

# Legislative Journal

WEDNESDAY, JUNE 9, 1976

Session of 1976

160th of the General Assembly

Vol. 1, No. 140

## HOUSE OF REPRESENTATIVES

The House convened at 9:30 a.m., e.d.t.

THE SPEAKER PRO TEMPORE (James J. Manderino) 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:

Eternal Spirit, Blessed Lord, as we recognize the turmoil and tension in the world about us, we are aware that the present situations call forth from each of us the best we have to offer. We are also conscious of the fact that we are unable on our own to compete to the fullest in the markets of today without Thy help and sustaining power. So, O God, we turn to Thee with the assurance that Thou wilt not leave us helpless and alone, but that Thou wilt grant to all Thine own the strength to resist the temptations which confront us, the might to stand tall and true in that which is right before Thee, and the benediction of Thy peace to work concertedly that the right may prevail. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Tuesday, June 8, 1976, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

By Messrs. MEBUS, ZEARFOSS, PYLES, McCLATCHY, PITTS, HASKELL, DAVIES, NOYE, LEVI, HEPFORD, STAHL, S. E. HAYES, KLINGAMAN, DeVERTER, CESSAR, RYAN, HOPKINS, Mrs. KERNICK, Messrs. HASAY, FRYER, MOEHLMANN, BUTERA, W. D. HUTCHINSON, E. H. SMITH, SELTZER, BEREN, O'CONNELL, GEESEY, MILLIRON, STAPLETON, SCIRICA, CIMINI, FISCHER, THOMAS, LEHR, WHELAN, COWELL, A. C. FOSTER, SPENCER, Miss SIRIANNI, Messrs. SCHEAFFER, VROON and MRKONIC

**HOUSE BILL No. 2494**

An Act relating to the expiration, continuation or reenactment of boards, commissions and agencies.

Referred to Committee on State Government.

By Mr. W. W. WILT **HOUSE BILL No. 2499**

An Act amending "The Pennsylvania Workmen's Com-

pensation Act," approved June 2, 1915 (P. L. 736, No. 338), further providing for the provision of certain services by the Social Security Administration; further providing for certain employe benefits; further providing for certain expert consultants in cases of silicosis and other dust related occupational diseases and providing for the use and disposition of the findings of the expert consultants.

Referred to Committee on Labor Relations.

By Mr. W. W. WILT **HOUSE BILL No. 2500**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania establishing a commission to approve the granting of pardons.

Referred to Committee on Judiciary.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, MORRIS, ZELLER, DeVERTER, HALVERSON, WHELAN, VROON, Miss SIRIANNI, Messrs. LEHR, MANMILLER and KLINGAMAN

**HOUSE BILL No. 2501**

An act relating to the authority of certain fire department and fire and rescue company officers in certain emergencies, prohibiting certain acts and prescribing penalties.

Referred to Committee on Local Government.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, VROON, Miss SIRIANNI, Messrs. KLINGAMAN, LEHR and MANMILLER

**HOUSE BILL No. 2502**

An Act requiring municipalities to enact and enforce fire prevention and building codes.

Referred to Committee on Local Government.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, HALVERSON, WHELAN, VROON, Miss SIRIANNI, Messrs. MANMILLER and KLINGAMAN

**HOUSE BILL No. 2503**

An Act authorizing the county commissioners to reimburse volunteer fire and volunteer ambulance and rescue companies who respond to fires or other emergencies on county-owned property.

Referred to Committee on Local Government.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, DeVERTER, HALVERSON, WHELAN, VROON, Miss SIRIANNI, Messrs. LEHR, MANMILLER and KLINGAMAN

**HOUSE BILL No. 2504**

An Act amending the "Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), providing for special building permit fees and disposition thereof to certain volunteer fire companies.

Referred to Committee on Urban Affairs.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, DeVERTER, HALVERSON, WHELAN, VROON, Miss SIRIANNI, Messrs. LEHR, MANMILLER and KLINGAMAN

**HOUSE BILL No. 2505**

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), providing for special building permit fees and disposition thereof to certain volunteer fire companies.

Referred to Committee on Local Government.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, DeVERTER, HALVERSON, WHELAN, VROON, Miss SIRIANNI, Messrs. LEHR, MANMILLER and KLINGAMAN

**HOUSE BILL No. 2506**

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for special building permit fees and disposition thereof to certain volunteer fire companies.

Referred to Committee on Local Government.

By Messrs. PITTS, A. K. HUTCHINSON, PETRARCA, ZELLER, DeVERTER, HALVERSON, WHELAN, VROON, Miss SIRIANNI, Messrs. LEHR, MANMILLER and KLINGAMAN

**HOUSE BILL No. 2507**

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for special building permit fees and disposition thereof to certain volunteer fire companies.

Referred to Committee on Local Government.

By Messrs. PITTS, ZELLER, VROON and Miss SIRIANNI

**HOUSE BILL No. 2508**

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further providing for levy for fire protection.

Referred to Committee on Local Government.

By Messrs. PITTS, ZELLER, VROON and Miss SIRIANNI

**HOUSE BILL No. 2509**

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for levy for fire protection.

Referred to Committee on Local Government.

By Messrs. PITTS, ZELLER, VROON and Miss SIRIANNI

**HOUSE BILL No. 2510**

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), further providing for levy for fire protection.

Referred to Committee on Local Government.

By Messrs. WHELAN, BRUNNER, GREEN and SALVATORE

**HOUSE BILL No. 2511**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the personal income taxation of individual contributions to certain retirement plans.

Referred to Committee on Finance.

By Messrs. SALOOM, A. K. HUTCHINSON, PETRARCA and GOODMAN **HOUSE BILL No. 2512**

An Act amending the "Liquor Code," approved April

12, 1951 (P. L. 90, No. 21), providing a defense of entrapment.

Referred to Committee on Liquor Control.

**SENATE MESSAGE****BILLS FOR CONCURRENCE**

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

**SENATE BILL No. 875**

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), entitled "Public Welfare Code," excluding any increase in certain benefits in determining income eligibility for amount of State blind pensions.

Referred to Committee on Health and Welfare.

**SENATE BILL No. 1186**

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," further providing for certain information on assessment notices.

Referred to Committee on Local Government.

**SENATE BILL No. 1187**

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law," further providing for certain information on assessments notices.

Referred to Committee on Local Government.

**SENATE BILL No. 1283**

An Act amending the act of July 20, 1974 (P. L. 551, No. 190), entitled "Medical Practice Act of 1974," deleting provisions relating to physical therapy.

Referred to Committee on Professional Licensure.

**SENATE BILL No. 1430**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for alteration of identification mark on movable personal property.

Referred to Committee on Judiciary.

**SENATE BILL No. 1440**

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), entitled, as amended, "Parking Authority Law," providing further powers on investment.

Referred to Committee on State Government.

**SENATE BILL No. 1475**

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for the distribution of publications by the Department of General Services and making an editorial correction.

Referred to Committee on State Government.

**SENATE BILL No. 1500**

A Supplement to the act of (No. ), entitled "An act providing for the capital budget for the fiscal year 1976-1977," itemizing transportation assistance projects to be acquired or constructed by The Pennsylvania Transportation Assistance Authority together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the pur-

pose of financing the projects, stating the estimated useful life of the projects and making an appropriation.

Referred to Committee on Transportation.

**SENATE BILL No. 1504**

An Act providing for the capital budget for the fiscal year 1976-1977.

Referred to Committee on Appropriations.

**SENATE BILL No. 1505**

A Supplement to the act of (No. ), entitled "An act providing for the capital budget for the fiscal year 1976-1977," itemizing public improvement projects of the Department of General Services together with their estimated financial cost, authorizing the incurring of debt for the projects without approval of the electors to complete projects in the category of public improvements by acquisition of original furniture and equipment to be acquired by the Department of General Services, stating the estimated useful life of such projects and making an appropriation.

Referred to Committee on Appropriations.

**SENATE BILL No. 1542**

An Act relating to the fiscal affairs of the Commonwealth concerning duties of the Governor, the Secretary of Revenue and the Budget Secretary with respect to the submission of and signing the budget for any fiscal year; and after a budget is enacted regulating the issuance of warrants by the State Treasurer for certain requisitioned funds and imposing duties on persons authorized by law to issue requisitions for the payment of moneys from the State Treasury.

Referred to Committee on Appropriations.

**HOUSE RESOLUTIONS INTRODUCED AND REFERRED**

By Mr. LaMARCA **RESOLUTION No. 273**

The Speaker of the House of Representatives appoint a select committee of seven members; four from the majority and three from the minority to investigate the activities of the Bureau of Drug Enforcement to determine whether or not legislative action is necessary.

Referred to Committee on Rules.

By Messrs. HASAY, O'KEEFE, Mrs. FAWCETT, Messrs. MCGINNIS, HALVERSON, McCLATCHY, WEIDNER, E. H. SMITH, VROON, W. W. FOSTER, SCHEAFFER, KLINGAMAN, PERRI, M. E. MILLER, JR. and SCHWEDER **RESOLUTION No. 274**

The Speaker of the House of Representatives shall appoint nine members, five from the Majority Party and four from the Minority Party who shall constitute a special committee to investigate and evaluate in depth the State Board of Cosmetology and to make recommendations to improve and modernize said board.

Referred to Committee on Rules.

By Messrs. FREIND, ZEARFOSS, RYAN and W. D. HUTCHINSON **RESOLUTION No. 275**

The Rules of the House of Representatives are amended by adding a Rule.

Referred to Committee on Rules.

**LEAVES OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

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

The SPEAKER pro tempore. The Chair recognizes the minority whip.

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

The SPEAKER pro tempore. The Chair thanks the gentlemen.

**MASTER ROLL CALL**

The SPEAKER pro tempore. Will members of the House of Representatives still in their offices please come to the floor of the House immediately? We are about to take a master roll call.

The roll was taken and was as follows:

**YEAS—200**

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

**NOT VOTING—3**

Gleason	McGraw	Yahner
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The SPEAKER pro tempore. Two hundred members having indicated their presence, a master roll is established.

HOUSE BILL No. 1145 CALLED UP

The SPEAKER pro tempore. Without objection, the Chair asks the members of the House to turn to page 2 of today's calendar. The House will take up House bill No. 1145, printer's No. 3294.

CALENDAR

TRANSPORTATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1145, printer's No. 3294, entitled:

An Act amending the "State Highway Department Law," approved May 31, 1911 (P. L. 468, No. 193), further providing for retainages.

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—192

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

Fineman, Speaker

NOT VOTING—11

- |          |        |              |          |
|----------|--------|--------------|----------|
| Cohen    | McGraw | Ross         | Williams |
| DiDonato | Perry  | Ruggiero     | Yahner   |
| Gleason  | Rhodes | 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.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1147, printer's No. 1324, entitled:

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.

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—193

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

Fineman, Speaker

NOT VOTING—10

Bittle  
Gleason  
McGraw

Perry  
Rhodes  
Ruggiero

Vroon  
Walsh, T. P.

Williams  
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. 1618, printer's No. 2001**, entitled:

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (P. L. 7, No. 1), changing the definition of "motor vehicle" to include a two-axle commercial motor vehicle in certain cases.

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—193

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

NAYS—0

Fineman, Speaker

NOT VOTING—10

DiDonato  
Gleason  
Kistler

McGraw  
O'Donnell  
Perry

Rhodes  
Seltzer

Walsh, T. P.  
Yahner

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

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

THE SPEAKER (Herbert Fineman)  
IN THE CHAIR

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2101, printer's No. 2725**, entitled:

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.

On the question,

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

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

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

YEAS—176

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

Fineman, Speaker

NAYS—12

Deverter	Hasay	Kusse	Pyles
Dietz	Hayes, S. E.	McClatchy	Vroon
Gallen	Klingaman	Pitts	Zearfoss

NOT VOTING—15

Beren	McGraw	Seltzer	Williams
Davies	Miller, M. E., Jr.	Thomas	Wilt, W. W.
Gleason	Pievsky	Wagner	Yahner
Gring	Rhodes	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.

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. A few moments ago I voted erroneously on House bill No. 2101. I meant to cast my vote in the negative but I cast it in the affirmative. I would like the record to show that I meant to vote "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. 2184, printer's No. 2859, entitled:

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

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—196

Abraham	Gallen	Manmiller	Saloom
Anderson, J. H.	Garzia	McCall	Salvatore
Arthurs	Geesey	McClatchy	Scheaffer
Barber	Geisler	McCue	Schmitt
Bellomini	George	McGinnis	Schweder
Bennett	Giammarco	McIntyre	Scirica
Beren	Gillespie	McLane	Shane
Berlin	Gillette	Mebus	Shelhamer
Berson	Gleeson	Menhorn	Shelton
Bittle	Goodman	Milanovich	Shuman
Bonetto	Green	Miller, M. E.	Shupnik
Bradley	Greenfield	Miller, M. E., Jr.	Sirianni
Brandt	Grieco	Milliron	Smith, E.
Brunner	Gring	Miscevich	Smith, L.
Burns	Halverson	Moehlmann	Spencer
Butera	Hamilton, J. H.	Morris	Stahl
Caputo	Hammock	Mrkonic	Stapleton
Cessar	Hasay	Mullen, M. P.	Stout
Cianciulli	Haskell	Mullen	Taddonio
Cimini	Hayes, D. S.	Musto	Taylor
Cohen	Hayes, S. E.	Myers	Thomas
Cole	Hepford	Novak	Toll
Cowell	Hill	Noye	Trello
Crawford	Hopkins	O'Brien	Turner
Cumberland	Hutchinson, A.	O'Connell	Ustynoski
Davies	Hutchinson, W.	O'Donnell	Valicenti
DeMedio	Irvis	O'Keefe	Vroon

Deverter	Ikkin	Pancoast	Wagner
DeWeese	Johnson, J.	Parker, H. S.	Wansacz
Dicarlo	Katz	Perri	Wargo
DiDonato	Kelly, A. P.	Perry	Weldner
Dietz	Kelly, J. B.	Petrarca	Westerberg
Dininni	Kernick	Pievsky	Whelan
Dombrowski	Kistler	Pitts	Wiggins
Dorr	Klingaman	Polite	Williams
Doyle	Knepper	Pratt	Wilson
Dreibelbis	Koiter	Prendergast	Wilt, R. W.
Dumas	Kowalshyn	Pyles	Wilt, W. W.
Eckensberger	Kusse	Rappaport	Wojdak
Englehart	LaMarca	Ravenstahl	Worrilow
Fawcett	Laudadio	Reed	Wright
Fee	Laughlin	Renninger	Yohn
Fischer	Lederer	Renwick	Zearfoss
Fisher	Lehr	Richardson	Zeller
Flaherty	Letterman	Rieger	Zord
Foster, A.	Levi	Ritter	Zwilk
Foster, W.	Lincoln	Ross	
Freind	Logue	Ruggiero	Fineman,
Fryer	Lynch	Ryan	Speaker
Gallagher	Mandertno		

NAYS—0

NOT VOTING—7

Gleason	Oliver	Seltzer	Yahner
McGraw	Rhodes	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.

Agreeable to order,

The House proceeded to third consideration of House bill No. 2285, printer's No. 3034, entitled:

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.

