Klingaman	Ruggiero	Worrlow
Eckensberger	Kowalshyn	Ryan	Yohn
Fawcett	Kusse	Salvatore	Zeller
Fisher	LaMarca	Scheaffer	Zord
Foster, A.	Lehr		

NOT VOTING—20

Berson	Hammock	McGraw	Taddonio
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Cumberland	Hayes, D. S.	Mrkonie	Turner
DiDonato	Hepford	Mullen, M. P.	Walsh, T. P.
Giammarco	Johnson, J.	O'Connell	Wright
Gleason	Kelly, J. B.	O'Donnell	Yahner

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

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

Mr. RITTER. Mr. Speaker, on the first part of the Bennett amendment, which apparently was accepted as agreed to, I would like to ask if we could reconsider that. I have a question for the gentleman, Mr. Bennett. In any event, I do not agree with the amendment. I would like to either have a roll call or at least reconsider that agreed-to amendment.

The SPEAKER. The gentleman would have to send a reconsideration motion to the desk.

Mr. RITTER. Mr. Speaker, we did not take a vote on the amendment. It simply went in as agreed to and I am questioning that as to whether or not—

The SPEAKER. We took a vote on the amendment. It was a voice vote, which is perfectly in order since it does not require a constitutional majority.

Does the gentleman want to send a reconsideration motion to the desk?

Mr. RITTER. I do, Mr. Speaker.

RECONSIDERATION OF VOTE ON PART I OF BENNETT AMENDMENTS

Mr. RITTER moved that the vote by which Part I of the Bennett amendments to House bill No. 1570 was agreed to on this day be reconsidered.

Mr. ECKENSBERGER 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 Part I of the Bennett amendments?

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

Mr. RITTER. Mr. Speaker, would the gentleman, Mr. Bennett, consent to interrogation?

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

Mr. BENNETT. I shall.

The SPEAKER. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, section 4—

Mr. BENNETT. Mr. Speaker, if it pleases the Chair and I know—

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

Mr. BENNETT. Mr. Speaker, I will consent to interrogation from the gentleman, Mr. Ritter.

The SPEAKER. The gentleman will proceed with the interrogation.

Mr. RITTER. Mr. Speaker, section 4 of the bill talks about a lease may be terminated if the violation of applicable standards, et cetera, has been caused by the willful or malicious act of the tenant.

Mr. Bennett's amendment seeks to add the words "negligent or malicious act of the tenant, a member of his family, or other person on the premises with the consent of the tenant."

Mr. Speaker, my question to Mr. Bennett is, why did you add the word "negligent" to this thing? I think that is going very far afield.

The SPEAKER. Where does the gentleman see the word "negligent" in the amendment?

Mr. RITTER. Mr. Speaker, the third last paragraph where it says, "Amend Sec. 4, page 3, line 5, by striking out 'or malicious act of the tenant,' and inserting".

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, in an attempt to answer the gentleman's question, the word "negligent" was added as a part of the amendment simply because it would appear that negligence has taken place. So as to protect both parties, it was felt by the committee that the word "negligent" would further clarify the intent of the act.

Mr. RITTER. Mr. Speaker, I thank the gentleman, but I take great exception to adding the word "negligent" as a grounds for terminating a lease on the part of the landlord.

I think that negligence is a debatable term and a man or woman could have committed an inadvertent act, certainly not intentionally, not willfully or maliciously, but through some negligent act have committed something which could have caused a problem. But I really do not believe that we as legislators want to go so far as to say that anytime a negligent act is committed—

The SPEAKER. Would the gentleman, Mr. Ritter, yield?

For what purpose does the gentleman, Mr. Bennett, rise?

Mr. BENNETT. Mr. Speaker, perhaps a grave error has been committed. I just want to make certain that the correct set of amendments was given to the Chair. Would the Chair yield just temporarily?

The SPEAKER. The House will be at ease.

The Chair recognizes the gentleman, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, the correct set of amendments was offered and I will attempt to answer the gentleman's questions.

The SPEAKER. The gentleman, Mr. Ritter, will continue.

Mr. RITTER. Mr. Speaker, I think the gentleman did answer my question. He said that the word "negligent" was put in to clarify grounds for cancelling of, or termination of, a lease and I think it did not clarify it at all; it simply complicated matters and it seems to me that it just provides another avenue for the landlord to say that in his opinion there was negligence committed by a tenant.

It is a debatable question, and I think that it is going to cause a great deal of problem. I have no problem whatsoever with the language about "willful or malicious act of the tenant," but I take great exception the word "negligent." I think the amendment either ought to be divided further and the word "negligent" taken out or the amendment should be defeated.

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

Mr. BENNETT. Mr. Speaker, the gentleman certainly is entitled to his thoughts on it. I would only say to the members of this House of Representatives that a great deal of effort has been put forth in House bill No. 1570,

a great many compromises have been made for the proponents and the opponents of this particular piece of legislation.

I would suggest to the gentleman that the word "negligent" that was inserted, again, is a part of a compromise to make the bill acceptable to as many people who could accept it, and, if we are at the point, Mr. Speaker, for a roll call vote, I would ask that the amendment be accepted.

#### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. FISHER. Mr. Speaker, could the gentleman, Mr. Bennett, explain to us which amendment he has distributed to the membership and which amendment he is offering? It does not appear here in the back that anyone has the amendment he and Mr. Ritter are discussing.

The SPEAKER. The amendment that is before the Speaker, which I assume is the amendment being debated, is the amendment that commences with the words, "amend Section 1, page 1, lines 13 through 19" and which concludes with the words, "and unenforceable."

Mr. BENNETT. That is correct, Mr. Speaker. It has my name on the top of the amendment.

The SPEAKER. Does the gentleman, Mr. Fisher, have that amendment?

Mr. FISHER. It was just handed to me by one of the members back here.

Has the other amendment which Mr. Bennett has signed and was dated today with, I believe, Mr. Miller, has that amendment been offered?

The SPEAKER. That amendment has not been offered. The only amendment that has been offered is the one that the Chair referred to.

Mr. Speaker, in that case, I would request that the previous vote that was taken on the divided part of the amendment that I did not have in front of me also be reconsidered. I think there was some great confusion as to what we were voting on back here.

The SPEAKER. Would the gentleman please send a reconsideration motion to the desk?

#### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, I thought I had the floor. I honestly do not recall yielding the floor.

The SPEAKER. Will the gentleman yield?

The Chair recognizes the gentleman, Mr. Ritter.

Mr. RITTER. Mr. Speaker, I just have one further question for Mr. Bennett.

Mr. Speaker, the gentleman indicated that the word "negligent" was added in order to satisfy or to reach agreement with as many people as possible. I would like to know who or what group were the ones that were insisting on the word "negligent" being added to the bill?

Mr. BENNETT. Mr. Speaker, I can only respond to the gentleman in this way, that section 5, which we are discussing, was agreed to by a 13-to-2 vote by the Committee on Business and Commerce.

Mr. RITTER. Mr. Speaker, we are not talking about section 5; we are talking about section 4.

Mr. BENNETT. Mr. Speaker, I will yield momentarily to the majority leader who would like to respond to the gentleman's interrogation.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the answer is bluntly this: For about 700 years the law has favored the landlord. The landlord's lobby is powerful. We had hoped by adding the word "negligent" to the words "malicious and willful" that we would satisfy the landlords that we were not trying to put them out of business, that we were not trying to encourage the destruction of their property, and that if they felt that their property was being destroyed either willfully, maliciously or by the negligence of the tenant, they would have a right to sever the lease. This is that concession, and that is the reason the word "negligent" is in the amendment yet.

Mr. RITTER. Thank you, Mr. Speaker.

I appreciate the answer. Nevertheless, I still disagree with using the word. I appreciate the majority leader's comments, but I think it is a concession that should not have been made. I think that it is a broad avenue that continues to give the landlord undue power and I just think that the word "negligent", in my opinion, makes it unpalatable to me. I do not know what the rest of the members feel, but because of that one word, Mr. Speaker, I intend to vote against that amendment.

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

Mr. RAPPAPORT. Mr. Speaker, I am really surprised to hear the gentleman from Lehigh raising that particular issue.

Let me give the House the benefit of some concrete instances of negligence as opposed to willful and malicious. It is negligent when a tenant permits their children to break all the windows in the house. It is not willful and it is not malicious. The child cannot have that intent; it is just negligent. It is negligent when a tenant leaves the water running or does not report to the landlord that a toilet is running. The landlord is paying for the water and sewer; that can cost the landlord an extra \$200 or \$300 a year. That is negligent; it is not willful or malicious. It is negligent when a tenant permits the tenant's children to scrawl graffiti on the inside and the outside of the house. Not willful, not malicious, but negligent.

That particular provision was reviewed by the tenants' groups and they were in agreement with it. They are not about to protect the tenant who, by negligence, permits the landlord's property to become destroyed.

We have a major problem in many areas of this State with deteriorating housing. The responsibility is both of the landlord and of the tenant. And this puts the responsibility on both. The landlord has duties and the tenant has duties, and they are fairly apportioned. I urge the membership to vote in favor of this amendment.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I said that I objected only to the word "negligent." The rest of the amendment says, and I quote, "a member of his family, or other person on the premises with the consent of the tenant." So if a person or a mother or father allows their children to do the things that Mr. Rappaport is talking about, it seems to me that is a malicious, willful act on the part of a member of the family, and that could be and should constitute grounds for termination of the lease.

But the word "negligent" in there goes beyond that, and that is what I object to. There is a problem in there defining what "negligent" is. If it is a willful act on the part of the son or a daughter who lives with the people renting the place, the apartment, that would be a violation under the rest of the amendment, and I agree with that. I only disagree with the word "negligent." I emphasize that for the gentleman, Mr. Rappaport's benefit. Because of the word "negligent," I oppose the amendment.

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

Mr. RAPPAPORT. Mr. Speaker, unfortunately the concept of negligence is a very difficult one. I had great difficulty in understanding it in law school and I do not know that I thoroughly understand it now.

But let me point out, a 3-year-old child cannot have a malicious or willful intent. A 3-year-old child just does things. It is the parent who is negligent in permitting that child to do it. It is not a willful act on the part of that parent. I am sure that very few parents would say, "Now you go break that window." That is willful; that is malicious. But to sit and say, "Well, I do not care if that kid breaks the window," that is negligence. That is the kind of conduct we are attempting to encompass in this amendment, and I think it is reasonable. The tenant groups have agreed that it is reasonable, and I think that we should have it in the bill.

On the question recurring,

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

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

YEAS—163

Abraham	Geisler	McGinnis	Scirica
Anderson, J. H.	George	McLane	Seltzer
Arthurs	Giammarco	Mebus	Shane
Barber	Gillespie	Menhorn	Shelhamer
Bennett	Gillette	Milanovich	Shuman
Beren	Gleeson	Miller, M. E.	Shupnik
Berlin	Goodman	Miller, M. E., Jr.	Sirianni
Bonetto	Green	Milliron	Smith, E.
Brunner	Grieco	Miscevich	Smith, L.
Burns	Gring	Moehlmann	Spencer
Caputo	Halverson	Morris	Stout
Cassar	Hamilton, J. H.	Mullen	Stahl
Cianciulli	Hasay	Musto	Stapleton
Cimini	Haskell	Novak	Taddonio
Cole	Hayes, S. E.	O'Brien	Taylor
Cowell	Hepford	O'Keefe	Thomas
Crawford	Hopkins	Oliver	Toll
Davies	Hutchinson, A.	Pancoast	Trello
DeMedio	Irvis	Parker, H. S.	Ustynski
Deverter	Itkin	Perri	Valicenti
DeWeese	Katz	Petrarca	Vroon
Dicarlo	Kelly, A. P.	Pievsky	Wagner
Dietz	Kernick	Pitts	Wansacz
Dininni	Kistler	Polite	Wargo
Dombrowski	Klingaman	Pratt	Weidner

Doyle	Knepper	Prendergast	Whelan
Dreibelbis	Kolter	Pyles	Wiggins
Durnas	Kowalshyn	Rappaport	Williams
Englehart	Kusse	Ravenstahl	Wilson
Fawcett	Laudadio	Reed	Wilt, R. W.
Fee	Laughlin	Renninger	Wilt, W. W.
Fischer	Lehr	Renwick	Wojdak
Fisher	Letterman	Rhodes	Worriow
Flaherty	Levi	Richardson	Yohn
Foster, A.	Lincoln	Ross	Zearfoss
Foster, W.	Logue	Ruggiero	Zeller
Freind	Lynch	Ryan	Zwinkl
Fryer	Manderino	Saloom	Zord
Gallagher	Manmiller	Scheaffer	
Gallen	McCall	Schmitt	Fineman,
Garzia	McClatchy	Schweder	Speaker
Geesey			

NAYS—16

Bellomini	Butera	Hill	Mrkonic
Bittle	Dorr	LaMarca	Ritter
Bradley	Eckensberger	Lederer	Salvatore
Brandt	Greenfield	McCue	Westerberg

NOT VOTING—24

Berson	Hayes, D. S.	Mullen, M. P.	Rieger
Cohen	Hutchinson, W.	Myers	Shelton
Cumberland	Johnson, J.	Noye	Turner
DiDonato	Kelly, J. B.	O'Connell	Walsh, T. P.
Gleason	McGraw	O'Donnell	Wright
Hammock	McIntyre	Perry	Yahner

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I am confused and I must admit it.

Did not Mr. Fisher rise to ask a reconsideration?

The SPEAKER. The gentleman has not sent a reconsideration motion to the desk.

Mr. IRVIS. All right, thank you.

Then the entire amendment as offered by Mr. Bennett is now in the bill for the information of the House?

The SPEAKER. It has been accepted.

Mr. IRVIS. Thank you, Mr. Speaker.

On the question,

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

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

Amend Title, page 1, line 1, by striking out "Restricting" and inserting: Relating to rent control for residential real property; establishing a Rent Control Board and providing for its powers and duties; prescribing penalties; restricting

Amend Bill, page 1, by inserting between lines 6 and 7: Section 1. Definitions.—As used in this act:

"Board" means the Rent Control Board established pursuant to this act.

"Lease" means an oral or written agreement, express or implied, regardless of its duration, for the use of a residence and for the use of property or services in connection with the residence, and includes a sublease.

"Rent" means the price charged, under a lease, for the right to possession and use of a residence, including any required recurrent charge therefor and any required recurrent charge for the use of services or property in connection therewith.

"Residence" means a housing unit, including personal property such as a mobile home or a house boat, when offered for lease as a place of abode rather than as temporary lodging. It also includes real property upon which the housing unit is situated (or is to be situated if that unit is personal property) and which is necessary for the

convenient use of the unit, and property owned by the lessor or owner of the unit, which is available for use by the lessee in connection with his use of the unit, and for which he must pay rent under the lease. A hotel or similar establishment may contain both residences and temporary lodging units.

Section 2. Rent Control Board.—(a) There is hereby created in the Department of Community Affairs a departmental administrative board to be known as the Rent Control Board composed of nine members appointed by the Governor by and with the consent of two-thirds of all the members of the Senate, three of whom shall represent landlords, three of whom shall represent tenants and three of whom shall represent the general public but shall not be members of any landlord or tenant organization. The term of each member shall be three years and until his successor is appointed and qualified. Of the members first appointed, three shall be appointed for one year, three for two years and three for three years.

(b) Five members of the board shall constitute a quorum, and the board shall select from among its members, a chairman, and shall elect a secretary who need not be a member of the board.

(c) The members of the board shall receive \$35 per diem, when actually engaged in the transaction of official business, and the secretary shall receive such reasonable compensation as shall be determined by the board, with the approval of the Secretary of Community Affairs.

Section 3. Rent Stabilization and Control.—The board shall stabilize rents at levels prevailing on May 1, 1976 and shall control the level of rents in this Commonwealth. An increase in rent by the landlord will only be granted upon submission of sufficient proof to the Rent Control Board that additional costs of operation have been incurred, and that such costs will be prorated among the tenants.

Section 4. Rent Approval and Reduction.—(a) Before increasing his rent, a landlord shall receive the approval of the board, which shall determine whether any rent increase by such landlord on or after May 2, 1976, results in such landlord having an unreasonably high rate of return on his capital.

(b) Whenever the board determines that any rent increase by such landlord on or after May 2, 1976, results in his having an unreasonably high rate of return on his capital, then the board shall order such landlord to reduce his rents to an appropriate level.

Section 5. Rules and Regulations.—The board may promulgate such rules and regulations as it deems necessary or appropriate to effectuate the provisions of this act, including regulations to prohibit retaliatory action by any landlord against any tenant who exercises any right under this act or helps any other tenant exercise any such right.

Section 6. Exemptions.—The provisions of this act relating to rent control shall not apply to:

- (1) any unit subject to controls promulgated by a Federal or State governmental agency;
- (2) any unit owned by a landlord who owns no more than four rental units;
- (3) any unit renting for at least \$500 a month on January 1, 1975; or
- (4) any property that is rented for nonresidential purposes.

Section 7. Penalties.—Any landlord who violates any provision of this act relating to rent control or any rule, regulation or order of the board shall be guilty of a summary offense and shall, upon conviction, pay a fine of not more than \$500 and, in addition, shall pay to the aggrieved tenant as a penalty a sum three times the amount of the excessive rent.

Amend Sec. 1, page 1, line 7, by striking out "1." and inserting: 8.

Amend Sec. 2, page 2, line 14, by striking out "Section 2." and inserting: (c)

Amend Sec. 2, page 2, line 15, by striking out "act" and inserting: section

Amend Sec. 2, page 2, line 18, by striking out "section 1," and inserting: subsections (a) and (b),

Amend Sec. 2, page 2, line 24, by striking out "section 1." and inserting: subsections (a) and (b).

Amend Sec. 3, page 2, line 25, by striking out "Section 3." and inserting: (d)

Amend Sec. 3, page 2, line 27, by striking out "act," and inserting: section,

Amend Sec. 4, page 3, line 2, by striking out "Section 4." and inserting: (e)

Amend Bill, page 3, by inserting after line 5:  
Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

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

Mr. GREENFIELD. Mr. Speaker, the amendments I offer are commonly called, rent control amendments.

Mr. Speaker, I rise today in an effort to aid a large bloc of constituents throughout the Commonwealth who find themselves in a very severe economic crunch. Perhaps we might call it a "Catch 22 Situation." They find themselves in a situation where rents are increased to an exorbitant amount beyond their means or income.

When they go out into the housing market to try to purchase a home, the costs are too high; they cannot make the down payment and they cannot make the mortgage payments. What is required then is that they must uproot their family and must make many major, serious adjustments.

Mr. Speaker, I think it is the right and the purpose of government to come to the aid of the citizens when they find themselves so betroubled and in this kind of severe situation. We do such with utility rates; we control utility rates. We do such with insurance rates; we control insurance rates. We do such with milk prices; we have a Milk Control Board. I think the time has come, Mr. Speaker, when we must control rents.

We have large blocks of young married couples barely able to make ends meet, raised exorbitant amounts. In all my conversation, Mr. Speaker, may I say that this is only perhaps a small group of landlords who exercise this unscrupulous type of increase and gouging. The major amount of realtors and landlords are going along with the normal increase in the cost of living.

This is only to protect those where rents are increased 25 percent, 35 percent, 45 percent and 50 percent above the present rentals.

Mr. Speaker, I think it is time that we protect this large group of people, and I come to this floor today to do so. I offer this amendment, Mr. Speaker.

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

Mr. RAPPAPORT. Mr. Speaker, last week—not last week, but several weeks ago—I stood before this House and I unsuccessfully sought votes to permit the city of Philadelphia to increase its real estate taxes retroactively. I was unsuccessful.

Now the city council, who has the perfect right to do so, has increased the real estate taxes by about 14 mills for next year. In addition, the gross receipts tax has increased from 1 percent to 2 percent.

In the past 2 years, the price of heating oil has gone up approximately 300 percent. Assessments in many parts of the city have gone up tremendously. Wages have gone up, supplies have gone up, water and sewer rents in the city of Philadelphia, and for those of you in the suburbs who get city water and city sewer, you know that they

are going to go up by about 60 percent to 70 percent in August. Yet my friend, Mr. Greenfield, says—

#### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. GREENFIELD. Mr. Speaker, the present speaker apparently is not familiar with the amendment and he is speaking in matters extraneous to the present amendment. If I might have a moment to explain, Mr. Speaker—

Mr. RAPPAPORT. Mr. Speaker, I have not yielded the floor.

The SPEAKER. The gentleman, Mr. Greenfield, will state his objection, and then the Chair will rule.

Mr. GREENFIELD. I am stating the speaker is not speaking on the amendment, Mr. Sepaker.

The SPEAKER. The Chair believes that the gentleman is making a point that is intimately related to the amendment offered by the gentleman and rules that the gentleman is in order and may proceed.

For what purpose does the gentleman, Mr. Greenfield, rise?

Mr. GREENFIELD. Mr. Speaker, I bring to the attention of the speaker that he is not speaking to this amendment. If he was familiar with the amendment—

The SPEAKER. Now you have raised a point of order and the Chair has ruled on the point of order, and the gentleman, Mr. Rappaport, is now recognized and may proceed.

#### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, have the rules of the House been waived so that a copy of this amendment did not have to be distributed?

The SPEAKER. The rules of the House have not been waived.

Mr. ZEARFOSS. I do not have a copy. I do not believe the amendment has been distributed, Mr. Speaker.

The SPEAKER. Will the chief clerk make certain that copies of the amendment are distributed immediately? Are there copies available for distribution?

Did the gentleman, Mr. Greenfield, arrange for distribution of copies?

Mr. GREENFIELD. These were distributed prior to the bill being laid on the table prior to our recess, Mr. Speaker.

The SPEAKER. That is what generally happens.

Will the chief clerk get as many copies as he can?

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

Mr. RAPPAPORT. Mr. Speaker, thank you.

Mr. Speaker, I was making the point that the cost of managing and running real estate, not only in Philadelphia but in most of the municipalities in this Commonwealth, has increased appreciably within the past 3 years and will continue to increase on a geometric ratio.



Today, the House Education Committee released a bill increasing school subsidies to many municipalities in this Commonwealth. The chairman of that committee informs me that one of the motivating factors for that is the increase in millage for school purposes that will have to be enacted in many municipalities.

He pointed out to me one municipality where the increase is going to be over 40 mills. This is not Philadelphia; this is a suburban municipality—40 mills for school purposes. These increases must be paid by landlords. To say that this cannot be passed along to the tenants is to say to a landlord, "demolish your buildings." This is what is going on in the city of Philadelphia today.

I personally so advised a client last Summer. Their costs went up. The people who lived in the building unfortunately could not afford to pay more and he did not have the heart to increase the rent, and the only answer was to demolish it and turn it into a parking lot.

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

Mr. GREENFIELD. Mr. Speaker, I find it very difficult to argue with the Speaker, but—

The SPEAKER. I suggest that you do not do it.

Mr. GREENFIELD. —I wish that the Speaker would have a copy of the amendment. I am trying to bring a point out.

The SPEAKER. I think what the gentleman, Mr. Rappaport, is trying to say is that with the escalating cost of operating real estate today, to have a board that superimposes rent limits in the face of that escalation is a position that Mr. Rappaport does not subscribe to.

Mr. GREENFIELD. May I have an opportunity to read a section of this amendment to indicate that Mr. Rappaport is out of order?

Mr. RAPPAPORT. Mr. Speaker, the gentleman will have his opportunity after I am finished.

The SPEAKER. I think the gentleman, Mr. Greenfield, would be advised to let the gentleman, Mr. Rappaport, finish his discourse and then the Chair will recognize Mr. Greenfield.

The SPEAKER. The gentleman, Mr. Rappaport, may proceed.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I have stated, Mr. Speaker, that this type of legislation is going to lead to further deterioration of properties and to demolition of many rental units.

The best example that I can give to this House is what has happened in New York City since they have had rent control in 1945. Their real estate tax base is totally eroded. They have had to put on all sorts of nuisance taxes and graduated income taxes and taxes on commuters and taxes on anything that moves in New York. It has so destroyed that city that the Municipal Control Commission that is now running New York has made it a condition that, upon any further financial help to the city, that rent control be abolished.

The effect of this kind of a program is to drive investment money—decent, honest investment money—out of the housing market and into other areas where return can be had.

Let us look at what this amendment says, and, yes, I do have a copy of this 4-page amendment. The operative section says on page 2, section 3, "Rent Stabilization and Control—The board shall—not may—"stabilize rents at

levels prevailing on May 1, 1976 and shall control the level of rents in this Commonwealth."

May I point out that, at least in the city of Philadelphia, all the real estate tax increases are coming after May 1; they are as of July 1. The water and sewer rates are going up in August, and yet I know this commission can give permission to increase the rents. But the experience is a lag of at least 2 years administratively in all of these boards.