On the question,

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

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

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

YEAS—191

Abraham	Garzia	McCall	Salvatore
Anderson, J. H.	Geesey	McClatchy	Scheaffer
Arthurs	Geisler	McCue	Schmitt
Barber	George	McGinnis	Schweder
Bellomini	Giammarco	McIntyre	Selrica
Bennett	Gillespie	McLane	Seltzer
Beren	Gillette	Mebus	Shelhamer
Berlin	Gleeson	Menhorn	Shelton
Berson	Goodman	Milanovich	Shuman
Bittle	Green	Miller, M. E.	Shupnik
Bonetto	Greenfield	Miller, M. E., Jr.	Sirianni
Bradley	Grieco	Milliron	Smith, E.
Brandt	Gring	Miscevich	Smith, L.
Brunner	Halverson	Moehlmann	Spencer
Burns	Hamilton, J. H.	Morris	Stahl
Butera	Hammock	Mrkonic	Stapleton
Caputo	Hasay	Mullen, M. P.	Stout
Cessar	Haskell	Mullen	Taddonio
Cianciulli	Hayes, D. S.	Musto	Taylor
Cimini	Hayes, S. E.	Myers	Thomas
Cohen	Hepford	Novak	Toll
Cole	Hill	Noye	Trello
Cowell	Hopkins	O'Brien	Turner
Crawford	Hutchinson, A.	O'Connell	Ustynoski
Cumberland	Hutchinson, W.	O'Donnell	Valicenti
Davies	Irvis	O'Keefe	Vroon
DeMedio	Itkin		
Deverter	Johnson, J.	Pancoast	Wagner

DeWeese	Katz	Parker, H. S.	Wargo
Dicario	Kelly, A. P.	Perri	Weidner
DiDonato	Kelly, J. B.	Perry	Westerberg
Dietz	Kernick	Petrarca	Whelan
Dinnini	Kistler	Pievsky	Wiggins
Dombrowaki	Klingaman	Pitts	Williams
Dorr	Knepper	Polite	Wilson
Doyle	Kusse	Pratt	Wilt, R. W.
Dreibelbis	LaMarca	Prendergast	Wilt, W. W.
Dumas	Laudadio	Pyles	Wojdak
Eckensberger	Laughlin	Rappaport	Worrlow
Englehart	Lederer	Ravenstahl	Wright
Fee	Lehr	Renninger	Yohn
Fischer	Letterman	Renwick	Zearfoss
Fisher	Levi	Rhodes	Zeller
Flaherty	Lincoln	Richardson	Zord
Foster, A.	Logue	Rieger	Zwickl
Foster, W.	Lynch	Ross	
Freind	Manderino	Ruggiero	Fineman,
Gallagher	Manruller	Saloom	Speaker
Gallen			

NAYS—4

Fryer	Kolter	Ritter	Shane
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NOT VOTING—8

Fawcett	Kowalyszyn	Reed	Walsh, T. P.
Gleason	McGraw	Ryan	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. 2353, printer's No. 3146, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

Abraham	Garzia	Manmiller	Salvatore
Anderson, J. H.	Geesey	McCall	Scheaffer
Arthurs	Geisler	McClatchy	Schmitt
Barber	George	McCue	Schweder
Bellomini	Giammarco	McGinnis	Scirica
Bennett	Gillespie	McLane	Seltzer
Beren	Gillette	Mebus	Shane
Berlin	Gleeson	Menhorn	Shelhamer
Berson	Goodman	Milanovich	Shelton
Bittle	Green	Miller, M. E.	Shuman
Bonetto	Greenfield	Miller, M. E., Jr.	Shupnik
Bradley	Grieco	Milliron	Sirianni
Brandt	Gring	Miscevich	Smith, E.
Brunner	Halverson	Moehlmann	Smith, L.
Burns	Hamilton, J. H.	Morris	Spencer
Butera	Hammock	Merkonic	Stahl
Caputo	Hasay	Mullen, M. P.	Stapleton
Cessar	Haskell	Mullen	Stout
Cianciulli	Hayes, D. S.	Musto	Taddonio
Cimini	Hayes, S. E.	Myers	Taylor
Cole	Hepford	Noye	Thomas
Cowell	Hill	Novak	Toll
Crawford	Hopkins	O'Brien	Trello
Cumberland	Hutchinson, A.	O'Connell	Turner
Davies	Hutchinson, W.	O'Donnell	Ustynoski
DeMedio	Iris	O'Keefe	Valicenti

Deverter	Itkin	Pancoast	Vroon
DeWeese	Johnson, J.	Parker, H. S.	Wagner
Dicario	Katz	Perri	Wansacz
DiDonato	Kelly, A. P.	Perry	Wargo
Dietz	Kelly, J. B.	Petrarca	Weidner
Dinnini	Kernick	Pievsky	Westerberg
Dombrowaki	Kistler	Pitts	Whelan
Dorr	Klingaman	Polite	Wiggins
Doyle	Knepper	Pratt	Wilson
Dreibelbis	Kolter	Prendergast	Williams
Dumas	Kowalyszyn	Pyles	Wilt, R. W.
Eckensberger	Kusse	Rappaport	Wilt, W. W.
Englehart	LaMarca	Ravenstahl	Wojdak
Fawcett	Laudadio	Reed	Worrlow
Fee	Laughlin	Renninger	Wright
Fischer	Lederer	Renwick	Yohn
Fisher	Lehr	Rhodes	Zearfoss
Flaherty	Letterman	Richardson	Zeller
Foster, A.	Levi	Rieger	Zord
Foster, W.	Lincoln	Ross	Zwickl
Fryer	Logue	Ruggiero	
Gallagher	Lynch	Ryan	Fineman,
Gallen	Manderino	Saloom	Speaker

NAYS—2

Cohen	Ritter
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NOT VOTING—7

Freind	McGraw	Oliver	Yahner
Gleason	McIntyre	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.

JUDICIARY BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1887, printer's No. 2422, entitled:

An Act amending the act of May 19, 1897 (P. L. 67, No. 53), entitled "An act regulating the practice, bail costs and fees on appeals to the Supreme Court and Superior Court," further providing for the cost of an appeal to an appellate court.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

Abraham	Geesey	McCall	Scheaffer
Anderson, J. H.	Geisler	McClatchy	Schmitt
Arthurs	George	McCue	Schweder
Barber	Giammarco	McGinnis	Scirica
Bellomini	Gillespie	McIntyre	Seltzer
Bennett	Gillette	McLane	Shane
Beren	Gleeson	Mebus	Shelhamer
Berlin	Goodman	Menhorn	Shelton
Berson	Green	Milanovich	Shuman
Bittle	Greenfield	Miller, M. E.	Shupnik
Bonetto	Grieco	Miller, M. E., Jr.	Sirianni
Bradley	Gring	Milliron	Smith, E.
Brandt	Halverson	Miscevich	Smith, L.
Brunner	Hamilton, J. H.	Moehlmann	Spencer
Burns	Hammock	Morris	Stahl
Butera	Hasay	Mullen, M. P.	Stapleton
Caputo	Haskell	Mullen	Stout
Cessar	Hayes, D. S.	Musto	Taddonio
Cimini	Hayes, S. E.	Myers	Taylor
Cohen	Hepford	Novak	Thomas
Cole	Hill	Noye	Toll

Cowell	Hopkins	O'Brien	Trello
Cumberland	Hutchinson, A.	O'Connell	Turner
DeMedio	Hutchinson, W.	O'Donnell	Ustynoski
Deverter	Irvis	O'Keefe	Valicenti
DeWeese	Itkin	Pancoast	Vroon
Dicarlo	Katz	Parker, H. S.	Wagner
DiDonato	Kelly, A. P.	Perri	Wansacz
Dietz	Kelly, J. B.	Perry	Wargo
Dininni	Kernick	Petrarca	Weidner
Dombrowski	Kistler	Pievsky	Westerberg
Dorr	Klingaman	Pitts	Whelan
Doyle	Knepper	Polite	Wiggins
Dreibelbis	Kolter	Pratt	Williams
Dumas	Kowalyshyn	Prendergast	Wilson
Engelhart	Kusse	Pyles	Wilt, R. W.
Fawcett	LaMarca	Rappaport	Wilt, W. W.
Fee	Laudadio	Ravenstahl	Wojdak
Fischer	Laughlin	Reed	Worrlow
Fisher	Lederer	Renninger	Wright
Flaherty	Lehr	Renwick	Yohn
Foster, A.	Letterman	Richardson	Zeller
Foster, W.	Levi	Rieger	Zord
Freind	Lincoln	Ritter	Zwilk
Fryer	Logue	Ruggiero	
Gallagher	Lynch	Ryan	Fineman,
Gallen	Manderino	Saloom	Speaker
Garzia	Manmiller	Salvatore	

NAYS—1

Mrkonic

NOT VOTING—13

Cianciulli	Gleason	Oliver	Walsh, T. P.
Crawford	Johnson, J.	Rhodes	Yahner
Davies	McGraw	Ross	Zearfoss
Eckensberger			

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. 2265, printer's No. 2992, entitled:

An Act relating to the rights of grandparents to visit or have temporary custody of their grandchildren in certain cases.

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—196

Abraham	Gallen	Manmiller	Salvatore
Anderson, J. H.	Garzia	McCall	Scheaffer
Arthurs	Geesey	McClatchy	Schmitt
Barber	Geisler	McGinnis	Schweder
Bellomini	George	McIntyre	Scirica
Bennett	Giammarco	McLane	Seltzer
Beren	Gillespie	Mebus	Shane
Berlin	Gillette	Menhorn	Shelhamer
Berson	Gleason	Milanovich	Shelton
Bittle	Goodman	Miller, M. E.	Shuman
Bonetto	Green	Miller, M. E., Jr.	Shupnik
Bradley	Greenfield	Milliron	Sirianni
Brandt	Grieco	Miscevich	Smith, E.
Brunner	Gring	Moehlmann	Smith, L.
Burns	Halverson	Morris	Spencer
Butera	Hamilton, J. H.	Mrkonic	Stahl
Caputo	Hammock	Mullen, M. P.	Stapleton
Cessar	Hasay	Mullen	Stout
Cianciulli	Haskell	Musto	Taddonio
Cimini	Hayes, D. S.	Myers	Taylor
Cohen	Hayes, S. E.	Novak	Thomas
Cole	Hepford	Noye	Toll

Cowell	Hill	O'Brien	Trello
Crawford	Hopkins	O'Connell	Turner
Cumberland	Hutchinson, A.	O'Donnell	Ustynoski
Davies	Hutchinson, W.	O'Keefe	Valicenti
DeMedio	Irvis	Oliver	Vroon
Deverter	Itkin	Pancoast	Wagner
DeWeese	Johnson, J.	Parker, H. S.	Wansacz
Dicarlo	Katz	Perri	Wargo
Dietz	Kelly, A. P.	Petrarca	Weidner
DiDonato	Kelly, J. B.	Pievsky	Westerberg
Dininni	Kernick	Pitts	Whelan
Dombrowski	Kistler	Polite	Wiggins
Dorr	Klingaman	Pratt	Williams
Doyle	Knepper	Prendergast	Wilson
Dreibelbis	Kolter	Pyles	Wilt, R. W.
Dumas	Kowalyshyn	Rappaport	Wilt, W. W.
Eckensberger	Kusse	Ravenstahl	Wojdak
Engelhart	LaMarca	Reed	Worrlow
Engelhart	Laudadio	Renninger	Wright
Fee	Laughlin	Renwick	Yohn
Fischer	Lederer	Richardson	Zearfoss
Fisher	Lehr	Rieger	Zeller
Flaherty	Letterman	Ritter	Zord
Foster, A.	Levi	Ross	Zwilk
Foster, W.	Lincoln	Ruggiero	
Freind	Logue	Ryan	Fineman,
Fryer	Lynch	Saloom	Speaker
Gallagher	Manderino		

NAYS—1

McCue

NOT VOTING—6

Gleason	Petry	Walsh, T. P.	Yahner
McGraw	Rhodes		

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. 2358, printer's No. 3151, entitled:

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

On the question,

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

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

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

YEAS—193

Abraham	Garzia	McCall	Saloom
Anderson, J. H.	Geesey	McClatchy	Salvatore
Arthurs	Geisler	McCue	Scheaffer
Barber	George	McGinnis	Schmitt
Bellomini	Giammarco	McIntyre	Schweder
Bennett	Gillespie	McLane	Scirica
Berlin	Gillette	Mebus	Shane
Berson	Gleason	Menhorn	Shelhamer
Bittle	Goodman	Milanovich	Shelton
Bonetto	Green	Miller, M. E.	Shuman
Bradley	Greenfield	Miller, M. E., Jr.	Shupnik
Brandt	Grieco	Milliron	Sirianni
Brunner	Gring	Miscevich	Smith, E.
Burns	Halverson	Mochlmann	Smith, L.
Butera	Hamilton, J. H.	Morris	Spencer
Caputo	Hammock	Mrkonic	Stahl
Cessar	Haskell	Mullen, M. P.	Stapleton
Cianciulli	Hayes, D. S.	Mullen	Stout
Cimini	Hayes, S. E.	Musto	Taddonio
Cohen	Hepford	Novak	Taylor
Cole	Hill	Noye	Thomas



Cowell	Hopkins	O'Brien	Trello
Crawford	Hutchinson, A.	O'Connell	Toll
Cumberland	Hutchinson, W.	O'Donnell	Turner
Davies	Irvis	O'Keefe	Ustynoski
DeMedto	Itkin	Oliver	Valicenti
Deverter	Johnson, J.	Pancoast	Vroon
DeWeese	Katz	Parker, H. S.	Wansacz
Dicarlo	Kelly, A. P.	Perri	Wargo
Dietz	Kelly, J. B.	Perry	Weldner
Dininni	Kernick	Petrarca	Westerberg
Dombrowski	Kistler	Pievsky	Whelan
Dorr	Klingaman	Pitts	Wiggins
Doyle	Knepper	Polite	Williams
Dreibelbis	Kolter	Pratt	Wilson
Dumas	Kowalyszyn	Prendergast	Wilt, R. W.
Eckensberger	Kusse	Pyles	Wilt, W. W.
Englehart	LaMarca	Rappaport	Wojdak
Fawcett	Laudadio	Ravenstahl	Worrilow
Fee	Laughlin	Reed	Wright
Fischer	Lederer	Renninger	Yohn
Fisher	Lehr	Rhodes	Zearfoss
Flaherty	Letterman	Richardson	Zeller
Foster, A.	Levi	Rieger	Zord
Foster, W.	Lincoln	Ritter	Zwilk
Freind	Logue	Ross	Fineman,
Fryer	Lynch	Ruggiero	Speaker
Gallagher	Manderino	Ryan	
Gallen	Manmiller		

NAYS—2

Hasay Wagner

NOT VOTING—8

Beren	Gleason	Myers	Walsh, T. P.
DiDonato	McGraw	Seltzer	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.

URBAN AFFAIRS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2095, printer's No. 2702, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), further providing for discharge, suspension and demotion of classified civil service employees.