We have a Fair Rent Housing Commission in Philadelphia that deals with some of these problems and their docket is way behind. The result has been abandonment of housing. We have 30,000 abandoned units in our city, not paying taxes, not providing shelter for people. I would submit to this House that this is a good bill; it is a fair bill; but this amendment will make it impossible for people to vote for this bill. This amendment, should it be adopted, will ruin housing throughout this Commonwealth, and I say that both for landlords and for tenants. It will mean, as they have in New York, that people occupying identical apartments in the same building will be paying vastly different sums in rents, depending upon how long they were in the building. You have single people occupying six-room apartments and paying \$50 a month for them, and you have families of six and eight occupying two-room apartments and paying \$300 and \$400 a month for it. This is the experience. It is inequitable, unjust and very poor public policy.

Thank you, Mr. Speaker.

Mr. GREENFIELD. Now, Mr. Speaker?

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

Mr. GREENFIELD. Thank you, Mr. Speaker.

The previous speaker very adroitly stopped at a sentence at the point which I am trying to make. That sentence says, "an increase in a rent by a landlord will only be granted upon submission of sufficient proof to the Rent Control Board that additional cost of operation has been incurred." But he is talking about taxes, water rents and maintenance. Those are the additional costs that the board can grant an increase for.

Yes, we are trying to freeze, we are trying to stabilize, and we want to give the landlord a fair break. We do not want to penalize the landlord. We do not want to drive anybody out of business. If he had any additional costs in a year, the Rent Control Board will take that into consideration and grant the increase on the basis of the amount of the additional cost.

Mr. Speaker, the previous speaker spoke of business and the problems of this Commonwealth. I speak of people, Mr. Speaker; people who are suffering, people who are in a bind and where the wife and the husband have to work and perhaps have three and four jobs in order to make ends meet. We must start to think of them.

We consider many bills in this legislature, but few of them go to the heart of really serving the public in this extreme inflationary period of our times. I think that it is incumbent upon us, not only to be increasing the cost of government, but I think that it is incumbent upon us to protect our citizens against unfair gouging by certain limited few landlords.

Mr. Speaker, why did we take over the control of the utility rates? Why did we take over the control of insurance rates? Why did we take over the control of milk rates? To help the public. And I think we, with our

experience and knowledge of the people who are experienced in the problems that I have outlined and enumerated, must say to ourselves, if we are sincere and dedicated and believe in this idea of serving the public we must feel that the time has come to protect those people who are the victims, who are trapped, who are trapped consumers in this type of situation.

Mr. Speaker, I can get emotional on the situation. I have seen many people, many individuals, many senior citizens and many young married couples, but in severe conditions and problems in this particular type of situation, Mr. Speaker, I plead for them at this particular time.

Thank you, Mr. Speaker.

Mr. BENNETT. Mr. Speaker, I oppose the amendment.

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

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

YEAS—14

Bradley	Gillette	Katz	Ritter
Caputo	Greenfield	Lederer	Salvatore
Cohen	Hamilton, J. H.	Perri	Zwilk
Eckensberger	Itkin		

NAYS—168

Abraham	Gallagher	McGinnis	Schweder
Anderson, J. H.	Gallen	McLane	Scirica
Arthurs	Garzia	Menhorn	Seltzer
Barber	Geesey	Milanovich	Shane
Bellomini	Geisler	Miller, M. E.	Shelhamer
Bennett	George	Miller, M. E., Jr.	Shuman
Beren	Gillespie	Milliron	Shupnik
Berlin	Goodman	Miscevich	Sirianni
Bittle	Green	Moehlmann	Smith, E.
Bonetto	Grieco	Morris	Smith, L.
Brandt	Gring	Mullen, M. P.	Spencer
Brunner	Halverson	Mullen	Stahl
Burns	Hasay	Mrkonic	Stapleton
Butera	Haskell	Musto	Stout
Cessar	Hayes, S. E.	Novak	Taddonio
Cianciulli	Hepford	Noye	Taylor
Cimini	Hill	O'Brien	Thomas
Cole	Hopkins	O'Donnell	Toll
Cowell	Hutchinson, A.	O'Keefe	Trello
Crawford	Hutchinson, W.	Oliver	Ustynoski
Cumberland	Irvia	Pancoast	Valicenti
Davies	Kelly, A. P.	Parker, H. S.	Vroon
DeMedio	Kernick	Perry	Wagner
Deverter	Kistler	Petrarca	Wansacz
DeWeese	Klingaman	Pitts	Wargo
Dicarlo	Knepper	Polite	Weidner
Dietz	Kolter	Pratt	Westerberg
Dininni	Kowalyszyn	Prendergast	Whelan
Dombrowaki	Kusse	Pyles	Wiggins
Dorr	LaMarca	Rappaport	Williams
Doyle	Laudadio	Ravenstahl	Wilson
Dreibelbis	Laughlin	Reed	Wilt, R. W.
Dumas	Lehr	Renninger	Wilt, W. W.
Englehart	Letterman	Renwick	Wojdak
Fawcett	Levi	Rhodes	Worriow
Fee	Lincoln	Richardson	Yohn
Fischer	Logue	Ross	Zearfoss
Fisher	Lynch	Ruggiero	Zeller
Flaherty	Manderino	Ryan	Zord
Foster, A.	Manmiller	Saloom	
Foster, W.	McCall	Scheaffer	Fineman, Speaker
Freind	McClatchy	Schmitt	
Fryer	McCue		

NOT VOTING—21

Berson	Hayes, D. S.	Mebus	Shelton
DiDonato	Johnson, J.	Myers	Turner
Giammarco	Kelly, J. B.	O'Connell	Walsh, T. P.
Gleason	McGraw	Pievsky	Wright
Gleason	McIntyre	Rieger	Yahner
Hammock			

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MEBUS. Mr. Speaker, I was called away from my seat during the time the Greenfield amendments to House bill No. 1570 were under consideration. If I would have been present, I would have voted in the affirmative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

On the question recurring,

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

Bill as amended was agreed to.

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

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

Mr. BENNETT. Mr. Speaker, I ask for an affirmative vote on the bill.

On the question recurring,

Shall the bill pass finally?

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

YEAS—84

Barber	Freind	McLane	Rhodes
Bennett	Gallagher	Menhorn	Richardson
Berlin	Garzia	Milanovich	Ross
Bonetto	Geisler	Miller, M. E.	Saloom
Bradley	George	Miller, M. E., Jr.	Schmitt
Brunner	Gillespie	Milliron	Scirica
Burns	Gillette	Miscevich	Shane
Caputo	Gleeson	Morris	Shupnik
Cianciulli	Greenfield	Mullen	Stout
Cohen	Haskell	Mullen, M. P.	Taylor
Cole	Hutchinson, A.	Musto	Toll
Cowell	Irvia	Novak	Wagner
DeMedio	Itkin	Oliver	Wargo
DeWeese	Kelly, A. P.	Petrarca	Wiggins
Dicarlo	Kolter	Pievsky	Williams
Dombrowaki	Laudadio	Prendergast	Wilson
Dumas	Laughlin	Rappaport	Zord
Eckensberger	Lederer	Ravenstahl	Zwilk
Englehart	Letterman	Reed	
Fee	Lincoln	Renninger	Fineman, Speaker
Fischer	Logue	Renwick	
Flaherty	Manderino		

NAYS—95

Abraham	Geesey	Manmiller	Seltzer
Anderson, J. H.	Goodman	McCall	Shelhamer
Arthurs	Green	McClatchy	Shuman
Bellomini	Grieco	McCue	Sirianni
Beren	Gring	McGinnis	Smith, E.
Bittle	Halverson	Moehlmann	Smith, L.
Brandt	Hamilton, J. H.	Mrkonic	Spencer
Butera	Hasay	Noye	Stahl
Cessar	Hayes, S. E.	O'Brien	Stapleton
Cimini	Hepford	O'Keefe	Thomas
Crawford	Hill	Pancoast	Trello
Davies	Hopkins	Parker, H. S.	Ustynoski
Deverter	Hutchinson, W.	Perri	Vroon
Dietz	Katz	Perry	Wansacz
Dininni	Kernick	Pitts	Weidner
Dorr	Kistler	Polite	Westerberg
Doyle	Klingaman	Pratt	Whelan
Dreibelbis	Knepper	Pyles	Wilt, R. W.
Fawcett	Kowalyszyn	Ritter	Wilt, W. W.
Fisher	Kusse	Ruggiero	Worriow
Foster, A.	LaMarca	Ryan	Yohn
Foster, W.	Lehr	Salvatore	Zearfoss
Freind	Levi	Scheaffer	Zeller
Fryer	Lynch	Schweder	

## NOT VOTING—24

Berson	Hayes, D. S.	Myers	Turner
Cumberland	Johnson, J.	O'Connell	Valicenti
DiDonato	Kelly, J. B.	O'Donnell	Walsh, T. P.
Giammarco	McGraw	Rieger	Wojdak
Gleason	McIntyre	Shelton	Wright
Hammock	Mebus	Taddonio	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.

**QUESTIONS OF PERSONAL PRIVILEGE**

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

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. Mr. Speaker, my switch was apparently out of order. On House bill No. 1570, I was recorded as voting in the negative. I wish to be recorded in the affirmative.

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

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

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

The SPEAKER. The gentleman will state it.

Mr. FREIND. Mr. Speaker, on House bill No. 1570, I was recorded as voting in the affirmative. I would like to be recorded as voting in the negative.

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

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

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

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, on the final-passage vote on House bill No. 1570, I got confused in my vote and thought I was voting on that very bad rent control amendment and I voted in the negative. I would like to be recorded in the affirmative.

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

**RECONSIDERATIONS TO BE OFFERED**

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

Mr. BENNETT. Mr. Speaker, it is my intent to offer a reconsideration motion on both bills. We will be back.

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 1571**

Mr. DOMBROWSKI moved that the vote by which HOUSE BILL No. 1571, printer's No. 2918, was defeated on final passage on this day be reconsidered.

Mr. IRVIS seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,  
Shall the bill pass finally?

**HOUSE BILL No. 1571 PLACED ON FINAL PASSAGE POSTPONED CALENDAR**

Mr. DOMBROWSKI moved that HOUSE BILL No. 1571, printer's No. 2918, be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 1570**

Mr. IRVIS moved that the vote by which HOUSE BILL No. 1570, printer's No. 2651, was defeated on final passage on this day be reconsidered.

Mr. RAPPAPORT seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Shall the bill pass finally?

**HOUSE BILL No. 1570 PLACED ON FINAL PASSAGE POSTPONED CALENDAR**

Mr. BENNETT moved that HOUSE BILL No. 1570, printer's No. 2651, be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

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

House bill No. 2212;  
House bill No. 2239;  
House bill No. 2340;  
House bill No. 2257; and  
Senate bill No. 506.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS REMOVED FROM TABLE FOR REREFERRAL**

The SPEAKER. The Chair recognizes the majority leader.

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

House bill No. 1262; and  
House bill No. 2346.

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

### BILLS REPORTED FROM COMMITTEES

#### HOUSE BILL No. 1145 (Amended) By Mr. BONETTO

An Act amending the "State Highway Department Law," approved May 31, 1911 (P. L. 468, No. 193), further providing for retainages.

Reported from Committee on Transportation.

#### HOUSE BILL No. 1147 By Mr. BONETTO

An Act amending the "Sproul Highway Law," approved May 31, 1911 (P. L. 468, No. 193), changing the rate of interest paid to contractors on amounts of money returned.

Reported from Committee on Transportation.

#### HOUSE BILL No. 1774 By Mr. GALLAGHER

An Act amending the act of January 13, 1966 (1965 P. L. 1292, No. 515), entitled "An act enabling certain counties of the Commonwealth to covenant with land owners for preservation of land in farm, forest, water supply, or open space uses," further regulating school subsidies because of reduced assessments.

Reported from Committee on Education.

#### HOUSE BILL No. 1942 By Mr. BONETTO

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for civil service status for persons in charge of districts or divisions in the Department of Transportation.

Reported from Committee on Transportation.

#### HOUSE BILL No. 1943 By Mr. BONETTO

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752, No. 286), further defining classified service as it applies to the Department of Transportation.

Reported from Committee on Transportation.

#### HOUSE BILL No. 2101 By Mr. BONETTO

An Act amending the act of May 18, 1937 (P. L. 654, No. 174), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \*\*\*; and fixing penalties," providing for the safe maintenance and operation of railroads other than common carriers.

Reported from Committee on Transportation.

#### HOUSE BILL No. 2285 By Mr. BONETTO

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242, No. 428), changing the length of certain connecting roads the secretary is authorized to take over or construct.

Reported from Committee on Transportation.

#### HOUSE BILL No. 2353 By Mr. BONETTO

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.

Reported from Committee on Transportation.