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—199

Abraham	Garzia	McCall	Saloom
Anderson, J. H.	Geesey	McClatchy	Salvatore
Arthurs	Geisler	McCue	Scheaffer
Barber	George	McGinnis	Schmitt
Bellomini	Giammarco	McIntyre	Schweder
Bennett	Gillespie	McLane	Scirica
Beren	Gillette	Mebus	Seltzer
Berlin	Gleason	Menhorn	Shane
Berson	Goodman	Milanovich	Shelhamer
Bittle	Green	Miller, M. E.	Shelton
Bonetto	Greenfield	Miller, M. E., Jr.	Shuman
Bradley	Grieco	Milliron	Shupnik
Brandt	Gring	Miscevich	Sirianni
Brunner	Halverson	Moehlmann	Smith, E.
Burns	Hamilton, J. H.	Morris	Smith, L.
Butera	Hammock	Mrkonjc	Spencer
Caputo	Hasay	Mullen	Stahl

Cessar	Haskell	Mullen, M. P.	Stapleton
Cianciulli	Hayes, D. S.	Musto	Stout
Cimini	Hayes, S. E.	Myers	Taddonio
Cohen	Hepford	Novak	Taylor
Cole	Hill	Noye	Thomas
Cowell	Hopkins	O'Brien	Toll
Crawford	Hutchinson, A.	O'Connell	Trello
Cumberland	Hutchinson, W.	O'Donnell	Turner
Davies	Irvis	O'Keefe	Ustynoski
DeMedto	Itkin	Oliver	Valicenti
Deverter	Johnson, J.	Pancoast	Vroon
DeWeese	Katz	Parker, H. S.	Wagner
Dicarlo	Kelly, A. P.	Perri	Wansacz
DiDonato	Kelly, J. B.	Perry	Wargo
Dietz	Kernick	Petrarca	Weidner
Dininni	Kistler	Pievsky	Westerberg
Dombrowski	Klingaman	Pitts	Whelan
Dorr	Knepper	Polite	Wiggins
Doyle	Kolter	Pratt	Williams
Dreibelbis	Kowalyszyn	Prendergast	Wilson
Dumas	Kusse	Pyles	Wilt, R. W.
Eckensberger	LaMarca	Rappaport	Wilt, W. W.
Englehart	Laudadio	Ravenstahl	Wojdak
Fawcett	Laughlin	Reed	Worrilow
Fee	Lederer	Renninger	Wright
Fischer	Lehr	Rhodes	Yohn
Fisher	Letterman	Richardson	Zearfoss
Flaherty	Levi	Rieger	Zeller
Foster, A.	Lincoln	Ritter	Zord
Foster, W.	Logue	Ross	Zwilk
Freind	Lynch	Ruggiero	Fineman,
Fryer	Manmiller	Ryan	Speaker
Gallagher	Manderino		
Gallen			

NAYS—0

NOT VOTING—4

Gleason McGraw Walsh, T. P. Yahner

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

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

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1845, printer's No. 2369, entitled:

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

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—197

Abraham	Gallen	Manmiller	Salvatore
Anderson, J. H.	Garzia	McCall	Scheaffer
Arthurs	Geesey	McClatchy	Schmitt
Barber	Geisler	McCue	Schweder
Bellomini	George	McGinnis	Scirica
Bennett	Giammarco	McIntyre	Seltzer
Beren	Gillespie	McLane	Shane
Berlin	Gillette	Mebus	Shelhamer
Berson	Gleason	Menhorn	Shelton
Bittle	Goodman	Milanovich	Shuman
Bonetto	Green	Miller, M. E.	Shupnik
Bradley	Greenfield	Miller, M. E., Jr.	Sirianni
Brunner	Grieco	Milliron	Smith, E.
Burns	Gring	Miscevich	Smith, L.
	Halverson	Moehlmann	Spencer

Butera	Hamilton, J. H.	Morris	Stahl
Caputo	Hammock	Mrkoncic	Stapleton
Cessar	Hasay	Mullen	Stout
Cianciulli	Haskell	Mullen, M. P.	Taddonio
Cimini	Hayes, D. S.	Musto	Taylor
Cohen	Hayes, S. E.	Myers	Thomas
Cole	Hepford	Novak	Toll
Cowell	Hill	Noye	Trello
Crawford	Hopkins	O'Brien	Turner
Cumberland	Hutchinson, A.	O'Connell	Ustynoski
Davies	Hutchinson, W.	O'Donnell	Valicenti
DeMedio	Irvis	O'Keefe	Vroon
Deverter	Itkin	Pancoast	Wagner
DeWeese	Johnson, J.	Parker, H. S.	Wansacz
Dicarlo	Katz	Perri	Wargo
DiDonato	Kelly, A. P.	Perry	Weidner
Dietz	Kelly, J. B.	Petrarca	Westerberg
Dininni	Kernick	Plevsky	Whelan
Dombrowski	Kistler	Pitts	Wiggins
Dorr	Klingaman	Polite	Williams
Doyle	Knepper	Pratt	Wilson
Dreibelbis	Kolter	Prendergast	Wilt, R. W.
Dumas	Kowalyshyn	Pyles	Wilt, W. W.
Eckensberger	Kusse	Rappaport	Wojdak
Englehart	LaMarca	Ravenstahl	Worrlow
Fawcett	Laudadio	Reed	Wright
Fee	Laughlin	Renninger	Yohn
Fischer	Lederer	Renwick	Zearfoss
Fisher	Lehr	Richardson	Zeller
Flaherty	Letterman	Rieger	Zord
Foster, A.	Levi	Ritter	Zwikl
Foster, W.	Lincoln	Ross	
Freind	Logue	Ruggiero	
Fryer	Lynch	Ryan	
Gallagher	Manderino	Saloom	

NAYS—0

NOT VOTING—6

Gleason	Oliver	Walsh, T. P.	Yahner
McGraw	Rhodes		

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

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

**STATE GOVERNMENT BILL ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 1472, printer's No. 1837, entitled:**

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," authorizing amateur and professional boxing and wrestling contests and exhibitions on Sunday and making a repeal.

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 is agreed to and is now on final passage. The question is, Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. For what purpose does the gentleman, Mr. Dombrowski, rise?

Mr. DOMBROWSKI. If you would just temporarily pass over this bill, I think Mr. Bellomini went to see if an amendment is needed for the effective date of the bill. He spoke to the majority leader.

SENATE BILL No. 1472  
PASSED OVER TEMPORARILY

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

The Chair reconsiders its decision as to this bill having been agreed to a third time. This bill will go over temporarily.

**AGRICULTURE BILL ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1491, printer's No. 3290, entitled:**

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.

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—188

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

NAYS—7

Gillespie	Milliron	Richardson	Zord
Hasay	O'Keefe	Stapleton	

NOT VOTING—8

Gleason	McGraw	Rhodes	Walsh, T. P.
Kolter	Oliver	Sirrianni	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. The Chair recognizes the gentleman from Delaware, Mr. Garzia. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. GARZIA. On House bill No. 1491, printer's No. 3290, I would like to change my vote from the affirmative to the negative, please.

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

**JUDICIARY BILL ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2354, printer's No. 3268, entitled:**

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

On the question,

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

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

The question is, shall the bill pass finally?

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

**YEAS—194**

Abraham	Gallagher	Manmiller	Saloom
Anderson, J. H.	Gallen	McCall	Salvatore
Arthurs	Garzia	McClatchy	Scheaffer
Barber	Geesey	McCue	Schmitt
Bellomini	Getzler	McGinnis	Schweder
Bennett	George	McIntyre	Scirica
Beren	Giannarco	McLane	Seltzer
Berlin	Gillespie	Mebus	Shane
Berson	Gillette	Menhorn	Shelhamer
Bittle	Gleeson	Milanovich	Shelton
Bonetto	Goodman	Miller, M. E.	Snuman
Bradley	Green	Miller, M. E., Jr.	Shupnik
Brandt	Greenfield	Milliron	Strianni
Brunner	Grieco	Moehlmann	Smith, E.
Burns	Gring	Morris	Smith, L.
Butera	Halverson	Mrkonje	Spencer
Caputo	Hamilton, J. H.	Mullen	Stahl
Cessar	Hammock	Mullen, M. P.	Stapleton
Cianciulli	Hasay	Musto	Stout
Cimini	Haskell	Myers	Taddonio
Cohen	Hayes, D. S.	Novak	Taylor
Cole	Hayes, S. E.	Noye	Thomas
Cowell	Hepford	O'Brien	Toll
Crawford	Hill	O'Connell	Trello
Cumberland	Hopkins	O'Donnell	Turner
Davies	Hutchinson, A.	O'Keefe	Ustynoski
DeMedio	Hutchinson, W.	Oliver	Valicenti
Deverter	Irvis	Pancoast	Vroon
DeWeese	Itkin	Parker, H. S.	Wagner
Dicarlo	Johnson, J.	Perri	Wansacz
DiDonato	Kelly, A. P.	Petrarca	Wargo
Dietz	Kelly, J. B.	Pievsky	Weidner
Diminni	Kernick	Pitts	Westerberg
Dombrowski	Kistler	Polite	Whelan
Dorr	Kilgaman	Pratt	Wiggins

Doyle	Knepper	Prendergast	Williams
Dreibelbis	Kolter	Pyles	Wilson
Dumas	Kowalshyn	Rappaport	Wilt, R. W.
Eckensberger	Kusse	Ravenstahl	Wilt, W. W.
Englehart	LaMarca	Reed	Wojdak
Fawcett	Laudadio	Renninger	Worrlow
Fee	Laughlin	Renwick	Wright
Fischer	Lederer	Rhodes	Yohn
Fisher	Lehr	Richardson	Zearfoss
Flaherty	Letterman	Rieger	Zord
Foster, A.	Levi	Ritter	Zwikl
Foster, W.	Lincoln	Ross	
Freind	Logue	Ruggiero	Fineman, Speaker
Fryer	Lynch	Ryan	

**NAYS—2**

Katz                      Zeller

**NOT VOTING—7**

Gleason	McGraw	Perry	Yahner
Manderino	Miscevich	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.

**QUESTION OF PERSONAL PRIVILEGE**

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

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

The SPEAKER. The gentleman will state it.

Mr. GILLESPIE. I inadvertently threw my switch in the affirmative. I wish to be recorded in the negative on House bill No. 2354.

The SPEAKER. The gentleman's remarks will be spread upon the record.

**STATE GOVERNMENT BILL ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1130, printer's No. 3321, entitled:**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for electronic voting systems.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. TADDONIO. Mr. Speaker, this bill has to do with the authorization of electronic voting systems for our Commonwealth.

Two years ago I opposed this legislation and I still oppose it. There are several objections I have to it. I would like to just briefly enumerate them, as I have a peculiar interest in this since my profession is in the computer area.

I see that there are three basic deficiencies in this type of voting system. First of all, I see that it is absolutely impossible to really guarantee the safeguards on these systems. The state of security in the computer area does not dictate that we can safely and quantitatively say that our elections are secure. Just as a backup for

that, I would like to quote from the report of the Association for Computing Machinery, which is one of the foremost organizations of computer professionals, saying: "Absolute integrity of hardware and software portions of the system cannot be assured."

An editorial in "Computerworld" says: "In a recent survey of county election officers, an incredible 100% rated the security . . . 'good' . . ." This editorial goes on to say:

Perhaps it is a lack of sophistication regarding the real dangers inherent in such systems on the part of these officials, or perhaps it is just that they have too easily accepted the claims made by the manufacturers of the systems, but it is clear that the systems may not be as accurate or secure as most officials think.

Another point is that the voting is not really electronic. I have right here a card which is nothing more than a simple perforated punch card which the voter uses. He just punches a hole in these cards and the cards are then collected, much like they collect paper ballots. They are then sent to the county collection center, in most of the systems, where they are tabulated.

In the handling of these cards, there has to be manual processing. People have to touch these cards. They have to clarify the holes that were not clearly punched. In doing so, any young lady with a long fingernail can go ahead and vote her heart's content and it would never be noticed. There is really much possibility for fraud.

Another thing is this: In duplicating cards that are mutilated for one reason or—

Mr. IRVIS. Mr. Speaker, will the gentleman yield?

The SPEAKER. The Chair recognizes the majority leader.

HOUSE BILL No. 1130 PASSED OVER TEMPORARILY

Mr. IRVIS. Mr. Speaker, quite obviously House bill No. 1130 is going to be heavily debated. We had hoped it would not be, but I have just been informed that the Republican Party would like to have an opportunity to caucus with Mr. Taddonio about this particular bill. I would ask that this bill be passed over temporarily.

The SPEAKER. The bill will be temporarily passed over.

FEDERAL AND STATE RELATIONS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2052, printer's No. 3331, entitled:

An Act creating a temporary Joint Legislative Committee on Regulatory Reform; prescribing its powers and duties; and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

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

- Amend Sec. 3, page 3, line 11, by striking out "(vi)"
Amend Sec. 3, page 3, line 12, by striking out "(vi)"
Amend Sec. 6, page 6, line 10, by striking out "1976" and inserting: 1977
Amend Sec. 7, page 6, line 29, by striking out "1976" and inserting: 1977

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

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

Mr. RITTER. Mr. Speaker, the first part of the amendments rennumbers the paragraph.

The second part of the amendments changes the date for this committee to make its report from October 1976, to October 1977, and it changes the termination date of the committee from December 1976 to December 1977.

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—0

NOT VOTING—8

Table listing names of members who did not vote. Includes names like Gleason, LaMarca, McGraw, Rhodes, Walsh, T. P., Yahner

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

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

### HOUSE BILLS Nos. 2456, 2457 AND 2458 PASSED OVER TEMPORARILY

The SPEAKER. House bills Nos. 2456, 2457, and 2458 will be temporarily passed over.

### REQUEST TO CALL UP HOUSE BILL No. 2163

The SPEAKER. Does the majority leader desire to return to House bill No. 353, on page 4?

Mr. IRVIS. No, Mr. Speaker. The amendment to House bill No. 353, on page 4, is not yet ready.

The SPEAKER. What is the pleasure of the majority leader?

Mr. IRVIS. Was House bill No. 2163 just passed by the House, on page 13?

The SPEAKER. The balance of the calendar has been acted upon.

Mr. IRVIS. Does Mr. Mebus have his amendment in to House bill No. 2163, on page 13?

Mr. Mebus is to be recognized for an amendment, and then that bill may be called up, Mr. Speaker.

### LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 2163, printer's No. 2819**, entitled:

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), providing that the costs in processing a curative amendment be borne by the landowner.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 17, by striking out "that" and inserting: for payment of

Amend Title, page 1, line 18, by striking out "be borne by the" and inserting: submitted by a

Amend Sec. 1 (Sec. 609.1), page 2, line 15, by inserting after "incurred": in the conduct of a hearing held before and

Amend Sec. 1 (Sec. 609.1), page 2, line 18, by inserting after "borne": up to 80%

Amend Sec. 1 (Sec. 609.1), page 2, line 18, by inserting after "same.": The remainder shall be borne by the governing body.

Amend Sec. 1 (Sec. 609.1), page 2, line 19, by striking out "no costs whatsoever" and inserting: not more than 20% of the costs

Amend Sec. 1 (Sec. 609.1), page 2, line 21, by inserting a period after "body"

Amend Sec. 1 (Sec. 609.1), page 2, lines 21 and 22, by striking out "but all such" in line 21 and all of line 22

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Mebus. Will the gentleman briefly explain the amendments on the floor?

Mr. MEBUS. What I am attempting to do here is to say that 20 percent of the cost of a curative amendment hearing will be borne by the municipality instead of all of it by the developer. The developer will carry 80 percent of it; the municipality will carry 20 percent.

My thinking is simply this, that these things can be capricious from either side. If there is some financial responsibility each way, it helps to hold the thing down. At the present time, I think that many of the developers are acting in a foolish fashion. They are asking for curative amendments to a degree that they are absolutely breaking the municipalities with legal fees and other things. That is the purpose of Mr. Burns' bill and the thing he is trying to do, I think, is sound. But on the other hand, looking at it from the other side, no matter what, if the costs of one of these things goes to court, the whole thing is being laid on the developer. Now if there is some financial responsibility laid on the back of the township or the borough or what have you as well, even if it is a small fraction, it is going to keep them from acting capriciously, and that is all I am endeavoring to do with this.

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

Mr. BURNS. Mr. Speaker, I rise to oppose these amendments simply because I do not feel that the burden should be placed on the municipality whether it be a township or a borough.

What happens in reality is that a developer looks over the ground. He knows what he is getting into prior to his coming into that particular area. He knows that a curative amendment is needed. He comes in and he applies for the curative amendment, and then, at that point, the municipality has to pick up all of the costs of that particular curative amendment.

Now my colleague, Mr. Mebus, would say that the township or the borough should pick up 20 percent. I do not think the township or the borough should pick up anything. They did not do anything. They were living a nice little life until this big developer came in with all of his equipment and so forth, and he knew all of the problems before he came in. He is going to build and he is going to make an awful lot of money by building. He is going to pass that cost on to the buyers. I do not think that the township or the borough should have to stand any of that cost. That is my reason for opposing this particular amendment.

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

Mr. MEBUS. Mr. Speaker, in substance, I agree with Mr. Burns' bill. At the present time the boroughs and townships are footing the entire bill for the costs of expert witnesses, stenographic transcripts, council fees, et cetera, and this bill goes toward making the developers pay for the cost that they are generating for the township. I think this is good, but there has to be some rein on this or what could conceivably happen is that a township might call in all kinds of expert witnesses to run up a fantastic bill just to make the thing that much more difficult for the developer. If they are paying a little bit of it themselves, I think this keeps a checkrein on both parties. That is the sum and substance of it. I

think the problem exists, and what Mr. Burns is attempting to do is basically sound.

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

Mr. ZELLER. Mr. Speaker, we have had very serious experiences in our area in regard to developers mainly coming in from out of state. They are big investors. They come into an area and they take advantage of municipalities, expecting them to take care of all their drainage problems, everything that it is possible to take care of. They make their investment and then take off and leave you hanging high and dry.

I feel that what Mr. Burns is trying to do with this bill is proper and I believe that what Mr. Mebus is trying to place in there is just going to cause more problems for municipalities. So I feel that we should vote the amendment down and get on with Mr. Burns' intent.

Thank you.

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

Mr. MORRIS. Mr. Speaker, I heartily agree with all of the gentlemen who have spoken so far, with the one exception of Mr. Mebus, and I could not disagree with him more.

In addition to that, we hashed this matter out in the Local Government Committee at some length. It was discussed thoroughly, and Mr. Mebus' suggestion was voted down. I urge the members of this House to do likewise.

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

Mr. FRYER. Mr. Speaker, I wish to add my opposition to the proposal by Mr. Mebus.

The matter was thoroughly discussed in the Local Government Committee, and the feeling there was that the cost should be borne in the case of the developer and that no cost should be borne by the governing body. So I would urge the members of the House to oppose this amendment.

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

The yeas and nays were required by Messrs. MEBUS and BURNS and were as follows:

YEAS—25

- |            |                |           |             |
|------------|----------------|-----------|-------------|
| Cohen      | Freind         | Mebus     | Thomas      |
| Crawford   | Haskell        | Moehlmann | Vroon       |
| DeMedio    | Hutchinson, W. | Pancoast  | Westerberg  |
| DiDonato   | Kusse          | Ritter    | Wilt, R. W. |
| Dorr       | Lederer        | Shuman    | Wilt, W. W. |
| Engelhart  | McCue          | Stahl     | Yohn        |
| Poster, A. |                |           |             |

NAYS—165

- |                 |                 |                    |           |
|-----------------|-----------------|--------------------|-----------|
| Abraham         | Geesey          | Manderino          | Ruggiero  |
| Anderson, J. H. | Geisler         | Manmiller          | Ryan      |
| Arthur          | George          | McCall             | Saloom    |
| Barber          | Giammarco       | McClatchy          | Salvatore |
| Bellomini       | Gillespie       | McIntyre           | Scheaffer |
| Bennett         | Gillette        | McLane             | Schmitt   |
| Beren           | Gleeson         | Menhorn            | Schweder  |
| Berlin          | Goodman         | Milanovich         | Seltzer   |
| Bittle          | Green           | Miller, M. E.      | Shane     |
| Bonetto         | Greenfield      | Miller, M. E., Jr. | Shelhamer |
| Bradley         | Greco           | Milliron           | Shelton   |
| Brandt          | Gring           | Miscevich          | Shupnik   |
| Brunner         | Halverson       | Morris             | Sirianni  |
| Burns           | Hamilton, J. H. | Mrkonic            | Smith, E. |

- |              |                |               |                  |
|--------------|----------------|---------------|------------------|
| Butera       | Hammock        | Mullen        | Smith, L.        |
| Caputo       | Haasy          | Mullen, M. P. | Stapleton        |
| Cessar       | Hayes, D. S.   | Musto         | Stout            |
| Cianciulli   | Hayes, S. E.   | Novak         | Taddonio         |
| Cimini       | Hepford        | Noye          | Taylor           |
| Cole         | Hill           | O'Brien       | Toll             |
| Cowell       | Hopkins        | O'Connell     | Treilo           |
| Cumberland   | Hutchinson, A. | O'Donnell     | Turner           |
| Davies       | Iris           | O'Keefe       | Ustynoski        |
| Deverter     | Itkin          | Oliver        | Valicenti        |
| DeWeese      | Johnson, J.    | Parker, H. S. | Wagner           |
| Dicarlo      | Katz           | Perrin        | Wansacz          |
| Dietz        | Kelly, A. P.   | Perry         | Wargo            |
| Dininni      | Kelly, J. B.   | Petrarca      | Weidner          |
| Dombrowski   | Kernick        | Plevsky       | Whelan           |
| Doyle        | Kistler        | Pitts         | Wiggins          |
| Dumas        | Klingaman      | Polite        | Williams         |
| Eckensberger | Knepper        | Pratt         | Wilson           |
| Fawcett      | Kolter         | Prendergast   | Worrlow          |
| Fee          | Kowalyszyn     | Pyles         | Wright           |
| Fischer      | Laudadio       | Rappaport     | Zearfos          |
| Fisher       | Laughlin       | Ravenstahl    | Zeller           |
| Flaherty     | Lehr           | Reed          | Zord             |
| Poster, W.   | Letterman      | Renninger     | Zwick            |
| Fryer        | Levi           | Renwick       |                  |
| Gallagher    | Lincoln        | Richardson    | Fineman, Speaker |
| Gallen       | Logue          | Rieger        |                  |
| Garzia       | Lynch          | Ross          |                  |

NOT VOTING—13

- |            |          |         |              |
|------------|----------|---------|--------------|
| Berson     | McGinnis | Rhodes  | Walsh, T. P. |
| Dreibelbis | McGraw   | Scrica  | Wojdak       |
| Gleason    | Myers    | Spencer | Yahner       |
| LaMarca    |          |         |              |

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

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

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

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

Mr. WEIDNER. Mr. Speaker, I would like to speak in support of this bill.

Mr. Speaker, I have in my hands a copy of a newspaper article about an incident which occurred in a small township in my jurisdiction, in my legislative district, Bedminster Township, and the headline reads: "Bedminster Has Spent \$12,000 in Battling Mobile Home Park."

The township so far has spent \$9,000 battling a curative amendment for a developer to permit a 611-unit park on a 93.6-acre tract. The cost is even expected to go higher, as the developer said that he will appeal the township's rejection in Bucks County Court.

"Supervisors said last Wednesday night that the curative amendment hearings and proceedings have cost the township \$9,000 and the Bedminster Civic Association"—which is also helping to battle this curative amendment—" \$3,000."

So there is a total of \$12,000 being spent—\$9,000 by the municipality—to fight a curative amendment for a developer, and I do not feel that the township should be subjected to these costs when it is for the benefit of a developer.

This bill will put the costs where they belong, and I ask for an affirmative vote.

Thank you.

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

Mr. MEBUS. Mr. Speaker, I have no objection to the

bill. I said that I was basically in agreement with the concept.

I am told by my counsel that there is a question as to the constitutionality of this bill without my amendment, but I propose to vote for it regardless and let the Governor or the Attorney General or somebody express themselves on the subject of constitutionality.

But there are problems, and they exist throughout this Commonwealth and they are costing the local governments too much money. Therefore, I think this is a bill which should pass, and I support it, and I do not want to be misunderstood by anyone.

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—192

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

NAYS—2

Moehlmann	Stahl
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NOT VOTING—9

Berson	Gleason	Rhodes	Wojdak
Bonetto	McGraw	Walsh, T. P.	Yahner
Freind			

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.

CONSIDERATION OF SENATE BILL  
No. 1472 RESUMED

Agreeable to order,  
The House resumed consideration of Senate bill No. 1472, printer's No. 1837, entitled:

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," authorizing amateur and professional boxing and wrestling contests and exhibitions on Sunday and making a repeal.

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—149

Abraham	Garzia	McClatchy	Rieger
Arthurs	Geesey	McGinnis	Ritter
Barber	Getsler	McIntyre	Ross
Bellomini	George	McLane	Ruggiero
Berlin	Giammarco	Mebus	Ryan
Bittle	Gillespie	Menhorn	Salvatore
Bonetto	Gleason	Milanovich	Schmitt
Bradley	Goodman	Miller, M. E.	Schweder
Brunner	Green	Miller, M. E., Jr.	Scirica
Burns	Greenfield	Milliron	Shane
Butera	Grieco	Miscevich	Shelton
Caputo	Hamilton, J. H.	Morris	Shupnik
Cessar	Hammock	Mullen, M. P.	Spencer
Cianciulli	Hasay	Mullen	Stapleton
Cimini	Haskell	Musto	Stout
Cohen	Hayes, D. S.	Myers	Taddonio
Cole	Hopkins	Novak	Taylor
Cowell	Hutchinson, A.	O'Brien	Toll
Crawford	Hutchinson, W.	O'Connell	Trello
Cumberland	Irvs	O'Donnell	Turner
DeMedio	Itkin	O'Keefe	Ustynoski
DeWeese	Johnson, J.	Oliver	Valicenti
Dicarlo	Katz	Pancoast	Wansacz
DiDonato	Kelly, A. P.	Parker, H. S.	Wargo
Dorr	Kelly, J. B.	Perri	Whelan
Doyle	Kernick	Petrarca	Wiggins
Dreibelbis	Kolter	Pievsky	Williams
Dumas	Kowalyszyn	Polite	Wilson
Eckensberger	LaMarca	Pratt	Worrlow
Engelhart	Laudadio	Prendergast	Wright
Fawcett	Laughlin	Pyles	Yohn
Fee	Lederer	Rappaport	Zearfoos
Fisher	Letterman	Ravenstahl	Zeller
Flaherty	Lincoln	Reed	Zwiki
Freind	Logue	Renninger	
Fryer	Lynch	Renwick	Fineman,
Gallagher	Manderino	Rhodes	Speaker
Gallen	McCall	Richardson	

NAYS—45

Anderson, J. H.	Halverson	McCue	Smith, E.
Brandt	Hayes, S. E.	Mrkonjc	Smith, L.
Davies	Hepford	Moehlmann	Stahl
Deverter	Hill	Noye	Thomas
Dietz	Kistler	Pitts	Vroon
Dininni	Klingaman	Saloom	Wagner
Eckensberger	Knepper	Scheaffer	Weidner
Fischer	Kusse	Seltzer	Westerberg
Foster, A.	Lehr	Shelhamer	Wilt, R. W.
Foster, W.	Levi	Shuman	Wilt, W. W.
Gillette	Manmiller	Sirianni	Zord
Gring			

NOT VOTING—9

Bennett	Gleason	Perry	Wojdak
Beren	McGraw	Walsh, T. P.	Yahner
Berson			

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

Ordered, That the clerk return the same to the Senate with information that the House has passed the same without amendment.

### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. CIMINI. Mr. Speaker, I wish to be recorded in the negative on Senate bill No. 1472.

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

### HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I am going to ask for a recess until 12:30. Let me explain the schedule for the remainder of the day to the members.

We will go into the Democratic caucus immediately, and I assume that the Republicans will do likewise. The first order of business for the Democrats will be a discussion of the package of the three bills on the Volkswagen matter. There will be experts in the caucus to discuss the details of the Volkswagen proposed agreement. Those experts will leave the Democratic caucus no later than 11:30 and they will proceed to the Republican caucus. We trust that both caucuses will be completed by 12:30 so that we may return to the floor.

We will call up for a vote this afternoon the three bills in the Volkswagen package. I repeat, we will call up for a vote this afternoon the three bills in the Volkswagen package. There will also be called up a list of bills—I count quickly about 17 bills—in addition to the three bills for the Volkswagen package this afternoon.

Among those bills will, of course, be the three bills which Mr. Martin Mullen has an interest in and which, I assume from the vote on the floor yesterday, a majority of the members have an interest in. For those who voted for the discharge resolutions, we will be handling those particular resolutions and the antiobscenity bill, which Mr. Mullen is calling up for an amendment and a vote this afternoon. So for those members who have asked me whether they have to be here, the answer is, you better be.

Mr. Speaker, I will yield to the minority leader. When he is finished, I would like to have the House recessed until 12:30.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, did I understand the gentleman to say that the people from the administration are coming to our caucus at 11:30?

Mr. IRVIS. Yes, Mr. Speaker. I tried to get two different teams together, but they informed me that they have only one team and we just have to split them, and maybe in different ways.

Mr. BUTERA. Yes. We will talk about splitting them.

### REPUBLICAN CAUCUS

Mr. BUTERA. I would suggest that the Republican members proceed to the caucus room at 11 o'clock sharp, at which time we will cover the balance of the calendar, including the electronic voting matter and the obscenity

bill, so that we can be prepared with a full caucus at 11:30 to meet with the Governor's representatives.

### INTERROGATION

Mr. W. W. WILT requested and obtained unanimous consent to interrogate Mr. IRVIS.

Mr. W. W. WILT. Mr. Speaker, I am certain that there will be an extensive discussion with the experts concerning the three Volkswagen bills. I am sure that there will be at least an hour of discussion on those three bills. My concern is, when will we have an opportunity to have lunch? Could we extend the recess until 1 o'clock?