#### HOUSE BILL No. 2400 By Mr. GALLAGHER

An Act amending the "Public School Code of 1949,"

approved March 10, 1949 (P. L. 30, No. 14), providing for certain payments on account of instruction to remain at a specified level; further providing for increased payments by the Commonwealth on account of health services; non-public and hazardous transportation; and for a cost-of-living increase on account of instruction.

Reported from Committee on Education.

#### SENATE BILL No. 888 (Amended) By Mr. BONETTO

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), entitled "State Highway Law," further providing for vegetation along highways.

Reported from Committee on Transportation.

#### SENATE BILL No. 1093 By Mr. BONETTO

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

Reported from Committee on Transportation.

#### SENATE BILL No. 1288 By Mr. BONETTO

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.

Reported from Committee on Transportation.

#### SENATE BILL No. 1307 By Mr. BONETTO

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting routes in Erie County.

Reported from Committee on Transportation.

#### SENATE BILL No. 1318 By Mr. BONETTO

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.

Reported from Committee on Transportation.

#### SENATE BILL No. 1383 By Mr. BONETTO

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting routes in Allegheny County.

Reported from Committee on Transportation.

### BILL REREPORTED

#### HOUSE BILL No. 1231 By Mr. BONETTO

An Act authorizing the Department of Environmental Resources, with the approval of the Governor, to grant a license across the Delaware Canal and through the Theodore Roosevelt State Park in the Borough of Morrisville, Bucks County, for bridge purposes.

Rereported from Committee on Transportation.

### STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,  
The House proceeded to third consideration of **House bill No. 144, printer's No. 149**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania authorizing payments of increased retirement benefits to beneficiaries of members.

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

**BILL RECOMMENDED**

Mr. IRVIS moved that House bill No. 144 be recommended to the Committee on Appropriations for an additional fiscal note.

Motion was agreed to.

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

Mr. ECKENSBERGER. Mr. Speaker, there was a misprint in House bill No. 1375, and I understand that steps are now being taken to correct that misprint.

The salary was misstated in the bill and I just want to assure the members that there will be a correction made.

The SPEAKER. The gentleman is correct.

**TRANSPORTATION BILL ON  
THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 1276, printer's No. 1750**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 5 by removing the period after "conditions" and inserting: and authorizing the Department of General Services to acquire, on behalf of the Department of Military Affairs, a tract of land and the buildings thereon comprising the Valley Forge Army General Hospital Complex in Charlestown and Schuylkill Townships, Chester County, for use as a State Veterans' Home.

Amend Bill, page 5, by inserting between lines 10 and 11:

Section 3. The Department of General Services is hereby authorized to acquire from the Federal Government by gift and free and clear of liens and encumbrances, on behalf of the Department of Military Affairs, for use as a State Veterans' Home, the following tracts of land and buildings thereon, in Charlestown and Schuylkill Townships, Chester County, Pennsylvania, bounded and described as follows:

**Tract No. 1**

Beginning at the center of the intersection of Kimber-ton Road and Bridge Street, thence north 43 degrees 30 minutes east along Bridge Street, for a distance of 1287.60 feet to the point of beginning, thence north 46 degrees 30 minutes west 268 feet to a point on the center line of First Avenue, thence south 43 degrees 30 minutes west 70 feet more or less, to a point on center line of N. Plaza, thence north 46 degrees 30 minutes west along center line of N. Plaza 258 feet to a point thence north 43 degrees 30 minutes east 46 feet to a point on center line of driveway, thence north 32 degrees 30 minutes east 265 feet more or less, to a point on the southerly edge of parking area, thence north 46 degrees 30 minutes west 120 feet more or less, along parking area to a point on center line of Second Avenue. Thence north 43 degrees 30 minutes east 280 feet along center line of Second Avenue to a point, thence south 46 degrees 30 minutes east 387.78 feet to a point on center line of First Avenue, thence north 43 degrees 30 minutes east 40 feet to a point on center line of First Avenue, thence south 46 degrees 30 minutes east 60

feet to a point thence north 43 degrees 30 minutes east 40 feet more or less, to a point on center line of Sewage Station No. 1 driveway, thence north 46 degrees 30 minutes west 60 feet along center line of said driveway to a point on center line of First Avenue, thence north 43 degrees 30 minutes east 70 feet along said center line to a point, thence south 46 degrees 30 minutes east 220 feet to a point, thence north 43 degrees 30 minutes east 30 feet to a point, thence north 46 degrees 30 minutes west 220 feet to a point on center line of First Avenue, thence along said center line north 43 degrees 30 minutes east 370 feet more or less, to a point on property line, thence north 46 degrees 30 minutes west 1230 feet along said property line to a point, thence south 43 degrees 30 minutes west 415 feet along property line to a point, thence south 23 degrees east 65 feet more or less, to a point on the center line of Fourth Avenue and J Street. Thence south 79 degrees west 181.57 feet along center line to a point of curve, thence 102.68 feet on an arc to right, 111 feet radius to a point of tangent, thence south 44 degrees west 74.25 feet to a point on center line of H Street, thence south 46 degrees east 66 feet to a point of curve, thence 56 degrees 55 minutes on an arc to right, a 35 foot radius to a point of tangent, thence south 44 degrees west 260 feet to a point of curve, thence 48.7 feet on an arc to right, a 30 foot radius to a point of tangent, thence north 46 degrees west 86 feet to a point, thence south 44 degrees west 25 feet to a point on center line of G Street, thence along center line of G Street north 46 degrees west 495.04 feet to center of intersection of G Street and Fifth Avenue, thence south 44 degrees west 635 feet more or less, to southerly edge of sidewalk, thence south 46 degrees east along said sidewalk for a distance of 620 feet more or less, to a point on the westerly edge of sidewalk, thence south 44 degrees west 210 feet more or less, to a point on the center line of E Street, thence south 46 degrees east along said center line 300 feet more or less, to center of intersection of E Street and south Third Avenue thence south 44 degrees west 110 feet more or less, to a point on center line of D Street, thence south 46 degrees east 190 feet to a point, thence north 44 degrees east 110 feet to a point on center line of E Street, thence south 46 degrees east 714.89 feet along said center line, to a point of curve, thence 47.9 feet on an arc to left 61 foot radius to a point of tangent, thence north 88 degrees east 200.88 feet to a point of curve, thence 47.90 feet on an arc to left, 61 foot radius to a point of tangent, thence north 43 degrees 30 minutes east, 356.73 feet to south edge of S Plaza, thence south 46 degrees 30 minutes east 268 feet more or less, to a point on the center of Bridge Street, thence north 43 degrees 30 minutes east 300 feet to the point of beginning.

**Tract No. 2**

Beginning at the center of the intersection of Township Line Road and F Street, for a distance of 190 feet along the center line of Township Line Road to the point of beginning, thence south 45 degrees 21 minutes east 160 feet to a point, thence north 44 degrees 39 minutes east 70 feet to a point, thence north 45 degrees 21 minutes west 166.12 feet more or less, to a point on center line of Township Line Road, thence south 39 degrees 39 minutes west 70.26 feet to the point of beginning.

**Tract No. 3**

**Parcel I**

All that certain parcel of land located in Charlestown Township, Chester County, being a part of the property of the Frank B. Foster Estate, known as "Cold Stream Farm" lying on the south side of Kimber-ton Road, and described as follows:

Beginning at a point on the center line of right-of-way for water line hereinafter described (said point being south 42 degrees 22 minutes west a distance of 1627 feet from the center line of Kimber-ton Road at a point 205.5 feet, more or less, southwest from the center line of the culvert carrying the overflow from the dam); thence (1) south 47 degrees 38 minutes east a distance of 165 feet to a point; thence (2) south 42 degrees 22 minutes west a

distance of 200 feet to a point; thence (3) north 47 degrees 38 minutes west a distance of 200 feet to a point; thence (4) north 42 degrees 22 minutes east a distance of 200 feet to a point; thence (5) south 47 degrees 38 minutes east a distance of 35 feet to the point of beginning, containing therein 40,000 square feet, and including therewith the right of ingress and egress to said land from Kimberton Road.

Parcel II

A perpetual easement for the location, construction, operation and maintenance of water pipeline in, over and under the following land: Said easement is to be 10 feet in width, the center line of which is described as follows:

Beginning at a point on the center line of right-of-way for water line hereinafter described (said point being south 42 degrees 22 minutes west a distance of 1627 feet from the center line of Kimberton Road at a point of 205.5 feet, more or less, southwest from the center line of the culvert carrying the overflow from the dam); thence (1) south 47 degrees 38 minutes east a distance of 165 feet to a point; thence (2) south 42 degrees 22 minutes west a distance of 50 feet to the true point of beginning; thence eastwardly at right angles to the last described line for a distance of 200 feet, more or less, to the bottom of a ravine.

Parcel III

A perpetual easement for the location, construction, operation and maintenance of a water pipeline is, over and under the following land: Said easement is to be 10 feet in width, center line of which is described as follows:

Beginning at a point in the center line of Kimberton Road said point being 9.90 feet south 89 degrees 8 minutes west of a railroad spike at an angle in said Kimberton Road (said spike being 195.5 feet west of a culvert under Kimberton Road carrying the overflow of the dam); thence, south 42 degrees 22 minutes west a distance of 1627 feet to a point on the north line of Parcel No. I hereinafter described and intersecting said north line of Parcel No. I at a point approximately 35 feet east of an existing fence line.

Section 4. The premises in Chester County shall not be acquired until the title and conveyance documents have been approved by the Department of Justice.

Amend Sec. 3, page 5, line 11, by striking out "3." and inserting: 5.

On the question,

Will the House agree to the amendments?

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

Mr. DeMEDIO. Mr. Speaker, this amendment merely authorizes the Department of General Services to acquire on behalf of the Department of Military Affairs a tract of land and buildings thereon comprising the Valley Forge Army General Hospital complex in Charlestown, in Schuylkill Township, Chester County, for use as a State Veterans' Home.

This amendment does not call for the expenditure of any money. It merely adds a section describing certain tracts of land and the buildings thereon which the Department of General Services would be authorized to accept on behalf of the Commonwealth from the Federal Government. I ask all the members to vote for this amendment. This amendment is exactly the same language as the bill which the House earlier passed by a vote of 184 to 7. I request that the members on both sides vote in the affirmative for this amendment.

The SPEAKER. Will the gentleman, Mr. DeMedio, indicate to the Chair how the amendment is germane to the bill?

Mr. DeMEDIO. Mr. Speaker, the bill itself calls for

the transfer of some land to the Commonwealth of Pennsylvania. Our amendment also calls for the transfer from the Federal Government to the Commonwealth of the land and building complexes which presently comprise the Valley Forge General Hospital area.

We have been told by the Legislative Reference Bureau that this is germane to this bill.

The SPEAKER. That will not be the first time they have been wrong.

Will the gentleman come to the desk?

AMENDMENTS NOT GERMANE

The SPEAKER. The Chair rules that the amendment being offered by the gentleman, Mr. DeMedio, is not germane.

The Chair recognizes the gentleman, Mr. DeMedio.

RULING APPEALED

Mr. DeMEDIO. Mr. Speaker, the question of germaneness has oftentimes been a matter of difference of opinion. We have been assured by the Legislative Reference Bureau, upon whom we rely for decisions of this nature, that this amendment is germane. I, therefore, ask all the members of the House to vote to overrule the holding of the Chair that this provision is not germane.

The SPEAKER. The gentleman, Mr. DeMedio, takes an appeal from the decision of the Chair ruling that the amendment is not germane. Those members voting in the affirmative will be voting to sustain the decision of the Chair; those members voting in the negative will be voting to sustain the position of Mr. DeMedio on the appeal.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. I apologize to Mr. DeMedio for interrupting him.

Mr. Speaker, would you again explain to the House what the meaning of the positive vote is and the meaning of the negative vote?

The SPEAKER. Those members sustaining the ruling of the Chair will be voting in the affirmative; those members sustaining the appeal of the gentleman, Mr. DeMedio, will be voting in the negative.

On the question,

Will the House sustain the ruling of the Chair?