Mr. IRVIS. Mr. Speaker, the gentleman is correct, and I am sorry that in trying to follow the vote and everything else that flows around this desk, I did make a mistake on that. The original time was set for 12:30 when I thought we could both caucus at the same time on the same subject. The gentleman is absolutely correct, and I would amend my motion to read for a 1 o'clock return rather than 12:30.

Mr. W. W. WILT. Thank you, sir.

Mr. IRVIS. I thank the gentleman.

### PARLIAMENTARY INQUIRY

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

Mr. WILSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILSON. Mr. Speaker, Senate bill No. 800, now printer's No. 1985, was reported from the Committee on Appropriations, I believe yesterday, with what I believe to be a substantive amendment rather than just a fiscal note. I would like the Chair's ruling and I know the answer, but I would like the Chair's ruling on this particular action by the Appropriations Committee because it flies in the face of Rule 19(a), which says, "The Appropriations Committee shall be limited in its consideration of any such bill to the fiscal aspects of the bill and shall not consider the substantive merits of the bill . . ."

I believe in this case the Appropriations Committee has in fact dealt with the substantive merits of the bill and not just reporting the bill out with the fiscal note as is the normal process.

The SPEAKER. If the action of the Appropriations Committee was predicated upon consideration of fiscal aspects, even though it touched upon substantive considerations, then the committee acted within its jurisdiction under the rules of the House.

Mr. WILSON. In other words, it is your opinion and ruling that the Appropriations Committee under the guise or the ruling of fiscal substantive matters can in fact do major alterations by amendment in the Appropriations Committee?

The SPEAKER. The rule specifically so states as you have just read: "The Appropriations Committee shall be limited in its consideration of any such bill to the fiscal aspects of the bill and shall not consider the substantive merits of the bill nor refuse to report any such bill from committee for reasons other than fiscal aspects."

Mr. WILSON. Would the Speaker point the way to



where "fiscal aspects" is defined in the rules of the House or is it just interpreted?

The SPEAKER. There is no definition of the term "fiscal aspect."

Mr. WILSON. So, therefore, the definition is an interpretation by the House through action? Is that correct?

The SPEAKER. I would assume the normal interpretation would prevail, namely, if what the bill provides will result in the expenditure of funds by either the Commonwealth or local governments, that that implies there is a fiscal aspect.

Mr. WILSON. Then they could remove that action that the legislation would have mandated by creating something or expending funds and, therefore, the Appropriations Committee can in fact eliminate what some other committee determined to be their intent?

The SPEAKER. The rule so provides.

Mr. WILSON. I thank the Speaker.

### ERROR IN BILL TITLE NOTED

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

Mr. SCHMITT. Mr. Speaker, on page 10 of today's calendar, House bill No. 1845, printer's No. 2369, in the title it uses the words "errors and missions insurance" and I think it means to say "errors and omissions insurance." I think that it should be corrected before it goes into print.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ZELLER. Mr. Speaker, on the same question that Mr. Wilson brought up, say an appropriation—

The SPEAKER. Would the gentleman yield?

The gentleman may proceed.

Mr. ZELLER. Mr. Speaker, in regard to the same subject that Mr. Wilson brought up, say that we have a bill now in the Appropriations Committee, the School Code, House bill No. 770, would they be allowed to amend House bill No. 2400 into it on the subsidy?

The SPEAKER. I do not believe that the Committee on Appropriations would have the right to add a subsidy and form it into a bill that is before it as they would have the right to delete such a subsidy formula if it was in the bill as it came to that committee.

Mr. ZELLER. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, before I request the recess until 1 p.m., and now I think probably 1:15 is a more reasonable hour, let me caution the members within the sound of my voice and those who are not busy talking, I feel free to call on this calendar any bill which has been caucused on. We are coming very close to the deadline, so I do not want anybody jumping up in my face this afternoon, if it is necessary for me to make adjustments in the calendar, and saying, you did not tell us about it. You check your calendar and if the bill has been caucused on by both caucuses, you may very well find it called up today or called up Monday or any day next week. This is said for the benefit of those members who are getting a little bit uneasy about catching planes and getting home. I would beg you to stay with us this

afternoon, be here. We are going to have to follow this sort of regimen until June 30. I do not want to face again what we faced yesterday, a long, rambling debate on bills which we could not pass anyway because members had disappeared. Please give that message to those of your friends who are not here to hear it.

Mr. Speaker, I ask that the House be declared in recess now until 1:15.

### 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. 1473

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

#### HOUSE BILL No. 1818

An Act amending Title 20 (Decedents Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for the acknowledgment by testator and affidavits of witnesses to wills and their effect.

Whereupon,

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

### RECESS

The SPEAKER. Without objection, the Chair now declares a recess until 1:15 p.m.

The Chair hears no objection. This House is now in recess.

### AFTER RECESS

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

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

### TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Will the members of the Transportation Committee please immediately meet in the rear of the House chamber?

### APPOINTMENT CHANGE IN COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a member of the committee of conference in connection with House bill No. 175, the gentleman, Mr. Manderino.

The lady, Mrs. Toll, resigned her appointment to the conference committee in question.

### PHOTOGRAPHS TO BE TAKEN

The SPEAKER. The Chair has extended permission to UPI to take photographs of today's session.

CALENDAR

JUDICIARY BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 572, printer's No. 3230, entitled:

An Act amending the act of May 14, 1857 (P. L. 507, No. 567), entitled "An act to Legitimate Children Born out of Lawful Wedlock," providing that all children born in the Commonwealth of Pennsylvania are legitimate.

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

RECONSIDERATION OF VOTE ON HOUSE BILL No. 572

Mr. RICHARDSON moved that the vote by which HOUSE BILL No. 572, printer's No. 3230, as amended was agreed to on third consideration be reconsidered.

Mr. BARBER seconded the motion.

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

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

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

Amend Title, page 1, lines 3 and 4, by striking out "born in the Commonwealth of Pennsylvania"

Amend Sec. 1 (Sec. 1), page 1, line 14, by striking out "born in the Commonwealth of Pennsylvania"

Amend Sec. 2, page 2, line 21, by removing the period after "date" and inserting: or if he is born after the effective date of this act.

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

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

Mr. RICHARDSON. Mr. Speaker, these amendments are some technical amendments to correct the language in the bill and that is all. It takes out "born in the Commonwealth" wherever it is written.

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

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

Bill as amended was agreed to.

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

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

YEAS—159

Abraham Freind Logue Renwick Anderson, J. H. Fryer Manderino Richardson

Arthurs Gallagher Manville; Rieger
Barber Gallen McCall Ritter
Bellomini Garzia McClatchy Ross
Bennett Geesey McCue Ruggiero
Beren George McIntyre Saloom
Berlin Geisler McLane Salvatore
Borson Giammarco Mebus Scheaffer
Bonetto Gillespie Menhorn Schmitt
Bradley Gillette Milanovich Schweder
Brunner Goodman Miller, M. E. Shane
Burns Green Miller, M. E., Jr. Shelharn
Caputo Greenfield Milliron Shelton
Cassar Grieco Mseveich Shupnik
Cianciulli Hamilton, J. H. Mochlmann Sirianni
Cimini Hammock Morris Smith, E.
Cohan Haskell Mrkonc Stapleton
Cole Hayes, D. S. Mullen, M. P. Stout
Cowell Hopkins Mullen Taddonio
Cumberland Hutchinson, A. Musto Taylor
Davies Hutchinson, W. Myers Toll
DeMedio Irvia Novak Trello
DeWeese Itkin Noye Turner
Dicarlo Johnson, J. O'Brien Ustynoski
DiDonato Katz O'Connell Valicenti
Dimini Kelly, A. P. O'Donnell Wansacz
Bombrowaki Kelly, J. B. O'Keefe Wargo
Dorr Kerneck Oliver Wetner
Doyle Knupper Parker, H. S. Wiggins
Veibelbis Koiter Perri Williams
Dumas Kowalyszyn Perry Wilson
Sekensberger LaMarca Petrarca Wojdak
Engelhart Loudadio Pratt Worrlow
Fawcett Laughlin Prendergast Wright
Fee Lederer Pyles Zord
Fischer Lenr Rappaport Zwicki
Fisher Letterman Ravenstahl
Flaherty Levi Reed Fineman,
Foster, A. Lincoln Renninger Speaker
Foster, W.

NAYS—33

Bittle Hill Seirca Wagner
Brandt Klingaman Seltzer Westerberg
Deverter Kusse Shuman Whelan
Dietz Lynch Smith, L. Wilt, R. W.
Gring McGinnis Spencer Wilt, W. W.
Halverson Pencoast Stahl Yohn
Masay Pitts Thomas Zearfoss
Hayes, S. E. Polite Vroon Zeller
Hepford

NOT VOTING—11

Sutera Gleeson Nevsky Walsh, T. P
Crawford Kistler Rhodes Yahner
Gleason McGraw Ryan

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.

JUDICIARY BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 353, printer's No. 390, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further defining the offense of obscenity, redefining obscene and further providing for injunctions.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 5903), page 1, line 16, by inserting brackets before and after "older" and inserting immediately thereafter: under

Amend Sec. 1 (Sec. 5903), page 1, line 19, by inserting

brackets before and after "older" and inserting immediately thereafter: under

On the question,

Will the House agree to the amendments?

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

Mr. M. E. MILLER. Mr. Speaker, this amendment would apply to the provisions of the obscenity statutes to persons 17 years of age and under, the idea being that we should not reduce the reading material and the reading habits of adults to those of a child.

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

Mr. M. P. MULLEN. Mr. Speaker, this is a bad amendment and I ask everyone to vote against it. If this amendment were to go in, it would defeat the intents and purposes of the bill. We have no problem with the minors now under existing law. In section 5903 (h) of the existing law in the Crimes Code, minors are adequately dealt with.

The latest Supreme Court cases have clearly indicated that the problems constitutionally connected with minors are covered. The whole purpose of this bill is to try to take care of the filthy movie houses and book stores which are frequented many times by adults. If this amendment goes into the bill, it only makes it applicable to minors and defeats the whole purpose of the bill. So we ask you please to vote against the amendment so that we can tackle the main purpose of the bill. Thank you.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. M. E. MILLER and M. P. MULLEN and were as follows:

YEAS—39

Barber	Kelly, A. P.	O'Donnell	Stahl
Berson	Kelly, J. B.	O'Keefe	Toll
Bonetto	Kernick	Parker, H. S.	Weidner
Cohen	Knepper	Rappaport	Westerberg
Dicarlo	Manderino	Renninger	Yohn
Fawcett	Mebus	Ritter	Zord
Greenfield	Menhorn	Ross	Zwinkl
Halverson	Miller, M. E.	Scirica	
Haskell	Miller, M. E., Jr.	Seltzer	Fineman,
Irvis	Moechmann	Shane	Speaker
Itkin			

NAYS—150

Abraham	Foster, W.	Lincoln	Ruggiero
Anderson, J. H.	Freind	Logue	Ryan
Arthurs	Fryer	Lynch	Saloom
Bellomini	Gallagher	Manmiller	Salvatore
Bennett	Gallen	McCall	Scheaffer
Berlin	Garzia	McClatchy	Schmitt
Bittle	Geesey	McCue	Schweder
Bradley	Geisler	McGinnis	Shelhamer
Brandt	George	McIntyre	Shuman
Brunner	Gillespie	McLane	Shupnik
Burns	Gillette	Milanovich	Sirjanni
Butera	Gleeson	Milliron	Smith, E.
Caputo	Goodman	Morris	Smith, L.
Cessar	Green	Mrkonic	Spencer
Cianciulli	Grieco	Mullen	Stapleton
Cimini	Gring	Mullen, M. P.	Stout
Cole	Hamilton, J. H.	Musto	Taddonio
Cowell	Hasay	Myers	Taylor
Cumberland	Hayes, D. S.	Navak	Thomas
Davies	Hayes, S. E.	Noye	Trello
DeMedio	Hepford	O'Brien	Turner
Deverter	Hill	O'Connell	Ustynoski
DeWeese	Hopkins	Oliver	Valicenti
DiDonato	Hutchinson, A.	Pancoast	Vroon
Dietz	Hutchinson, W.	Perri	Wagner
Dininni	Johnson, J.	Perry	Wansacz

Dombrowski	Katz	Petrarca	Wargo
Dorr	Kistler	Pitts	Whelan
Doyle	Klingaman	Polite	Wiggins
Dreibelbis	Kowalyshyn	Pratt	Williams
Dumas	Kusse	Prendergast	Wilson
Eckensberger	LaMarca	Pyles	Wilt, R. W.
Englehart	Laudadio	Ravenstahl	Witt, W. W.
Fee	Laughlin	Reed	Worrilow
Fischer	Lederer	Renwick	Wright
Fisher	Lehr	Richardson	Zearfoss
Flaherty	Letterman	Rieger	Zeller
Foster, A.	Levi		

NOT VOTING—14

Beren	Hammock	Pievsky	Walsh, T. P.
Crawford	Kolter	Rhodes	Wojdak
Giammarco	McGraw	Shelton	Yahner
Gleason	Miscevich		

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 5903), page 3, line 10, by striking out "masturbation," and inserting: sexual conduct such as female and/or male masturbation, fellatio, cunnilingus, anal sodomy, seminal ejaculation, sadomasochistic abuse, heterosexual intercourse and other

Amend Sec. 1 (Sec. 5903), page 3, line 14, by striking out all of said line and inserting: State.

On the question,

Will the House agree to the amendments?

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

Mr. FISHER. Thank you, Mr. Speaker.

The amendment that I am offering at the present time is the amendment marked No. 1.

What the amendment does is to more specifically define some of the sexual conduct which is contained in subsection (b), which is the sexual conduct that we are legislating and deeming to be obscene in this piece of legislation.

The second part of the amendment would change the definition of community in the term of community standards from "county" to "state".