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

YEAS—94

Abraham	Fee	McIntyre	Schmitt
Arthurs	Flaherty	McLane	Scheaffer
Barber	Fryer	Menhorn	Schweder
Bellomini	Gallagher	Milanovich	Seltzer
Bennett	Garzia	Miller, M. E.	Shelhamer
Beren	Giammarco	Milliron	Shelton
Berlin	Gillette	Morris	Shupnik
Bonetto	Goodman	Musto	Stapleton
Bradley	Green	O'Erlen	Taddonio
Caputo	Greenfield	O'Keefe	Taylor
Cessar	Haskell	Oliver	Toll
Cohen	Irvis	Pancoast	Wansacz
Cole	Itkin	Parker, H. S.	Wargo
Cowell	Kelly, A. P.	Perry	Westerberg
Deverter	Kernick	Polite	Wiggins
DeWeese	Kistler	Rappaport	Williams
Dicarlo	Kowalyshyn	Ravenstahl	Wilt, R. W.
Dombrowski	LaMarca	Reed	Wojdak
Doyle	Laughlin	Renninger	Yohn
Dreibelbis	Loderer	Rhodes	Zord

Dumas	Letterman	Richardson	Zwilk
Eckensberger	Lincoln	Ritter	Fineman,
Englehart	Manderino	Ross	Speaker
Fawcett	McCall	Ruggiero	

NAYS—87

Anderson, J. H.	George	Lynch	Scirica
Bittle	Gillespie	Manmiller	Shuman
Brandt	Grieco	McClatchy	Sirianni
Brunner	Gring	McCue	Smith, E.
Burns	Halverson	McGinnis	Smith, L.
Butera	Hamilton, J. H.	Mebus	Spencer
Cimini	Hasay	Miller, M. E., Jr.	Stahl
Crawford	Hayes, S. E.	Miscevich	Stout
Cumberland	Hepford	Moehlmann	Thomas
Davies	Hill	Mrkoncic	Trello
DeMedio	Hopkins	Mullen	Ustynoski
Dietz	Hutchinson, A.	Novak	Valicenti
Dininni	Hutchinson, W.	Noye	Vroon
Dorr	Katz	Perri	Weidner
Fischer	Klingaman	Petrarca	Whelan
Fisher	Knepper	Pitts	Wilson
Foster, A.	Kolter	Prendergast	Wilt, W. W.
Foster, W.	Kusse	Pyles	Worrlow
Freind	Laudadio	Renwick	Wright
Gallen	Lehr	Ryan	Zearfoss
Geesey	Levi	Saloom	Zeller
Geisler	Logue	Salvatore	

NOT VOTING—22

Berson	Hayes, D. S.	O'Connell	Shane
Cianciulli	Johnson, J.	O'Donnell	Turner
DiDonato	Kelly, J. B.	Pievsky	Wagner
Gleason	McGraw	Pratt	Walsh, T. P.
Gleeson	Mullen, M. P.	Rieger	Yahner
Hammock	Myers		

So the question was determined in the affirmative and the ruling of the Chair was sustained.

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?

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

YEAS—170

Abraham	Fryer	Lynch	Ruggiero
Anderson, J. H.	Gallagher	Manderino	Ryan
Arthurs	Gallen	Manmiller	Salvatore
Barber	Garzia	McCall	Scheaffer
Bellomini	Geesey	McClatchy	Schmitt
Bennett	Geisler	McCue	Schweder
Beren	Giammarco	McGinnis	Scirica
Berlin	Gillespie	McLane	Seltzer
Bittle	Gillette	Mebus	Shane
Bonetto	Goodman	Menhorn	Shelhamer
Bradley	Green	Milanovich	Shupnik
Brandt	Greenfield	Miller, M. E.	Sirianni
Brunner	Grieco	Miller, M. E., Jr.	Smith, E.
Butera	Gring	Milliron	Spencer
Caputo	Halverson	Miscevich	Stahl
Cessar	Hamilton, J. H.	Moehlmann	Stapleton
Cimini	Hasay	Morris	Stout
Cohen	Haskell	Mrkoncic	Taddonio
Cole	Hayes, S. E.	Mullen	Taylor
Cowell	Hepford	Musto	Thomas
Crawford	Hill	Novak	Toll
Davies	Hopkins	Noye	Trello
DeMedio	Hutchinson, A.	O'Brien	Ustynoski
Deverter	Hutchinson, W.	O'Keefe	Valicenti
DeWeese	Irvis	Oliver	Vroon
Dicarlo	Itkin	Pancoast	Wansacz
Dietz	Katz	Parker, H. S.	Wargo
Dininni	Kelly, A. P.	Perri	Westerberg
Dombrowski	Kernick	Perry	Whelan
Dorr	Kistler	Petrarca	Wiggins
Doyle	Klingaman	Pitts	Williams
Dreibelbis	Knepper	Polite	Wilt, R. W.
Dumas	Kolter	Pratt	Wilt, W. W.
Eckensberger	Kowalshyn	Prendergast	Wojdak

Englehart	Kusse	Pyles	Worrlow
Fawcett	LaMarca	Rappaport	Yohn
Fee	Laughlin	Ravenstahl	Zearfoss
Fischer	Lederer	Reed	Zeller
Fisher	Lehr	Renninger	Zord
Flaherty	Letterman	Rhodes	Zwilk
Foster, A.	Levi	Richardson	
Foster, W.	Lincoln	Ritter	Fineman,
Freind	Logue		Speaker

NAYS—9

Burns	Renwick	Shuman	Wilson
George	Saloom	Weidner	Wright
Laudadio			

NOT VOTING—24

Berson	Hammock	Mullen, M. P.	Shelton
Cianciulli	Hayes, D. S.	Myers	Smith, L.
Cumberland	Johnson, J.	O'Connell	Turner
DiDonato	Kelly, J. B.	O'Donnell	Wagner
Gleason	McGraw	Pievsky	Walsh, T. P.
Gleeson	McIntyre	Rieger	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.

BILL ON THIRD CONSIDERATION

Agreeable to order,  
The House proceeded to third consideration of House bill No. 2294, printer's No. 3181, entitled:

An Act providing for the observance of June 28 of each year as Pennsylvania German day.

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

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

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

Mr. ECKENSBERGER. Mr. Speaker, with the indulgence of the Chair and the rest of the members of the House, a very brief skit has been prepared to dramatize the importance of this bill.

I assure the membership that this will take not more than 3 minutes. We have two participants in this skit, one being the majority leader and the other being Mr. Fryer. The procedure will be a very simple one. The majority leader will interrogate Mr. Fryer in the native tongue. I will act as the interpreter. And in that manner, we might make the point that is involved in this bill.

If we may proceed, Mr. Speaker, I will yield to the majority leader, who will make a statement and, in turn, I will interpret. Mr. Fryer will then make a statement and I will interpret. If we may proceed.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, was mehnndt des?

Mr. ECKENSBERGER. The question is: What does this bill do?

Mr. FRYER. Es macht eim Pennsylvanish Deutch Dag.

Mr. ECKENSBERGER. The answer is that it creates Pennsylvania German Day.

Mr. IRVIS. Fer swt der bill passe?

Mr. ECKENSBERGER. The question is: Why should we pass this bill?

Mr. FRYER. Mihr hen uhnre lender ihrer lite dag gebbe. Die Deutche lite hen fehl gado fur unserer state un unserer land. Un des set foreges theldt sie. Bei unser dag. Die Irishe hen ihrer Saint Patrick's Dag. Die Italians hen ihrer Columbus Dag, und mihr sedde unser dag havve.

Mr. ECKENSBERGER. The answer is, Mr. Speaker: We have established by law other days which seek to honor certain ethnic groups. The Pennsylvania Germans, a group which has contributed substantially to the development of this Commonwealth and Nation, should not be overlooked. For example, the Irish have St. Patrick's Day and the Italians have Columbus Day, and the Pennsylvania Germans believe they should have their day.

The SPEAKER. The Chair recognizes the minority whip. This is not for the Irish, Matt.

Mr. RYAN. Yes, it is.

Now I would like to interrogate the gentleman, Mr. Fryer.

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

Mr. ECKENSBERGER. Mr. Speaker, I wonder if he could delay until we finish the skit. We are just about completed with it.

Mr. RYAN. There was a misstatement of fact.

We never got St. Patrick's Day in, did we Mr. McGinnis?

I accept this as a commitment from that gang over there to support it.

Mr. IRVIS. Mr. Speaker, Ich have gehert as dieleide froh sin furihrer geflicht do furihrer state und land. Ich bin an Hollander Deutcher. Con ich awnen Pennsylvania Deutcher sie? Mein Freind?

Mr. ECKENSBERGER. The question is: I have been advised that the Pennsylvania Germans are an industrious people with a sincere desire to participate in local, state and national affairs. Since I have a distant relative who was a native of Holland, may I be considered a Pennsylvania German?

Mr. FRYER. Die Pennsylvania Deutche Lide wherer frough fur eich tzwe havve as dietche lide du und der Fineman.

Mr. ECKENSBERGER. Mr. Speaker, the answer is: The Pennsylvania Germans would be pleased to consider both you and Mr. Fineman as Pennsylvania Germans.

Mr. IRVIS. Lusuns all stimma fur der dag. Vas schundst canne mir du?

Mr. ECKENSBERGER. The statement was, Mr. Speaker: Let us all vote for this bill. What else can we do?

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

Mr. ECKENSBERGER. Mr. Speaker, at this time, I think the House owes some gratitude to Mr. Gring, who has translated this language for us.

At this time, I would like the Chair to call on Mr. Gring, who I believe has a few choice remarks regarding this bill and this House.

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

Mr. GRING. Translating it: Schwetzer is Speaker. Our people down home, my neighbors, say that we here in the House talk frequently and say very little. But today, if we pass this bill, you will give the Pennsylvania Germans their day. I will only quarrel with that day on one item. It is June 28, and my wedding anniversary is on the 21st. It should have been written for that day.

Thank you.

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

Mr. ZEARFOSS. Mr. Speaker, I cannot speak Pennsylvania German except glabissel.

I have asked to be added as an additional sponsor on this bill and, I assume, at some point that can be taken care of. I know the request was made since the last time that additional sponsors were added to the bill. I will vote to suspend the rules at this time to do that.

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

Mr. TRELLO. Mr. Speaker, I rise to support this bill, because in the few short months that I spent in Germany, I learned "German girls are very nice."

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

Mr. VROON. Mr. Speaker, I cannot help but get into this act somehow. I just feel that I need a vote of gratitude also because I was the guy who started it all. It was House bill No. 1939 before we changed the number.

Thank you.

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

Mr. SALVATORE. Mr. Speaker, if the rules are suspended, I would like my name added as a sponsor.

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

Mr. KLINGAMAN. As the direct descendant of a Pennsylvania Dutchman who crossed the Delaware with Washington and fought in the Battle of Trenton, and as a cosponsor of this bill, after hearing that act, I am not sure I am going to vote for it. And I am not going to use my Pennsylvania Dutch for fear I might sound as bad as Mr. Fryer.

Thank you.

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

(Mr. Valicenti made a speech in Italian.)

In essence what I said, Mr. Speaker—since very few of the Italians here or, in fact, none of them could understand the dialect I used that was taught to me by my mother, which is Albas—was that we had an important bill here today and Russell LaMarca gave me the business, but we are going to get even with that Italian next week. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. LaMarca.

Mr. LAMARCA. I would only say that I definitely favor this bill. I understand part of the bargain is that the Germans are going to take you and Irvis, and if they will take Valicenti with you, I will go for it 100 percent.

The SPEAKER. I am still waiting for the Moose to take me and Irvis.



The Chair recognizes the majority leader.  
 Mr. IRVIS. Mr. Speaker, I would point out to the members that if they would walk across the street, they are going to see a great big "For Sale" sign on that building.

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, now that you have become an honorary German, I suggest that you beware of Pennsylvania Dutchmen bearing cakes of soap.

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

Mr. MENHORN. I was just wondering if we were going to suspend the rules of the House. I think there are others of us who are of German decent who might also like to be added as sponsors on this bill. I was not aware that this bill was coming up.

The SPEAKER. In due course, the Chair will seek a suspension of the rules.

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—184

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

NAYS—0

NOT VOTING—19

Berson	Hammock	McIntyre	Rieger
Cianciulli	Hayes, D. S.	Myers	Turner

DiDonato	Johnson, J.	O'Connell	Walsh, T. P.
Gleason	Kelly, J. B.	O'Donnell	Yahner
Gleason	McGraw	Pievsky	

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.

RULES SUSPENDED TO ADD SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the rules of the House be suspended to permit additions of sponsors on the following bill:

Additions:

House bill No. 2294—Messrs. Ravenstahl, Geesey, Levi, II, Cimini, Milliron, Menhorn, Lederer, Salvatore, McIntyre, Zearfoss, Thomas, Gring, Wagner, Hepford, DeWeese, Scheaffer, Reed, Fischer, Weidner, Zwickl, Pyles, McGinnis, Mrs. Fawcett and Mr. Schmitt.