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

Mr. M. P. MULLEN. Mr. Speaker, this is a good amendment and strengthens the bill. I would suggest that the members vote for the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. FISHER and M. P. MULLEN and were as follows:

YEAS—187

Abraham	Gallen	Manderino	Scheaffer
Anderson, J. H.	Garzia	Manmiller	Schmitt
Arthurs	Geesey	McCall	Schweder
Barber	Geisler	McClatchy	Scirica
Bellomini	George	McCue	Seltzer
Bennett	Giammarco	McGinnis	Shane
Berlin	Gillespie	McIntyre	Shelhamer
Berson	Gillette	McLane	Shelton
Bittle	Gleeson	Menhorn	Shuman
Bonetto	Goodman	Milanovich	Shupnik
Bradley	Green	Miller, M. E., Jr.	Sirjanni
Brandt	Greenfield	Milliron	Smith, E.
Brunner	Grieco	Mrkonic	Smith, L.
Burns	Gring	Morris	Spencer
Butera	Halverson	Mullen	Stahl

Caputo	Hamilton, J. H.	Mullen, M. P.	Stapleton
Cessar	Hasay	Musto	Stout
Cianciulli	Haskell	Myers	Taddonio
Cimini	Hayes, D. S.	Novak	Taylor
Cohen	Hayes, S. E.	Noye	Thomas
Cole	Hepford	O'Brien	Toll
Cowell	Hill	O'Connell	Trello
Cumberland	Hopkins	O'Keefe	Turner
Davies	Hutchinson, A.	Oliver	Ustynoski
DeMedio	Hutchinson, W.	Pancoast	Valicenti
Deverter	Irvis	Parker, H. S.	Vroon
DeWeese	Itkin	Perri	Wansacz
Dicarlo	Katz	Perry	Wargo
DiDonato	Kelly, A. P.	Petrarca	Weidner
Dietz	Kelly, J. B.	Pitts	Westerberg
Dintnnt	Kernick	Polite	Wheilan
Dombrowski	Kistler	Pratt	Wiggins
Dorr	Klingaman	Prendergast	Williams
Doyle	Knepper	Pyles	Wilson
Dreibelbis	Kolter	Rappaport	Wilt, R. W.
Dumas	Kowalshyn	Ravenstahl	Wilt, W. W.
Eckensberger	Kusse	Reed	Wojdak
Engelhart	LaMarca	Renninger	Worrilow
Fawcett	Laudadio	Renwick	Wright
Fee	Laughlin	Richardson	Yohn
Fischer	Lederer	Rieger	Zearfoss
Fisher	Lehr	Ritter	Zeller
Flaherty	Letterman	Ross	Zord
Foster, A.	Levi	Ruggiero	Zwilk
Foster, W.	Lincoln	Ryan	
Freind	Logue	Saloom	Fineman,
Fryer	Lynch	Salvatore	Speake
Gallagher			

NAYS—4

Mebus	Miller, M. E.	Moehlmann	O'Donnell
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NOT VOTING—12

Beren	Hammock	Miscevich	Wagner
Crawford	Johnson, J.	Plevsky	Walsh, T. P.
Gleason	McGraw	Rhodes	Yahner

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

On the question,

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

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

Amend Sec. 1 (Sec. 5903), page 4, line 26, by striking out "Provided, That" and inserting: "Prior to the issuance of a preliminary injunction, sufficient notice of the application for an injunction shall have been given to the party to be enjoined, of the time and place where the application for such preliminary injunction is to be made and the nature thereof. Thereafter

Amend Sec. 1 (Sec. 5903), page 4, line 29, by striking out "5" and inserting: three

Amend Sec. 1 (Sec. 5903), page 4, line 30, by striking out "within 5 days" and inserting: by filing a final decree in the office of the prothonotary within 24 hours

Amend Sec. 1 (Sec. 5903), page 5, line 1, by inserting after "hearing.": The trial judge shall file a written memorandum supporting the final decree within five days after the decree is filed.

Amend Sec. 1 (Sec. 5903), page 5, lines 2 through 5, by striking out "in which event said trial shall" in line 2, all of lines 3 and 4, and "conclusion of the trial." in line 5, and inserting: at the aforementioned hearing.

Amend Sec. 1 (Sec. 5903), page 5, lines 14 through 17, by striking out "A" in line 14 and all of lines 15 through 17

On the question,

Will the House agree to the amendments?

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

Mr. FISHER. Thank you, Mr. Speaker.

This amendment which is marked No. 4 is an amendment which would change some of the provisions in sec-

tion (h) that are on pages 4 and 5 of the bill. The section (h) which is the section dealing with the injunctive procedure that may be used to enjoin the particular alleged obscenity has some particular guidelines in them at the present time that I feel do not comply with the Rules of Civil Procedure promulgated by the courts and do not comply with the decisions of both the Pennsylvania Supreme Court and the United States Supreme Court.

Basically, my amendment would add a requirement of notice prior to the request by any district attorney for a preliminary injunction. It would also change the time period from 5 days to 3 days after which a final hearing would have to be held to determine whether or not the preliminary injunction should continue to be imposed. It would also necessitate that the court would have to file a final decree within 24 hours of the conclusion of the hearing and subsequent thereto file a written memorandum supporting the final decree.

The provision in the bill as it is presently drawn states that the defendant may be entitled to a right to a trial by jury, but it indicates that it shall be sometime within a period of 60 days. It is my belief and that of others who have looked at this bill in light of the recent Supreme Court decisions that this time period is too long. Instead, we have changed this provision to entitle the defendant, if he so desires, to have a jury within the 3-day period or at that final hearing. I would urge the adoption of these amendments.

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

Mr. M. P. MULLEN. Mr. Speaker, I, too, urge the adoption of the amendments, and I certainly wish to thank Mr. Fisher for lending his great expertise in this field.

As you know, Mr. Fisher was a district attorney in Allegheny County and he is an expert on procedural matters. All of us who have been involved with this bill are deeply indebted to him for the help that he has rendered here. This amendment that he has offered is an excellent amendment and it certainly will help the bill tremendously. So I ask you all to vote for it, please.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

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

Mr. M. P. MULLEN. Mr. Speaker, I am going to be very brief. I want to especially thank the lovely lady from Chester County, Patricia Crawford, because this is really her bill. She worked diligently and hard together with her district attorney, Mr. Lamb, in Chester County. We certainly owe a great debt of gratitude to Ted Doyle who worked on this bill very hard, too, and to many other people.

I think this is an excellent bill. I think it will solve

the problem that we all know we want to solve. So I ask all of you to vote for the bill.

Thank you.

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

Mr. DiCARLO. Mr. Speaker, I thank the Chair.

I am not going to debate this bill and I know from past experiences that this effort would be very futile, but I want the record to show why I am not voting for House bill No. 353 today.

Even though this is called an obscenity bill, this is not true. In essence it is a form of legislation allowing censorship.

Last session, we had similar legislation before us, and I informed the members of this House how the same arguments as presented were used when the "Odyssey" by Homer was censored from young, immature readers. "The Talmud," "The Merchant of Venice," "King Lear," and other works by Shakespeare were also censored. The list goes on and on: James Baldwin's "Another Country," works such as "From Here to Eternity," "Catcher in the Rye," "Tobacco Road," and "The Grapes of Wrath," the works of Hemingway, Arthur Miller, F. Scott Fitzgerald were all labeled as obscene.

Mr. Speaker, I feel compelled that I have to make these remarks because the easiest thing to do would be to vote for this bill, but it is a philosophical issue with me, and I want to make sure these remarks are understood. I thank the Chair.

Mr. Speaker, the proponents of House bill No. 353 will say, we do not want to ban works such as these; we are only interested in curbing pornography.

Even though this bill will be passed with the best intentions, the consequences of our actions will be disastrous to citizens living in a democracy. We are jeopardizing the protections guaranteed under the First Amendment of the Constitution of the United States.

Mr. Speaker, if we allow any form of censorship, we are letting government or some other bureaucracy control what we cannot see and what we cannot read. In essence then, they will be controlling what we are allowed to see and what we are allowed to read. By doing this, the "watchdogs" of our society will be controlling our thoughts and our ideas, thus reducing us to somewhat less than free people.

Mr. Speaker, because of these reasons, I am voting against House bill No. 353.

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

Mr. M. P. MULLEN. Mr. Speaker, in reply, I certainly share with Mr. DiCarlo his concern about censorship because I, too, am not in favor of censorship. However, you must remember in a democracy you are not completely free. You certainly have every right, under the First and 14th Amendments, to express your opinions or do anything that you see fit. But there is a point, even in a sensible democracy, at least, whereby you go beyond a certain point where you, in the exercise of your freedom of speech, begin to trample on the rights of others and at that particular point your right to free speech terminates. It has to terminate in an organized, civilized society which believes in peace and moral principles. Now this is the problem we face with this bill.

We do not like to tell a moving picture operator that

he cannot show a film in your community and my community, but when he exercises what he thinks is his right to do that and he shows that film and children in the community and even adults in the community go in to see that film—it is a filthy, dirty film—it creates problems, sexually, for many people, then he is no longer entitled to that freedom. His freedom stops at that point where he begins to infringe upon the rights of others. And when you show a filthy, dirty movie in my city of Philadelphia and people who come in to visit our city see that thing, advertised publicly, and oftentimes have an opportunity to go in, I will grant, by their own free choice and see that, we think you go beyond that point of freedom which you are entitled to in a democracy. That is why I feel that this bill is necessary.

I am never in favor of censorship except in certain situations. It is like drugs. For example, everything is not free in a democracy. We would have no need for a Criminal Code if we had everybody free to do whatever they see fit under the First and 14th Amendments. We have the Criminal Code because we recognize that some people, exercising their right to freedom and right to expression, as they see it, trample upon the rights of others, and this is where freedom of speech stops and this is why we have to do this.

If the people did not infringe upon our rights, we would not have to try to infringe upon theirs. But they have to have their rights infringed upon for the common good of all. And this is why we have the bill before us.

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

Mr. DOYLE. To clear up any misunderstanding that the members might have, I should like to read—and it is a brief statement—the criteria which are being used and will be used in the bill and from the Miller vs. California Case, and I am quoting:

We acknowledge . . . the inherent dangers of undertaking to regulate any form of expression. State statutes designed to regulate obscene materials must be carefully limited. As a result, we now confine the permissible scope of such regulation (1) to works which depict or describe sexual conduct; (2) that conduct must be specifically defined by state law as written or authoritatively construed; (3) a state offense must also be limited to works which, taken as a whole, appeal to the prurient interest in sex; (4) which portray sexual conduct in a patently offensive way, and (5) which, taken as a whole, do not have serious literary, artistic, political, or scientific value.

They are the criteria which will be used, and when the gentleman from Erie states that the works of art that he enumerated, the books that he listed, I do not think in any commonsense definition or understanding of what these criteria are would prohibit in any way the books that he stated. It is not censorship. There is no censorship board.

We have painstakingly taken the trouble to eliminate every objection which the Governor had in his veto message, as well as giving the right of jury trial even before a preliminary injunction be granted. We have gone overboard to satisfy the rights of the individual, but when it becomes a matter of outdoor movies showing "x" rated movies which show the sexual act in all its detail, when

children 8 and 9 years old can sit on a hillside and look at that, then I think it is time that the majority of people exercise their right not to have this foisted upon them, and I think this bill does it. I would urge an affirmative vote.

Thank you, Mr. Speaker.

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

Mr. BERSON. Mr. Speaker, we are once again dealing with the intractable problem of obscenity and First Amendment rights. The Supreme Court of the United States, since 1953, has dealt with this problem on 29 separate occasions and have made no more progress than we have, but it is some evidence of the difficulty of trying to reconcile these competing, conflicting values.

This is a most curious bill, and I would suggest that you take a look at it because I do not think it meets the Miller vs. California standards, which are the latest set of standards that a 5-to-4 Supreme Court decision wished on us.

This bill defines obscenity on page 2 as follows: "Obscene," as used in this section, means that which, . . . is determined as obscene." That is a criminal law definition of obscenity. I have never read a criminal statute which says that assault is that what is determined to be assault, but that is what they have got in here. They then go on and attempt to provide some guidelines for a judge or a jury as to how to determine what is obscene. But the essence of the definition, the very guts of the bill, is obscene, as used in this section, means that which is determined as obscene. That does not make sense, and I do not think it means meets the precision that is demanded by the Miller v. California decision.

Furthermore, the guidelines are not clear as to how they are to operate. In order to prosecute for obscenity, it is not clear whether one, two and three elements all must be present and proven beyond a reasonable doubt or whether one and three are enough, or two and three or any combination of the three are sufficient.

Thirdly, subsection 2 of the definition states, "a patently offensive way." Patently offensive to whom? There is no definition to that. It is not clear whether community standards apply in determining whether "patently offensive" is to be measured by the community, by experts, or how.

I say that the bill is a peculiarly drafted animal. It is unlike any criminal statute in this state. It, in my view, cannot pass constitutional muster as it is presently drawn. It is almost the same bill, except for the Fisher amendment, which the Governor vetoed in the last session. Nothing has been done in this bill to meet the Governor's objections, which I think were quite proper to this bill in the last session, and I would, therefore, suggest that you vote against it.

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

Mr. RITTER. Mr. Speaker, just briefly, I agree with what Mr. Berson has said. I think the bill does go too far. If you just read some of the language on page 2 where it talks about "copies, draws, photographs, prints, utters, publishes," et cetera, I dare say the word "utter," Mr. Speaker, if that were applied to members of this legislature, there are many of us who could be arrested for uttering obscene language and, under the provisions

of this bill, be prosecuted for that. I think that is going way too far.

I have great fear that someone is going to tell me what I can see and read and do in the privacy of my own home. I have no objection whatsoever to keeping this away from the children. I agree with Mr. Doyle that outdoor movies that are going to show "x" rated movies should not be visible from the highway where children can sit along the banks. I am not objecting to that, but this bill goes beyond that. It says that the adult population of this Commonwealth cannot decide for themselves what they want to see and what they want to read, and, in fact, what they want to say, and that we in this General Assembly are going to tell them what those standards should be.

I think we spend an awful lot of time up here trying to legislate morals, and we just simply cannot do it. I think this is a bad bill. I intend to vote against it, and I urge the rest of the members to do likewise.

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

Mr. ITKIN. Mr. Speaker, would Mr. Mullen consent to interrogation, please?

The SPEAKER. Would the gentleman, Mr. Mullen, consent to interrogation?

Mr. M. P. MULLEN. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ITKIN. Mr. Speaker, I am concerned about section (b) on page 2 where obscene is defined. It says that the following guidelines are to be used, and the first point under the guideline is "whether the average person applying contemporary community standards, would find that the subject matter taken as a whole appeals to the prurient interest." Mr. Speaker, I would like to know how we go about determining what the standards of the average person is in this regard. How do we go about doing that?

Mr. M. P. MULLEN. First of all, you must remember that this bill has been presented to you today because of the fact that the Supreme Court of Pennsylvania found the existing act, which we are trying to amend, partially unconstitutional, and they found it unconstitutional for only one reason, and that is, we did not properly define the word "obscenity." So when you look at one, two and three, you will find that those three definitions were taken from the wording of the Supreme Court Justices who wrote the opinion in Miller v. California. We felt that if we used the Supreme Court's definition of obscenity, certainly they could not object if we did not properly define it.

If you look at number three, you can see that we have clearly defined the sexual acts which are morally wrong and which violate this statute. The only thing left to be determined is for a jury—if a defendant so desires to have a jury trial—to determine whether, in the light of community standards, meaning the people who live in the community and in the state, believe that he has violated this particular section 3 of the law. That is what we mean.

Mr. ITKIN. But how does a juror make that determination or the judge make a determination? He certainly cannot use his own feelings, because the law specifically states that it must be the attitudes of the average person, and no juror can lay the claim that that individual represents to be the average person.

It would seem to me, Mr. Speaker, that you would have

to provide in the bill some mechanism to either let the judge or let each member of the jury know what the standards are for obscenity. To say that obscenity is what the average person finds to be obscene is very vague and certainly needs clarification.

Mr. M. P. MULLEN. Mr. Speaker, in our opinion, it is not vague at all, because that was the trouble with the existing law. It was found to be unconstitutional because it was vague. This is the reason why we have clearly defined the sexual acts which are depicted will violate the law.

The way it would work is a practical matter. If a defendant requested a jury trial, it would be necessary for the prosecuting attorney, the district attorney of the county wherein the act took place, to present to the jury sufficient evidence to convince the jury beyond a reasonable doubt that they had violated what we, the legislature, had adopted as the law of the Commonwealth. Certainly in the field of masturbation, under the amendment which was introduced by Mr. Fisher—I have seen a lot of words there I never heard before or know anything about—they certainly are masturbation. They are clear and distinct. But it is up to the district attorney to convince the jury that they in fact are in violation of the law, and this is the burden that is upon the Commonwealth, not on the defendant. If the Commonwealth cannot prove it, the man cannot be found guilty. Okay?

Mr. ITKIN. All right. Thank you, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I think that I am the average person in the Commonwealth and I am sure that Mr. Mullen would claim to be the average person, but I would say that we would have two different standards in regard to this piece of legislation. So, as a consequence, there would be uneven application of the law if this law was passed, depending on whether Mr. Mullen served on the jury or whether I served on the jury. Consequently, I certainly do not think that this bill is definitive enough so that it can pass the test of constitutionality, Mr. Speaker. I would hope that the membership of this House would not be compelled to vote for a piece of legislation with only a redeeming value in its title. Thank you, Mr. Speaker.

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

Mr. FISHER. Mr. Speaker, in response to just a couple of statements made by the prior speakers: First of all as to the statement made by Mr. Berson that the definition of obscenity does not conform with the standards set down in Miller v. California, I submit to the membership of the House that this statute quite clearly does. Not only does it fall to that standard, but it falls to the standard that was enunciated in the recent decision of Commonwealth vs. McDonald in this State.

Secondly, in regard to something that Mr. Ritter had said about whether or not we are trying to regulate all utterances no matter where they are or whether they are in our home or whether they are on the street or in a public place. Quite clearly, the Supreme Court of the United States has said that the control of what we are trying to do here in one's home cannot be done in the case of Stanley v. Georgia. Mr. Ritter fully knows that this is not possible. But this bill does not address itself to

that. What this bill does address itself to is some of the changes that were made in the amendments which I offered earlier here.

The Governor's veto message, I believe last year, did point up a number of valid points that were of concern to many of the opponents of the bill when it passed in 1974. I believe the clarifying language, both in Section (b) and Section (h) as to the manner in which an ex parte preliminary injunction could be obtained, has overcome the language contained in the Governor's veto message and its supporting memorandum.

I think what we have here before the House today is a very simple question. Right now in the Commonwealth of Pennsylvania, there is no statute on the books regulating obscenity. Any hardcore pornography, no matter how hardcore it is, can be sold, can be distributed, anywhere here in the Commonwealth of Pennsylvania, in a drive-in theater, in a movie theater in center city, in a movie theater in our city, in a movie theater anywhere. There are no controls, there are no laws, against it.

Now if you want no law against that, if you want the purveyors of this pornography, this hardcore pornography, to be able to do whatever they want in this Commonwealth, then vote against this bill. If you want to have some controls that are constitutional under the decisions, I urge you to support this bill.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—169

Abraham	Garzia	Manmiller	Saloom
Anderson, J. H.	Geesey	McCall	Salvatore
Arthurs	Geisler	McClatchy	Scheaffer
Bellomini	George	McCue	Schmitt
Bennett	Giammarco	McGinnis	Schweder
Berlin	Gillespie	McIntyre	Seltzer
Bittle	Gillette	McLane	Shane
Bradley	Gleeson	Menhorn	Shelhamer
Brandt	Goodman	Milanovich	Shelton
Brunner	Green	Miller, M. E., Jr.	Shuman
Burns	Grieco	Milliron	Shupnik
Butera	Gring	Miscevich	Sirianni
Caputo	Halverson	Moehlmann	Smith, E.
Cassar	Hamilton, J. H.	Morris	Smith, L.
Cianciulli	Hasay	Mrkonjic	Spencer
Cimini	Hayes, D. S.	Mullen, M. P.	Stahl
Cole	Hayes, S. E.	Mullen	Stapleton
Cowell	Hepford	Musto	Stout
Cumberland	Hill	Myers	Taddonio
Davies	Hopkins	Novak	Taylor
DeMedio	Hutchinson, A.	Noye	Thomas
Deverter	Hutchinson, W.	O'Brien	Trelo
DeWeese	Johnson, J.	O'Connell	Turner
DiDonato	Katz	O'Keefe	Ustyniak
Dietz	Kelly, A. P.	Ollver	Vroon
Dininni	Kernick	Pancoast	Wagner
Dombrowski	Kistler	Parker, H. S.	Wansacz
Dorr	Klingeman	Perri	Wargo
Doyle	Knepper	Perry	Weidner
Dreibelbis	Kolter	Petrarca	Westerberg
Eckensberger	Kowalshyn	Pitts	Whelan
Engelhart	Kusse	Polite	Williams
Fawcett	Laudadio	Pratt	Wilson
Fee	Laughlin	Prendergast	Wilt, R. W.
Fischer	Lederer	Pyles	Wojdak
Fisher	Lehr	Ravenstahl	Worrlow
Flaherty	Letterman	Reed	Wright
Foster, A.	Levi	Renwick	Yohn
Foster, W.	Lincoln	Rieger	Zearfoss
Freind	Logue	Ross	Zeller
Fryer	Lynch	Ruggiero	Zord
Gallagher	Manderino	Ryan	Zwikl
Gallen			

NAYS—23

Barber	Irvis	O'Donnell	Toll
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Berson	Itkin	Rappaport	Wiggins
Cohen	Kelly, J. B.	Renninger	Wilt, W. W.
Dicarlo	LaMarca	Richardson	
Dumas	Mebus	Ritter	<b>Fineman,</b>
Greenfield	Miller, M. E.	Scirica	<b>Speaker</b>
Haskell			

NOT VOTING—11

Beren	Gleason	Pievsky	Walsh, T. P.
Bonetto	Hammock	Rhodes	Yahner
Crawford	McGraw	Valicenti	

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 Blair, Mr. Wilt. For what purpose does the gentleman rise?

Mr. W. W. WILT. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, I voted in error on House bill No. 353. I voted in the negative, but I would like to have my vote recorded in the affirmative, please?

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

URBAN AFFAIRS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2389, printer's No. 3212, entitled:

An Act amending the act of August 14, 1963 (P. L. 839, No. 407), entitled, as amended, "An act creating a county records committee; \*\*\* and authorizing the disposition of certain county records by county officers in counties of second class A and third to eighth class," including counties of the second class.

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—188

Abraham	Geisler	McCue	Scheaffer
Anderson, J. H.	George	McGinnis	Schmitt
Arthurs	Gillespie	McIntyre	Schweder
Bellomini	Gillette	McLane	Scirica
Bennett	Gleason	Mebus	Seltzer
Beren	Goodman	Menhorn	Shane
Berlin	Green	Milanovich	Shelhamer
Berson	Greenfield	Miller, M. E.	Shelton
Bittle	Grieco	Miller, M. E., Jr.	Shuman
Bradley	Gring	Milliron	Shupnik
Brandt	Halverson	Miscevich	Smith, E.
Brunner	Hamilton, J. H.	Morris	Smith, L.
Burns	Hasay	Mrkonjc	Spencer
Butera	Haskell	Mullen	Stahl
Caputo	Hayes, D. S.	Mullen, M. P.	Stapleton
Cessar	Hayes, S. E.	Musto	Stout
Cimini	Hepford	Myers	Taddonio
Cohen	Hill	Novak	Taylor
Cole	Hopkins	Noye	Thomas
Cowell	Hutchinson, A.	O'Brien	Toll

Cumberland	Hutchinson, W.	O'Connell	Trello
Davies	Irvis	O'Donnell	Turner
DeMedio	Itkin	O'Keefe	Ustynoski
Deverter	Johnson, J.	Oliver	Valicenti
DeWeese	Katz	Pancoast	Vroon
Dicarlo	Kelly, A. P.	Parker, H. S.	Wagner
DiDonato	Kelly, J. B.	Perri	Wansacz
Dietz	Kernick	Perry	Wargo
Dininni	Kistler	Petrarca	Weidner
Dombrowaki	Klingaman	Pitts	Westerberg
Dorr	Knepper	Polite	Whelan
Doyle	Kolter	Pratt	Wiggins
Dreibelbia	Kowalshyn	Prendergast	Williams
Eckensberger	Kusse	Pyles	Wilson
Englehart	LaMarca	Rappaport	Wilt, R. W.
Fawcett	Laudadio	Ravenstahl	Wilt, W. W.
Fee	Laughlin	Reed	Wojdak
Fischer	Lederer	Renninger	Worriow
Fisher	Lehr	Renwick	Wright
Flaherty	Letterman	Richardson	Yohn
Foster, A.	Levi	Rieger	Zearfoss
Foster, W.	Lincoln	Ritter	Zeller
Freind	Logue	Ross	Zord
Fryer	Lynch	Ruggiero	Zwinkl
Gallagher	Manderino	Ryan	
Gallen	Manmiller	Saloom	<b>Fineman,</b>
Garzia	McCall	Salvatore	<b>Speaker</b>
Geesey	McClatchy		

NAYS—2

Barber	Dumas
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NOT VOTING—13

Bonetto	Gleason	Moehlmann	Sirianni
Cianciulli	Hammock	Pievsky	Walsh, T. P.
Crawford	McGraw	Rhodes	Yahner
Giammarco			

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.

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2406, printer's No. 3324, entitled:

An Act amending the "Air Pollution Control Act," approved January 8, 1960 (1959, P. L. 2119, No. 787), exempting the production of agricultural commodities in their unmanufactured state from the provisions of the act.

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—188

Abraham	Geesey	McClatchy	Scheaffer
Anderson, J. H.	Geisler	McCue	Schmitt
Arthurs	George	McGinnis	Schweder
Bellomini	Giammarco	McLane	Scirica
Bennett	Gillespie	Mebus	Seltzer
Beren	Gillette	Menhorn	Shane
Berlin	Gleason	Milanovich	Shelhamer
Berson	Goodman	Miller, M. E.	Shelton
Bittle	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.	Mrkonjc	Spencer
Caputo	Hasay	Mullen	Stahl
Cessar	Haskell	Mullen, M. P.	Stapleton
Cianciulli	Hayes, D. S.	Musto	Stout
Cimini	Hayes, S. E.	Myers	Taddonio
Cohen	Hepford	Novak	Taylor
Cole	Hill	Noye	Thomas
Cowell	Hopkins	O'Brien	Toll
Cumberland	Hutchinson, A.	O'Connell	Trello
Davies	Hutchinson, W.	O'Donnell	Turner
DeMedio	Irvis	O'Keefe	Ustynoski
Deverter	Johnson, J.	Oliver	Valicenti
DeWeese	Katz	Pancoast	Vroon
Dicarlo	Kelly, A. P.	Parker, H. S.	Wagner
DiDonato	Kelly, J. B.	Perri	Wansacz
Dietz	Kernick	Perry	Wargo
Diminni	Kistler	Petrarca	Weidner
Dombrowski	Klingaman	Pitts	Westerberg
Dorr	Knepper	Polite	Whelan
Dreibelbis	Kolter	Pratt	Wiggins
Doyle	Kowalyszyn	Prendergast	Williams
Eckensberger	Kusse	Pyles	Wilson
Englehart	LaMarca	Rappaport	Wilt, R. W.
Fawcett	Laudadio	Ravenstahl	Wilt, W. W.
Fee	Laughlin	Reed	Wojdak
Fischer	Lederer	Renninger	Worrlow
Fisher	Lehr	Renwick	Wright
Flaherty	Letterman	Rhodes	Yohn
Foster, A.	Levi	Ritter	Zeller
Foster, W.	Lincoln	Ross	Zord
Freind	Logue	Ruggiero	Zwkl
Fryer	Lynch	Ryan	
Callagher	Manderino	Saloom	Fineman,
Gallen	Manmiller	Salvatore	Speaker
Garzia	McCall		

NAYS—1

Itkin

NOT VOTING—14

Barber	Gleason	Plevsky	Walsh, T. P.
Bonetto	Hammock	Richardson	Yahner
Crawford	McGraw	Rieger	Zearfoss
Dumas	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.

**EDUCATION BILL ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1577, printer's No. 1908**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania removing certain restriction on educational assistance.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—177

Abraham	Gallagher	Manderino	Ryan
Anderson, J. H.	Gallen	Manmiller	Saloom
Arthurs	Garzia	McCall	Salvatore
Barber	Geesey	McClatchy	Scheaffer
Bellomini	Geisler	McGinnis	Schmitt
Bennett	George	McLane	Schweder
Beren	Giammarco	Menhorn	Sciurca
Berlin	Gillespie	Milanovich	Shane
Berson	Gillette	Miller, M. E.	Shuman

Bittle	Gleeson	Miller, M. E., Jr.	Shupnik
Bradley	Goodman	Milliron	Sirianni
Brandt	Green	Miscevich	Smith, E.
Brunner	Greenfield	Moehlmann	Smith, L.
Burns	Grieco	Morris	Spencer
Butera	Gring	Mrkonjc	Stahl
Caputo	Halverson	Mullen	Stapleton
Cessar	Hamilton, J. H.	Musto	Stout
Cianciulli	Hammock	Myers	Taddonio
Cimini	Hasay	Novak	Taylor
Cohen	Haskell	Novak	Thomas
Cole	Hayes, D. S.	O'Brien	Toll
Cowell	Hepford	O'Connell	Trello
Cumberland	Hill	O'Donnell	Ustynoski
DeMedio	Hopkins	O'Keefe	Valicenti
Deverter	Hutchinson, A.	Oliver	Vroon
DeWeese	Hutchinson, W.	Pancoast	Wagner
Dicarlo	Irvis	Parker, H. S.	Wansacz
DiDonato	Itkin	Perri	Wargo
Diminni	Johnson, J.	Perry	Weidner
Dombrowski	Katz	Petrarca	Whelan
Dorr	Kelly, A. P.	Pitts	Wiggins
Dreibelbis	Kelly, J. B.	Polite	Williams
Doyle	Kernick	Pratt	Wilson
Dumas	Klingaman	Prendergast	Wilt, R. W.
Eckensberger	Knepper	Pyles	Wojdak
Englehart	Kolter	Rappaport	Worrlow
Fawcett	Kowalyszyn	Ravenstahl	Wright
Fee	LaMarca	Reed	Yohn
Fischer	Laudadio	Renninger	Zearfoss
Fisher	Laughlin	Renwick	Zord
Flaherty	Lehr	Rhodes	Zwkl
Foster, A.	Letterman	Richardson	
Foster, W.	Lincoln	Ritter	Fineman,
Freind	Logue	Ross	Speaker
Fryer	Lynch	Ruggiero	

NAYS—13

Dietz	Lederer	Mebus	Westerberg
Hayes, S. E.	Levi	Mullen, M. P.	Wilt, W. W.
Kistler	McCue	Turner	Zeller

NOT VOTING—13

Bonetto	McGraw	Rieger	Shelton
Crawford	McIntyre	Seltzer	Walsh, T. P.
Davies	Plevsky	Shelhamer	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.