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

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

YEAS—180

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

NAYS—0

NOT VOTING—23

Berson	Hayes, D. S.	Myers	Turner
Crawford	Johnson, J.	O'Connell	Wagner
DiDonato	Kelly, J. B.	O'Donnell	Walsh, T. P.
Gleason	Kolter	Plevsky	Wojdak
Gleeson	McGraw	Rieger	Yahner
Hammock	McIntyre	Shelton	

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

**MR. SHELHAMER REQUESTED TO PRESIDE**

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

**THE SPEAKER PRO TEMPORE  
(Kent D. Shelhamer) IN THE CHAIR**

**URBAN AFFAIRS BILLS  
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of House bill No. 1778, printer's No. 2281, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), further regulating contracts as to advertising requirements.

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—169

Abraham	Foster, A.	Manderino	Scheaffer
Anderson, J. H.	Foster, W.	Manmiller	Schmitt
Arthurs	Freind	McCall	Schweder
Barber	Fryer	McCue	Scirica
Bellomini	Gallagher	McGinnis	Seltzer
Bennett	Gallen	McLane	Shane
Beren	Garzia	Mebus	Shelhamer
Berlin	Geesey	Menhorn	Shupnik
Berson	Geisler	Milanovich	Sirianni
Bittle	George	Milliron	Smith, E.
Bonetto	Gillespie	Miscevich	Smith, L.
Bradley	Gillette	Moehlmann	Spencer
Brandt	Gleeson	Morris	Stahl
Brunner	Goodman	Mrkonc	Stapleton
Burns	Green	Mullen, M. P.	Stout
Butera	Grieco	Mullen	Taddonio
Caputo	Gring	Musto	Taylor
Cesar	Hamilton, J. H.	Novak	Thomas
Cimini	Hasay	Noye	Toll
Cohen	Haskell	O'Brien	Trello
Cole	Hayes, S. F.	O'Keefe	Ustynski
Cowell	Hepford	Oliver	Valicenti
Crawford	Hill	Pancoast	Vroon
Cumberland	Hopkins	Parker, H. S.	Wansacz
Davies	Hutchinson, A.	Ferri	Wargo
DeMedio	Hutchinson, W.	Perry	Weidner
DeVertter	Irvia	Petrarca	Westerberg
DeWeese	Itkin	Pitts	Whelan
Dicarlo	Katz	Polite	Wiggins
Dietz	Kelly, A. P.	Pratt	Williams
Dininni	Kistler	Prendergast	Wilson
Dombrowski	Klingaman	Rappaport	Wilt, R. W.
Dorr	Kolter	Ravenstahl	Wilt, W. W.
Doyle	Kowalshyn	Reed	Wojdak
Dreibelbis	Kusse	Renninger	Worrilow
Dumas	LaMarca	Renwick	Yohn
Eckensberger	Laudadio	Rhodes	Zearfoss

Englehart	Laughlin	Richardson	Zeller
Fawcett	Lehr	Ritter	Zwinkl
Fee	Letterman	Ross	
Fischer	Levi	Ruggiero	Fineman,
Fisher	Logue	Ryan	Speaker
Flaherty	Lynch	Salvatore	

NAYS—10

Halverson	Miller, M. E.	Shuman	Wright
Kornick	Miller, M. E., Jr.	Wagner	Zord
Knepper	Saloom		

NOT VOTING—24

Cianciulli	Hayes, D. S.	McGraw	Pyles
DiDonato	Johnson, J.	McIntyre	Rieger
Giammarco	Kelly, J. B.	Myers	Shelton
Gleason	Lederer	O'Connell	Turner
Greenfield	Lincoln	O'Donnell	Walsh, T. P.
Hammock	McClatchy	Plevsky	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.

**QUESTION OF PERSONAL PRIVILEGE**

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. GEESEY. Mr. Speaker, on House bill No. 1778, I inadvertently voted in the affirmative. I intended to vote in the negative and wish to be so recorded.

The SPEAKER pro tempore. The gentleman's comments will be spread upon the record.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1779, printer's No. 2282, entitled:

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

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—168

Abraham	Foster, W.	Manmiller	Schmitt
Anderson, J. H.	Freind	McCall	Schweder
Arthurs	Fryer	McClatchy	Scirica
Barber	Gallagher	McCue	Seltzer
Bellomini	Gallen	McGinnis	Shane
Bennett	Garzia	McLane	Shelhamer
Beren	Geisler	Mebus	Shupnik
Berlin	George	Menhorn	Sirianni
Berson	Gillespie	Milanovich	Smith, E.
Bittle	Gillette	Milliron	Smith, L.
Bonetto	Gleeson	Miscevich	Spencer
Bradley	Goodman	Moehlmann	Stahl
Brandt	Green	Morris	Stapleton
Brunner	Greenfield	Mullen	Stout
Burns	Grieco	Musto	Taddonio
Butera	Gring	Novak	Taylor
Caputo	Hamilton, J. H.	Noye	Thomas

Cassar	Hasay	O'Brien	Toll
Cimini	Haskell	O'Keefe	Trello
Cohen	Hayes, S.E.	Oliver	Ustynoski
Cole	Hill	Pancoast	Valicenti
Cowell	Hopkins	Parker, H. S.	Vron
Crawford	Hutchinson, A.	Perri	Wagner
Cumberland	Hutchinson, W.	Perry	Wansacz
Davies	Irvis	Petrarca	Wargo
DeMedio	Itkin	Pitts	Weidner
Deverter	Katz	Polite	Westerberg
DeWeese	Kelly, A. P.	Pratt	Whelan
Dicarlo	Kistler	Prendergast	Wiggins
Dietz	Klingaman	Pyles	Williams
Dininni	Kolter	Rappaport	Wilson
Dombrowski	Kowalyszyn	Ravenstahl	Wilt, R. W.
Dorr	Kusse	Reed	Wilt, W. W.
Doyle	LaMarca	Renninger	Wojdak
Dreibelbis	Laudadlo	Renwick	Worrlow
Dumas	Laughlin	Rhodes	Yohn
Eckensberger	Lederer	Ritter	Zearfoss
Englehart	Lehr	Ross	Zeller
Fawcett	Letterman	Ruggiero	Zwiki
Fee	Levi	Ryan	
Fisher	Lincoln	Salvatore	Fineman,
Flaherty	Logue	Scheaffer	Speaker
Foster, A.	Lynch		

NAYS—13

Fischer	Kernick	Miller, M. E., Jr.	Shuman
Geesey	Knepper	Mrkonic	Wright
Halverson	Miller, M. E.	Saloom	Zord
Hepford			

NOT VOTING—22

Cianciulli	Johnson, J.	Myers	Rieger
DiDonato	Kelly, J. B.	O'Connell	Shelton
Giammarco	Manderino	O'Donnell	Turner
Gleason	McGraw	Pievsky	Walsh, T. P.
Hammock	McIntyre	Richardson	Yahner
Hayes, D. S.	Mullen, M. P.		

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 pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Reed.

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. REED. Mr. Speaker, I think on House bill No. 1778, printer's No. 2281, and House bill No. 1779, printer's No. 2282, I was listed as having voted in the affirmative, but I would like the record to show it should be in the negative for me.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1781, printer's No. 2284, entitled:

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

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—169

Abraham	Foster, W.	Manderino	Schmitt
Anderson, J. H.	Freind	Mannmiller	Schweder
Arthurs	Fryer	McCall	Scirca
Barber	Gallagher	McClatchy	Seitzer
Bellomini	Gallen	McCue	Shane
Bennett	Garzia	McGinnis	Shelhamer
Beren	Geisler	McLane	Shupnik
Berlin	George	Mebus	Sirianni
Berson	Gianmarco	Menhorn	Smith, E.
Bittle	Gillespie	Milanovich	Smith, L.
Bonetto	Gillette	Milliron	Spencer
Bradley	Goodman	Miscevich	Stahl
Brandt	Green	Moehlmann	Stapleton
Brunner	Greenfield	Morris	Stout
Burns	Grieco	Mullen	Taddonio
Butera	Gring	Mullen, M. P.	Taylor
Caputo	Hamilton, J. H.	Musto	Thomas
Cassar	Hasay	Novak	Toll
Cimini	Haskell	Noye	Trello
Cohen	Hayes, S. E.	O'Brien	Ustynoski
Cole	Hill	O'Keefe	Valicenti
Cowell	Hopkins	Oliver	Vron
Crawford	Hutchinson, A.	Pancoast	Wagner
Cumberland	Hutchinson, W.	Parker, H. S.	Wansacz
Davies	Irvis	Perri	Wargo
DeMedio	Itkin	Perry	Weidner
Deverter	Katz	Petrarca	Westerberg
DeWeese	Kistler	Pitts	Whelan
Dicarlo	Kelly, A. P.	Polite	Wiggins
Dietz	Klingaman	Pratt	Williams
Dininni	Kolter	Prendergast	Wilson
Dombrowski	Kowalyszyn	Pyles	Wilt, R. W.
Dorr	Kusse	Rappaport	Wilt, W. W.
Doyle	LaMarca	Ravenstahl	Wojdak
Dreibelbis	Laudadlo	Renninger	Worrlow
Dumas	Laughlin	Renwick	Yohn
Eckensberger	Lederer	Rhodes	Zearfoss
Englehart	Lehr	Ritter	Zeller
Fawcett	Letterman	Ross	Zwiki
Fee	Levi	Ruggiero	
Fisher	Lincoln	Ryan	Fineman,
Flaherty	Logue	Salvatore	Speaker
Foster, A.	Lynch	Scheaffer	

NAYS—14

Fischer	Kernick	Mrkonic	Shuman
Geesey	Knepper	Reed	Wright
Halverson	Miller, M. E.	Saloom	Zord
Hepford	Miller, M. E., Jr.		

NOT VOTING—20

Cianciulli	Hayes, D. S.	Myers	Rieger
DiDonato	Johnson, J.	O'Connell	Shelton
Gleason	Kelly, J. B.	O'Donnell	Turner
Gleeson	McGraw	Pievsky	Walsh, T. P.
Hammock	McIntyre	Richardson	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. 1782, printer's No. 2285, entitled:

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

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—168

Abraham	Freind	Manmiller	Schmitt
Anderson, J. H.	Fryer	McCall	Schweder
Arthurs	Gallagher	McClatchy	Scirica
Barber	Gallen	McCue	Seltzer
Bellomini	Garzia	McGinnis	Shane
Bennett	Geisler	McLane	Shelhamer
Beren	George	Mebus	Shupnik
Berlin	Giammarco	Menhorn	Sirianni
Berson	Gillespie	Milanovich	Smith, E.
Bittle	Gillette	Milliron	Smith, L.
Bonetto	Goodman	Miscevich	Spencer
Bradley	Green	Moehlmann	Stahl
Brandt	Greenfield	Morris	Stapleton
Brunner	Grieco	Mullen	Stout
Burns	Gring	Mullen, M. P.	Taddonio
Butera	Hamilton, J. H.	Musto	Taylor
Caputo	Hasay	Novak	Thomas
Cessar	Haskell	Noye	Toll
Cimini	Hayes, S. E.	O'Brien	Trello
Cohen	Hill	O'Keefe	Ustynoski
Cole	Hopkins	Oliver	Valcenti
Cowell	Hutchinson, A.	Pancoast	Vroon
Crawford	Hutchinson, W.	Parker, H. S.	Wagner
Cumberland	Irvis	Perri	Wansacz
DeMedio	Itkin	Perry	Wargo
Deverter	Katz	Petrarca	Weidner
DeWeese	Kelly, A. P.	Pitts	Westerberg
Dicarilo	Kistler	Polite	Whelan
Dietz	Klingaman	Pratt	Wiggins
Dininni	Kolter	Prendergast	Williams
Dombrowski	Kowalshyn	Pyles	Wilson
Dorr	Kusse	Rappaport	Wilt, R. W.
Doyle	LaMarca	Ravenstahl	Wilt, W. W.
Dumas	Laudadio	Renninger	Wojdak
Dreibelbis	Laughlin	Renwick	Worrlow
Eckensberger	Lederer	Rhodes	Yohn
Englehart	Lehr	Ritter	Zearfoss
Fawcett	Letterman	Ross	Zeller
Fee	Levi	Ruggiero	Zwick
Fisher	Lincoln	Ryan	
Flaherty	Logue	Salvatore	Fineman
Foster, A.	Lynch	Scheaffer	Speaker
Foster, W.	Manderino		

NAYS—15

Davies	Hepford	Miller, M. E., Jr.	Shuman
Fischer	Kernick	Mrkonjc	Wright
Geesey	Knepper	Reed	Zord
Halverson	Miller, M. E.	Saloom	

NOT VOTING—20

Cianciulli	Hayes, D. S.	Myers	Rieger
DiDonato	Johnson, J.	O'Connell	Shelton
Gleason	Kelly, J. B.	O'Donnell	Turner
Gleason	McGraw	Pievsky	Walsh, T. P.
Hammock	McIntyre	Richardson	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. 1785, printer's No. 2288, entitled:

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

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 con-

sidered 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—167

Abraham	Fryer	Manderino	Scheaffer
Anderson, J. H.	Gallagher	Manmiller	Schmitt
Arthurs	Gallen	McCall	Schweder
Barber	Garzia	McClatchy	Scirica
Bellomini	Geisler	McCue	Seltzer
Bennett	George	McGinnis	Shane
Beren	Giammarco	McLane	Shelhamer
Berlin	Gillespie	Mebus	Shupnik
Berson	Gillette	Menhorn	Sirianni
Bittle	Goodman	Milanovich	Smith, E.
Bonetto	Green	Milliron	Smith, L.
Bradley	Greenfield	Miscevich	Spencer
Brandt	Grieco	Moehlmann	Stahl
Brunner	Gring	Morris	Stapleton
Burns	Hamilton, J. H.	Mullen, M. P.	Stout
Butera	Hasay	Mullen	Taddonio
Caputo	Haskell	Musto	Taylor
Cessar	Hayes, S. E.	Novak	Thomas
Cimini	Hepford	Noye	Toll
Cohen	Hill	O'Brien	Trello
Cole	Hopkins	O'Keefe	Ustynoski
Cowell	Hutchinson, A.	Oliver	Valcenti
Crawford	Hutchinson, W.	Pancoast	Vroon
Davies	Irvis	Parker, H. S.	Wagner
DeMedio	Itkin	Perri	Wansacz
Deverter	Katz	Perry	Wargo
DeWeese	Kelly, A. P.	Petrarca	Weidner
Dicarilo	Kistler	Pitts	Westerberg
Dietz	Klingaman	Polite	Whelan
Dininni	Kolter	Pratt	Wiggins
Dombrowski	Kowalshyn	Prendergast	Williams
Dorr	Kusse	Pyles	Wilson
Doyle	LaMarca	Rappaport	Wilt, R. W.
Dumas	Laudadio	Ravenstahl	Wilt, W. W.
Eckensberger	Laughlin	Renninger	Wojdak
Englehart	Lederer	Renwick	Worrlow
Fawcett	Lehr	Rhodes	Yohn
Fee	Letterman	Ritter	Zearfoss
Fisher	Levi	Ross	Zeller
Flaherty	Lincoln	Ruggiero	Zwick
Foster, A.	Logue	Ryan	
Freind	Lynch	Salvatore	Fineman

NAYS—14

Fischer	Knepper	Reed	Whelan
Geesey	Miller, M. E.	Saloom	Wright
Halverson	Miller, M. E., Jr.	Shuman	Zord
Kernick	Mrkonjc		

NOT VOTING—22

Cianciulli	Hammock	Myers	Rieger
Cumberland	Hayes, D. S.	O'Connell	Shelton
DiDonato	Johnson, J.	O'Donnell	Turner
Foster, W.	Kelly, J. B.	Pievsky	Walsh, T. P.
Gleason	McGraw	Richardson	Yahner
Gleason	McIntyre		

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 Senate bill No. 1166, printer's No. 1835, entitled:

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

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—143

Abraham	Gallagher	McClatchy	Saloom
Anderson, J. H.	Gallen	McCue	Salvatore
Arthurs	Garzia	McGinnis	Schmitt
Barber	Geisler	McLane	Schweder
Bellomini	George	Mebus	Scirica
Bennett	Giammarco	Menhorn	Shane
Beren	Gillespie	Milanovich	Shelhamer
Berlin	Gillette	Miller, M. E.	Shupnik
Bittle	Goodman	Milliron	Smith, E.
Bonetto	Green	Miscevich	Smith, L.
Bradley	Grieco	Morris	Spencer
Brandt	Halverson	Mrkonic	Stapleton
Brunner	Hamilton, J. H.	Mullen, M. P.	Stout
Burns	Hill	Mullen	Taylor
Butera	Hopkins	Musto	Toll
Caputo	Hutchinson, A.	Novak	Trello
Cessar	Hutchinson, W.	O'Brien	Ustynoski
Cimini	Irvis	O'Keefe	Valicenti
Cohen	Itkin	Oliver	Vroon
Cole	Katz	Pancoast	Wagner
Cowell	Kelly, A. P.	Parker, H. S.	Wansacz
Cumberland	Kernick	Perri	Wargo
DeMedio	Kistler	Perry	Weidner
DeWeese	Kolter	Petrarca	Whelan
Dicarlo	Kowalshyn	Polite	Wiggins
Dininni	LaMarca	Pratt	Wilson
Dombrowski	Laudadio	Prendergast	Wojdak
Doyle	Laughlin	Rappaport	Worrilow
Dreibelbis	Lederer	Ravenstahl	Wright
Dumas	Lehr	Reed	Yohn
Eckensberger	Lincoln	Renninger	Zearfoss
Englehart	Logue	Renwick	Zeller
Fawcett	Lynch	Rhodes	Zwickl
Fee	Manderino	Ritter	
Fischer	Manmiller	Ross	Fineman,
Fisher	McCall	Ruggiero	Speaker
Flaherty			

NAYS—35

Davies	Gring	Levi	Sirianni
Deverter	Hasay	Miller, M. E., Jr.	Stahl
Dietz	Haskell	Moehlmann	Taddonio
Dorr	Hayes, D. E.	Noye	Thomas
Foster, A.	Hepford	Pitts	Westerberg
Foster, W.	Klingaman	Pyles	Wilt, R. W.
Freind	Knepper	Scheaffer	Wilt, W. W.
Fryer	Kusse	Seltzer	Zord
Geesey	Letterman	Shuman	

NOT VOTING—25

Berson	Hammock	Myers	Ryan
Cianciulli	Hayes, D. S.	O'Connell	Shelton
Crawford	Johnson, J.	O'Donnell	Turner
DiDonato	Kelly, J. B.	Pievsky	Walsh, T. P.
Gleason	McGraw	Richardson	Williams
Gleason	McIntyre	Rieger	Yahner
Greenfield			

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.

AGRICULTURE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2143, printer's No. 2785, entitled:

An Act amending "The Pennsylvania Seed Act of 1965," approved August 17, 1965 (P. L. 354, No. 187), defining

"certifying agency" and prohibiting certain sales of un-certified seeds.

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—181

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

NAYS—0

NOT VOTING—22

Bellomini	Hammock	McIntyre	Rieger
Berson	Hayes, D. S.	O'Connell	Shelton
Cianciulli	Johnson, J.	O'Donnell	Turner
DiDonato	Kelly, J. B.	Pievsky	Walsh, T. P.
Gleason	LaMarca	Richardson	Yahner
Greenfield	McGraw		

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

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

HEALTH AND WELFARE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1603, printer's No. 3005**, entitled:

An Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. Does the gentleman from Bucks, Mr. Berlin, request recognition?

Mr. BERLIN. Yes, I have an amendment to the bill.

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

Mr. BERLIN. It is simply a statement of legislative intent to insure that the bill is not used to mandate minimum standard hours for training for the volunteer ambulance attendants. The purpose of the bill is a systems approach. We do not want any kind of mandatory requirements for training. And in conjunction with Mr. O'Connell, I have prepared this amendment which the clerk has now, and it merely states that the bill is not to be used for that purpose. It is my understanding the amendment is agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Bill, page 12, by inserting between lines 2 and 3: Section 11. Legislative Intent.—This act shall not be construed to authorize the secretary to define training standards for ambulance personnel.

Amend Sec. 11, page 12, by striking out "11." and inserting: 12.

On the question,

Will the House agree to the amendments?

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

Mr. BERLIN. Yes, it is simply a statement of legislative intent, which indicates that the secretary shall not use any provision of this bill to mandate minimum standards of training. I understand that the amendment is agreed to.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

Mr. WAGNER. Mr. Speaker, could we pass this over until next week? We have not caucused on this one.

Mr. BERLIN. I thought that you had caucused on this one. That was my understanding with Mr. O'Connell, that this was already heard and discussed.

Mr. WAGNER. The main confusion is, does this have anything to do with certification of ambulance drivers,

volunteers, and things like that? Is there anything like that in here?

Mr. BERLIN. As I just indicated, that was the amendment of legislative intent which was to insure that it was not used for that purpose. It is merely used to establish the emergency-care systems in the various areas around the state. It has nothing to do with mandating minimum hours for certification.

Mr. WAGNER. Okay, I understand.

Mr. BERLIN. If an area wants to go into what you see on "Emergency" on Saturday night, this bill provides that kind of funding to buy the advanced telemetry to create the various kinds of vehicles that are required, and to provide, if they so desire, a school or a hospital for the training of the advanced technicians. But it has nothing to do with the certification at the minimum level.

Mr. WAGNER. Okay, I understand the intent then. But, could we hold the bill over until next week?

Mr. BERLIN. I would like to run the bill at the present time.

Mr. WAGNER. Is there any urgency on it?

Mr. BERLIN. We are running into a time problem, and I would like to have the bill into the Senate.

Mr. WAGNER. I request the bill be held, Mr. Speaker.

Mr. BERLIN. I oppose that.

### HOUSE BILL No. 1603 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER pro tempore. Does the gentleman from Montour, Mr. Wagner, wish to make a motion to place it upon the table?

Mr. WAGNER. Yes, on the postponed calendar for third consideration.

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

Mr. LINCOLN. Has the motion been made already?

The SPEAKER pro tempore. It has.

### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINCOLN. Have we on the democratic side caucused on this bill? I do not believe we have.

Mr. BERLIN. Yes, we have caucused on the bill.

Mr. LINCOLN. I would support the motion to table.

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

Mr. BERLIN. I am opposed to that motion by Mr. Lincoln.

The SPEAKER pro tempore. Will you hold for a moment?

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, we will pass over House bill No. 1603 and it will be called up on the agenda for a vote on Tuesday, June 1.

The SPEAKER pro tempore. This bill will then be placed upon the final passage postponed calendar.

**TAX BILL ON THIRD CONSIDERATION**

Agreeable to order,  
The House proceeded to third consideration of **House bill No. 2074**, printer's No. 2680, entitled:

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1527, No. 511), further providing for exemptions from taxation.

On the question,

Will the House agree to the bill on third consideration?

Miss SIRIANNI requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 2), page 3, line 7, by inserting after "alleys": , theme parks and exhibits of educational value

On the question,

Will the House agree to the amendment?

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

Miss SIRIANNI. Mr. Speaker, I would like to amend section 1, page 3, line 7, by inserting after "alleys": " theme parks and exhibits of educational value."

The SPEAKER pro tempore. Does the lady have any additional explanation on the amendment?

Miss SIRIANNI. I just would like to include anything of educational value to this bill; any part which would be of educational value; no tax for any theme park or exhibit which pertains to educational value.

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

Mr. ANDERSON. Mr. Speaker, I rise to oppose these amendments. I do not think that we have enough information on this as to what the cost of this might be. I think we need a better interpretation of "theme parks and other exhibits of educational value," to find out just what the fiscal impact would be. I think it would be better if we had another bill for that and not burden this bill with this particular amendment. Therefore, I oppose the amendment at this time.

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

Mr. BRANDT. Thank you, Mr. Speaker.

I generally agree with the amendment. However, I have discussed it with Mr. Anderson and also the majority chairman of the committee, Mr. Brunner. They have assured us that if we can come up with better language for this type of legislation, they would certainly give this type of bill due consideration in committee.

I feel that the general concept is important for this type of legislation and I think a vote on this amendment would show our concern for this type of bill.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Miss SIRIANNI and Mr. ANDERSON and were as follows:

**YEAS—65**

Beren	Halverson	McGinnis	Seltzer
Bittle	Hamilton, J. H.	Mebus	Sirianni
Brandt	Hasay	Miller, M. E.	Smith, L.
Burns	Haskell	Miller, M. E., Jr.	Spencer
Butera	Hayes, S. E.	Moehlmann	Stahl
Cessar	Hill	Noye	Taddonio
Cumberland	Hopkins	Pancoast	Thomas
Deverter	Hutchinson, W.	Parker, H. S.	Wagner
Dietz	Katz	Perri	Wilson

Dorr	Kernick	Polite
Dreibelbis	Kllngaman	Pyles
Fawcett	Kowalyszyn	Renninger
Fischer	Kusse	Ryan
Fisher	Levi	Salvatore
Goodman	Lynch	Scheaffer
Green	McCue	Scitica
Gring		

Wilt, R. W.
Wilt, W. W.
Worrlow
Wright
Yohn
Zeller
Zord

**NAYS—106**

Abraham	Foster, W.	Mandertno
Anderson, J. H.	Freind	Manmiller
Arthurs	Fryer	McCall
Barber	Gallagher	McLane
Bellomini	Gallen	Menhorn
Bennett	Garzia	Milanovich
Berlin	Geesey	Milliron
Bonetto	Geisler	Miscevich
Bradley	George	Morris
Brunner	Giannmarco	Mrkonc
Caputo	Gillespie	Mullen
Cohen	Gillette	Mullen, M. P.
Cole	Gleeson	Musto
Cowell	Hepford	Novak
Crawford	Hutchinson, A.	O'Brien
Davies	Irvis	O'Keefe
DeMedio	Itkin	Petrarca
DeWeese	Kelly, A. P.	Pitts
Dicarlo	Kistler	Pratt
Dombrowski	Kolter	Prendergast
Doyle	LaMarca	Rappaport
Dumas	Laudadio	Ravenstahl
Eckensberger	Laughlin	Reed
Englehart	Lehr	Renwick
Fee	Letterman	Ritter
Flaherty	Lincoln	Ross
Foster, A.	Logue	Saloom

Schmitt
Schweder
Shane
Shelhamer
Shuman
Shupnik
Smith, E.
Stapleton
Stout
Taylor
Toll
Trello
Valicenti
Vroon
Wansacz
Wargo
Weidner
Westerberg
Whelan
Wiggins
Williams
Wojdak
Zearfos
Zwick
Fineman,
Speaker

**NOT VOTING—32**

Berson	Hammock	McIntyre	Richardson
Ciunciulli	Hayes, D. S.	Myers	Rieger
Cimini	Johnson, J.	O'Connell	Ruggiero
DiDonato	Kelly, J. B.	O'Donnell	Shelton
Dininni	Knepper	Oliver	Turner
Gleason	Lederer	Perry	Ustynoski
Greenfield	McClatchy	Pievsky	Walsh, T. P.
Grieco	McGraw	Rhodes	Yahner

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

On the question recurring,

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

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

Mr. GARZIA. Mr. Speaker, are we ready to vote on the bill?

The SPEAKER pro tempore. We are.

Mr. GARZIA. Well, I rise to oppose the bill. In my district I have 2 bowling alleys. I spoke to one of the managers and one assistant manager and I was informed that if this bill would become law, they have no intention of reducing the cost of bowling. It will remain the same. It is too much bother to have small change going across the counter. And this is what was proposed to be.

In my own borough we have an 8 percent amusement tax. Our borough realizes 4 percent. And back in 1975 we collected \$10,937.25 to the borough, which is a mill and a half, and the same amount for our school district, which is almost half a mill.

In Upper Chichester district they have a 10 percent tax on bowling. Five percent goes to the school and 5 percent to the township. They only realize \$4,937.35. This is only on open bowling. There is no league bowling or

contract bowling. In our borough we charge amusement tax on both bowling—open and contract. This may not sound like a lot of money. But in a small borough, like Brookhaven and Upper Chichester, this is a lot of money.

I received a lot of mail from these bowling alleys and none of them say that we are going to make the bowling less expensive. This is another way for them to make anywhere from 7 to 8 cents more on the game. That is all it is.

So I rise to oppose this amendment, and I cannot see for the life of me why it was even proposed in the first place. I urge my colleagues to vote in the negative.

Thank you, sir.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, sometime ago we passed legislation to permit local municipalities to raise the necessary revenues with which to operate their local communities. In one of the communities back home that I happen to represent, they have initiated a tax for this purpose on bowling alleys. They are presently raising revenue from that particular establishment. We are not offering them any further way of replacing it.

A few weeks ago or a month ago, we voted not to expand the revenue collection possibilities that they have by way of the wage tax and a few others. But now we are going to go out and we are going to take from them the opportunities that they have to raise money, and I think that in our home rule regulations and in our initial concept of these taxes to allow local municipalities to place them, that we are now reversing that and taking away the income that they have been able to put together. I think that we should consider that at a much broader base than we are right today.

Thank you.

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

Mr. ZELLER. Mr. Speaker, I agree with Mr. Laughlin.

The problem is—we talk about home rule and then what we are going to do is open the door and public officials can say the legislature demanded that we do this or laid it on us again. This way if we leave it up to the local political subdivisions to make the decision, they are the ones who are going to receive the wrath or the good pats on the back and not this House. I think that we should get more to leaving it up to the local political subdivisions and not us letting them come down here and make the decisions here on the floor and then use us for a scapegoat. This is what the problem is going to be.

Let local government run their government. I believe that this should be defeated.

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—143

Abraham	Foster, W.	Logue	Saloom
Anderson, J. H.	Gallagher	Manmiller	Salvatore
Arthurs	Geesey	McCall	Scheaffer
Barber	Geisler	McClatchy	Schmitt
Bellomini	George	McGinnis	Schweder
Bennett	Giammarco	McLane	Scirica
Berlin	Gillette	Mebus	Seltzer
Bittle	Green	Menhorn	Shuman
Bonetto	Grieco	Milanovich	Sirianni

Bradley	Gring	Miller, M. E.	Smith, E.
Brandt	Hamilton, J. H.	Miller, M. E., Jr.	Smith, L.
Brunner	Hasay	Milliron	Spencer
Butera	Haskell	Moehlmann	Stahl
Caputo	Hayes, S. E.	Morris	Stout
Cessar	Hepford	Mullen	Taylor
Cianciulli	Hill	Musto	Thomas
Cimini	Hopkins	Novak	Toll
Cole	Hutchinson, A.	Noye	Trello
Cowell	Irvis	O'Brien	Ustynoski
Crawford	Itkin	Pancoast	Valicenti
Cumberland	Katz	Parker, H. S.	Vroon
Davies	Kelly, A. P.	Perri	Wagner
DeMedto	Kernick	Petrarca	Wansacz
Deverter	Kistler	Pitts	Weidner
DeWeese	Klingaman	Pollite	Westerberg
Dicarlo	Knepper	Pratt	Whelan
Dininni	Kolter	Prendergast	Wiggins
Dombrowski	Kowalyszyn	Pyles	Wilt, R. W.
Dorr	Kusse	Rappaport	Wilt, W. W.
Dreibelbis	LaMarca	Ravenstahl	Yohn
Dumas	Laudadio	Reed	Zearfoss
Englehart	Laughlin	Renninger	Zord
Fawcett	Lehr	Renwick	Zwinkl
Fee	Letterman	Ritter	
Fischer	Levi	Ross	Fineman,
Fisher	Lincoln	Ryan	Speaker
Flaherty			

NAYS—27

Beren	Fryer	McCue	Stapleton
Burns	Garzia	Miscevich	Taddonio
Cohen	Gillespie	Mrkonich	Wilson
Dietz	Goodman	O'Keefe	Worrlow
Doyle	Halverson	Perry	Wright
Eckensberger	Hutchinson, W.	Shane	Zeller
Freind	Lynch	Shelhamer	

NOT VOTING—33

Berson	Johnson, J.	O'Connell	Shelton
DiDonato	Kelly, J. B.	O'Donnell	Shupnik
Foster, A.	Lederer	Oliver	Turner
Gallen	Manderino	Pievsky	Walsh, T. F.
Gleason	McGraw	Rhodes	Wargo
Gleeson	McIntyre	Richardson	Williams
Greenfield	Mullen, M. P.	Rieger	Wojdak
Hammock	Myers	Ruggiero	Yahner
Hayes, D. S.			

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

Mr. GARZIA. Mr. Speaker, I would like to have the bill reconsidered some other time.

The SPEAKER pro tempore. The gentleman will send his reconsideration to the desk?

Mr. GARZIA. Right.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman, Mr. Shelhamer, for very capably presiding.

BILLS AND RESOLUTIONS NOT CALLED UP

The SPEAKER. Remaining bills and resolutions on today's calendar are not called up.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. SCIRICA and STAPLETON

HOUSE BILL No. 2401

An Act to provide for the regulation of intrastate communication by wire, cable and other electronic means, and for other purposes.



Referred to Committee on Business and Commerce.

By Messrs. WAGNER, HASKELL, THOMAS, ZELLER, COWELL, M. E. MILLER, JR., MOEHLMANN, M. E. MILLER, WILSON and WRIGHT

**HOUSE BILL No. 2437**

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania providing for the people's power of initiative generally to propose laws and constitutional amendments and for the people's power of referendum.

Referred to Committee on State Government.

By Messrs. PITTS, VROON and E. H. SMITH

**HOUSE BILL No. 2438**

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115, No. 40), further defining registration requirements.

Referred to Committee on State Government.

By Messrs. PITTS, VROON and E. H. SMITH

**HOUSE BILL No. 2439**

An Act amending "The Permanent Registration Act of Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487, No. 115), further defining registration requirements.

Referred to Committee on State Government.

By Messrs. BENNETT, POLITE, ENGLEHART,

BRUNNER and FISHER **HOUSE BILL No. 2440**

An Act regulating the practice of professional geologists; providing for the licensing and registration of persons practicing professional geology, \*\*\* and establishing penalties for violation of the act.

Referred to Committee on Professional Licensure.

By Messrs. BONETTO, GEESEY, R. W. WILT, BEREN, ARTHURS, LETTERMAN and STOUT

**HOUSE BILL No. 2441**

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242, No. 428), providing for removal by the secretary of routes on the State highway system.

Referred to Committee on Transportation.

By Messrs. LAUGHLIN, RITTER, KELLY, FISCHER, DeVERTER, THOMAS, W. W. WILT, BRANDT, MOEHLMANN, DeWEESE, GREEN, MILANOVICH, MANDERINO, LaMARCA, LINCOLN, BRADLEY, R. W. WILT, PETRARCA, STOUT, LETTERMAN, MILLIRON, ZELLER, A. K. HUTCHINSON, DiCARLO, WANSACZ, GOODMAN, O'BRIEN and KOLTER **HOUSE BILL No. 2442**

An Act amending the "Pennsylvania Sewage Facilities Act," approved January 24, 1966 (1965 P. L. 1535, No. 537), requiring disclosure statements in certain land sale contracts.

Referred to Committee on Urban Affairs.

By Messrs. SCHWEDER, ZWIKL, ZELLER, PRENDERGAST, RITTER and ECKENSBERGER

**HOUSE BILL No. 2443**

An Act providing for the issuance of bulletproof vests to members of the Pennsylvania State Police.

Referred to Committee on Law and Justice.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and WEIDNER **HOUSE BILL No. 2444**

An Act establishing the fees to be charged and collected by the clerk of courts in second through eighth class counties.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and WEIDNER **HOUSE BILL No. 2445**

An Act establishing a uniform mileage fee for all employees of the Commonwealth and its political subdivisions.

Referred to Committee on State Government.

**HOUSE RESOLUTION INTRODUCED AND REFERRED**

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS and WEIDNER **RESOLUTION No. 271**

The Joint State Government Commission undertake a comprehensive review of the laws, relevant court litigation, and recommendations for the Legislature to consider.

Referred to Committee on Rules.

**BILL REPORTED FROM COMMITTEE**

**SENATE BILL No. 800** (Amended) By Mr. BONETTO

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

Reported from Committee on Transportation.

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 2074**

Mr. GARZIA moved that the vote by which HOUSE BILL No. 2074, printer's No. 2680, was passed finally 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,  
Shall the bill pass finally?

**HOUSE BILL No. 2074 PLACED ON FINAL PASSAGE POSTPONED CALENDAR**

Mr. GARZIA moved that HOUSE BILL No. 2074, printer's No. 2680, be placed on the final passage postponed calendar.

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

**WELCOMES**

The SPEAKER. The Chair is pleased to welcome the eighth-grade class of St. Carthage Church in Philadelphia, accompanied by Sister Joan and Miss Morine Judge.

The children are here as the guests of the gentleman from Philadelphia, Mr. Ross, and the lady from Philadelphia, Mrs. Kelly.

The Chair also welcomes 26 political science students from Latrobe Senior High School who are here with their principal, Mr. Ola, and their teacher, Mr. Chamberlain.

They are here as the guests of the gentleman from Westmoreland, Mr. Saloom.

There is a group of folks here from the executive board of the Croatian Fraternal Union of America of Pittsburgh—Mr. John Badovinac, president; Mr. Milan Vranes, first vice president; John Plesh, secretary; Bernard Luhtich, treasurer; and Mike Stivoric, director of membership services.

They are here as the guests of the Allegheny, Beaver, and Washington County delegations.

#### ADJOURNMENT

Mr. LOGUE moved that this House do now adjourn until Tuesday, June 1, 1976, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 4:33 p.m., e.d.t.) the House adjourned.