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 572**

Mr. WAGNER moved that the vote by which HOUSE BILL No. 572, printer's No. 3230, entitled:

An Act amending the act of May 14, 1857 (P. L. 507, No. 567), entitled "An act to Legitimate Children Born out of Lawful Wedlock," providing that all children are legitimate.

was agreed to on final passage on this day be reconsidered.

Mr. BUTERA seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

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

Amend Sec. 1 (Sec. 1), page 2, line 3, by inserting brackets before and after "their" and inserting immediately thereafter: such

Amend Sec. 1 (Sec. 1), page 2, lines 10 to 15, by striking out all of lines 10 through 14 and "(3)" in line 15 and inserting: (2)

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

#### AMENDMENTS DIVIDED

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

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, these amendments were distributed over 2 weeks ago. Since that time the amendments were prepared to the printer's number of the bill as it was reported from committee. I would, therefore, move to divide my amendment to delete the first portion, dealing with line 3.

The SPEAKER. The amendment is divided.

Mr. WAGNER. All right, thank you.

On the question,  
Will the House agree to Part II of the Wagner amendments?

#### THE SPEAKER PRO TEMPORE (Russell J. LaMarca) IN THE CHAIR

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

Mr. WAGNER. Mr. Speaker, House bill No. 572 deals with children born out of wedlock. I think that there is some confusion here as to what is going on in this bill.

The bill seeks, as I understand it, to eliminate the status of illegitimacy, and I agree with that. But I think that there is a very fine line here in which there is confusion; that is, by suggesting that inheritance, through whom you inherit, has something to do with being legitimate or illegitimate.

What my amendment seeks to do is to delete the part which permits a child to inherit through his father if it is determined that his father is a father as a result of a paternity suit.

My understanding of a paternity suit is for child support. It is not doing anything with inheritance. What we are doing here is getting into a situation of where a father, who is a defendant in a criminal action, is found liable for the support of that child and, also, he has suddenly thrust upon him, in the inheritance part, that this child shall inherit through him. This will delete that. It will still leave in there the fact that the father can have a child declared legitimate on the birth certificate or by the subsequent marriage of the mother. I ask you to consider carefully what you are doing here in the inheritance end of this bill.

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

Mr. RICHARDSON. Mr. Speaker, I oppose the amendment and ask that we move the bill. This bill has been on the docket for quite sometime. I personally have spoken with Mr. Wagner concerning this amendment. The amendment only seeks to, in this provision, provide that in purposes of paternal inheritance of a child born out of wedlock, that the identity of the father be determined in one of the following ways. In order to get a clear picture there are three ways in which that can be determined:

(1) The father may recognize his child by filing a certificate with the Bureau of Vital Statistics.

(2) The paternity made be determined by law during the lifetime of the reputed father provided that the issue is presented to the court within two years of the birth of the child or within two years of the reputed father contributing to the support of the child.

Those are the lines that Mr. Wagner wishes to delete. I am saying that clearly gives a definition as to the reason why this provision is inserted into the bill. The only purpose of this bill which deals with this whole particular amendment is that we are trying to get rid of the stigma that has been placed upon many young people who are born in this Commonwealth. We have stamped on birth certificates in this State, bastard child, unwed child, and I feel that unless we begin to correct some of those labels they will continually be placed upon young people. I am asking that we defeat this amendment and go ahead and vote the bill.

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

Mr. WAGNER. Mr. Speaker, my amendment does not affect whether a child is called a bastard, a legitimate child, or an illegitimate child. All my amendment does is to say that if that person, the man, is declared to be the father and has to support the child by a support case, that that child does not automatically inherit under that man's estate. That has nothing to do with whether he is legitimate or illegitimate. I ask you to support this amendment.

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

Mr. RICHARDSON. Mr. Speaker, the whole purpose of this bill is to just show that a father, who wants to come forth and say that he is the father of that child, has every right to do so, and I see nothing wrong with that. That automatically makes the child legitimate and this does not in anyway affect any of the inheritance laws or estates of any other children who are born. I ask for a "no" vote on the amendment.

On the question recurring,  
Will the House agree to Part II of the Wagner amendments?

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

#### YEAS—105

Anderson, J. H.	Gleeson	McGinnis	Seltzer
Arthurs	Gring	Mebus	Shupnik
Bittle	Halverson	Milanovich	Sirianni
Brandt	Hamilton, J. H.	Miller, M. E.	Smith, E.
Brunner	Hasay	Miller, M. E., Jr.	Smith, L.
Butera	Haskell	Milliron	Spencer
Cessar	Hayes, D. S.	Moehlmann	Stahl
Cimini	Hayes, S. E.	Noye	Stout
Cumberland	Hepford	O'Connell	Taddonio
Davies	Hill	Pancoast	Thomas
Deverter	Hopkins	Parker, H. S.	Turner
Dietz	Hutchinson, A.	Perri	Vron
Dininni	Hutchinson, W.	Petrarca	Wagner
Dorr	Katz	Pitts	Wansacz
Doyle	Kelly, J. B.	Polite	Weidner
Dreibelbis	Kistler	Pyles	Westerberg
Fee	Klingaman	Rappaport	Whelan
Fischer	Knepper	Renninger	Wilson
Fisher	Kowalshyn	Renwick	Wilt, R. W.
Foster, A.	Kusse	Ruggiero	Wilt, W. W.
Foster, W.	Laudadio	Ryan	Wojdak

Freind	Lehr	Saloom	Worrflow
Gallagher	Levi	Salvatore	Yohn
Gallen	Lynch	Scheaffer	Zearfoss
Garzia	Manmiller	Schmitt	Zeller
Geesey	McClatchy	Setrica	Zord
George			

NAYS—89

Abraham	Fryer	McCue	Rieger
Barber	Geisler	McIntyre	Ritter
Bellomint	Gillespie	McLane	Ross
Bennett	Gillette	Menhorn	Schweder
Berlin	Goodman	Miscevich	Shane
Berson	Green	Morris	Shelhamer
Bradley	Greenfield	Mrkonic	Shelton
Burns	Grieco	Mullen	Shuman
Caputo	Hammock	Musto	Stapleton
Cianciulli	Irviss	Myers	Taylor
Cohen	Itkin	Novak	Toll
Cole	Johnson, J.	O'Brien	Trello
Cowell	Kelly, A. P.	O'Donnell	Ustynoski
DeMedio	Kernick	O'Keefe	Valicenti
DeWeese	Kolter	Oliver	Wargo
Dicarlo	LaMarca	Perry	Wiggins
DiDonato	Loughlin	Pievsy	Williams
Dombrowski	Lederer	Pratt	Wright
Dumas	Letterman	Prendergast	Zwinkl
Eckensberger	Lincoln	Ravenstahl	
Englehart	Logue	Reed	Fineman, Speaker
Fawcett	Manderino	Rhodes	
Flaherty	McCall	Richardson	

NOT VOTING—9

Beren	Giammarco	McGraw	Walsh, T. P.
Bonetto	Gleason	Mullen, M. P.	Yahner
Crawford			

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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 Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I am preparing a reconsideration motion on the Wagner amendment vote to House bill No. 572. I request that this bill be passed over temporarily.

HOUSE BILL No. 572 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER pro tempore. House bill No. 572 will be placed on the final passage postponed calendar.

BUSINESS AND COMMERCE BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 2456, printer's No. 3351, entitled:

An Act amending the "Capital Facilities Debt Enabling Act," approved July 20, 1968 (P. L. 550, No. 217), further defining "Transportation Assistance Projects."

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?

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

Miss SIRIANNI. Mr. Speaker, I would like to yield to Mr. Butera first or Mr. Ryan.

The SPEAKER pro tempore. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, is this one of the first bills of the package in connection with the Volkswagen financing?

The SPEAKER pro tempore. It is the first of three bills.

Mr. RYAN. Now, Mr. Butera is not on the floor of the House, and I am not so sure that I am not exceeding my authority. However, we have just finished recently a caucus which was open to the public and to the press. At which time a representative of the Governor's office was present, Mr. McIntosh was present. The special counsel who was hired or retained to put this package together was present. The caucus ran for approximately three hours. There were a great many questions raised at that caucus in connection with this entire package. I feel that many of the questions raised were left unanswered. The representative of the Governor's office promised to obtain for us some of the answers that we asked about.

I will now yield to Mr. Butera, who has returned to the floor, who will tell the rest of the story.

The SPEAKER pro tempore. It is a very interesting tale. I can hardly wait for chapter two.

The Chair now recognizes the gentleman, Mr. Butera.

Mr. BUTERA. Mr. Speaker, the first point I would like to make publicly—I think we have made it privately—is that these three bills should not be voted today. I plead with the majority leader and anyone else who is pushing for a vote today to postpone that for the reasons which I will set forth. If you refuse—and I want to make this clear at the outset—I will vote in favor of these bills, and I think a majority of this House will vote in favor of these bills. So it is not as to the substance of the bills that I am raising this request as sincerely as I can; it is to the method that we are approaching yet another major issue on the floor of this House which I strongly protest.

Unfortunately, I have found myself in this session making very similar remarks as we have approached virtually every major issue, and I do not like to have to make these remarks, particularly in light of the initial days of this session when we debated the major rule changes which were to be made. It was very clear to most of us that the hopes were high in this body that we were going to make some major changes in our methodology in approaching major legislation. The catchword was deliberation. That was the reason why we were told we had to make the basic changes in the system. An overwhelming majority of the members of this House supported the concept of that change and I think have worked hard in seeing that the strengthening of the committee system worked toward that goal.

On virtually every major issue in this session, particularly this year, the breakdown in the system has been on the major issues. That is exactly where it should not

be. If there is a breakdown in the system on the more minor issues which we discuss, we can all tolerate that, because the level of understanding and the time required to understand minor bills are not nearly as great as on the major issues.

I presume that my request will go unheeded and these bills will be called for a vote later this afternoon. If anybody has a change of heart while I am talking, please interrupt me and I will be happy to yield.

What we are being asked to do is to ratify the most complicated and far-reaching single industrial development transaction ever attempted in this Commonwealth and probably ever attempted anywhere in this country by any state. It is conceivable that with the Federal installations there has been a greater effort made.

We have two directions in which we can go in facing our decision, be it favorable or unfavorable. First, we can apply several objective tests to the transaction and make a conclusion and vote "yes" or "no." On the other hand, we can apply the subjective tests which unfortunately this House applies all too frequently.

The objective tests are those which are based upon fact justifying a proposal, scrutinized by the members, spread on the record for posterity, and for future benefit to those who would engage in industrial development activity regardless of which administration it is in.

The subjective method, which I suggest very strongly is being utilized here today, is that which is based on matters which really have no definition. Some of them are political considerations; some of them are born out of anxiety to leave the Capitol; and others are based upon a myriad of nonessential considerations. The political consideration in each of these major matters has always been injected to an extent that we have no opportunity to act objectively, and, therefore, have to follow our instincts.

In this particular instance, my subjective vote will be partially based upon my fear that should I oppose these bills because I do not feel as though I have sufficient information to apply an objective test, it will be immediately used against me and the people who carry my banner as a political tool. I say that is the wrong basis upon which we should consider these kinds of issues.

Nobody, nobody whom I have ever known in Harrisburg has ever opposed the creation of jobs. If you analyze what we do on a daily basis, the social as well as the economic value of the creation of jobs is our number one obligation. So that to oppose these bills because of a desire to approach them objectively rather than subjectively would bring political wrath. And I would suggest that there are a lot of other members in this House on both sides who will follow that rationale in casting their vote, and I say that is wrong.

I think the approach which I shall continue to call the subjective approach, that I object to, does an injustice to ourselves; I think it does an injustice to the executive branch, who, by the nature of our governmental structure, has got to be the leading party in these kinds of transactions; and it does an injustice to the public.

We are perpetuating, in this kind of action, a bad system, particularly a bad system when we are dealing with enormously complicated subjects such as this transaction seems to be.

If the promises that we have been given are not ful-

filled, then we in this body will be blamed. We will be blamed for not considering any number of possible fact situations which we should have considered and which may have led to a default somewhere down the line on this project.

On the other hand, if we analyze and spread on this record, or if we had the ability to analyze and spread on this record, every conceivable objective test and then drew our conclusion on the best available information, we could not be faulted, and thus the body which we represent would not suffer another blow some year because of our desire to act in haste.

If we do not act upon the best available information, understood by at least those of us who want to understand it, I say we run the further risk of jeopardizing future industrial development of this nature in this state. Think about how much better it would be if the Governor and his successor and his successor could go to prospective new industry as well as existing industry in this state and say, we have a system in Pennsylvania to analyze your needs and to provide you with the necessary incentives second to none; we have an executive branch fully equipped to deal with any problem.

But what we have in Pennsylvania that no other state has is a legislative branch that has demonstrated by applying objective analysis that it is also capable and is not a rubber stamp and can aid us in helping "x" prospective job producer. Think of how much better that would be than for the administration to say, well, the last one of these deals we had was the Volkswagen deal. We made our arrangement; made some commitments. We finally had to advise the public and the legislature because of a leak. We then rammed through the necessary legislative approval, and they did not even know what they were doing. That is where we are, whether you like it or not.

We have asked, as a caucus, for the following information: First, we want to know the effect of this particular transaction both long and short range on the viability of PIDA—Pennsylvania Industrial Development Authority.

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

The SPEAKER. Would the minority leader permit himself to be interrupted at this point and come to the desk with the majority leader?

Mr. BUTERA. Certainly.

### ANNOUNCEMENT

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

Mr. ARTHURS. I would like to announce that the Transportation Committee will meet in the back of the House for a few minutes.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

Mr. Speaker, I have asked for, and several members of our caucus have asked for, a good deal of information which I will enumerate. I began my request of the administration last Tuesday during the briefing which we were afforded. I continued my request at the Business and Commerce Committee meeting on Wednesday of last week. On Thursday, June 3, I put the requests that I

had made at the briefing and at the committee hearing into writing to the Governor's Assistant, Mr. Brown. On Friday I had two members of my staff, who have been working on this proposal, contact Mr. Brown to determine if we could have some of the information prior to the weekend so that we could work on it. On Monday at 9:30, I spoke with Mr. Brown on the telephone about my request, as did members of my staff subsequent to that conversation. At 6 o'clock on Monday evening, I received an answer to my letter of the previous Thursday. Yesterday I replied to that reply of my letter explaining why the information given was inadequate. I think we have circulated this House with those exchanges of letters.

Today at the caucus, which I think was a very healthy experience for everybody, we reiterated a request for certain information and attempted to justify why we were requesting it. A list of things which we have requested involves the following: an analysis of the cost of the railroad spur and highway; the terms of the proposed railroad lease with the Commonwealth; a financial breakdown of PIDA, both short and long range, as to the effect on that agency by this transaction; a copy of the Goldman Sachs financial advisors' analysis of the effect of this proposal on the future of PIDA; the terms of the letter of credit which will accompany the guarantees of the PIDA loan by the American Subsidiary of Volkswagen as well as the parent company in Germany; the terms of the lease between Volkswagen and the Westmoreland County Industrial Development Corporation; legal opinions regarding the authority of the retirement board to become involved in this transaction in the various possible areas in which it may become involved; a copy of those items which have been agreed to by the Commonwealth set forth in Volkswagen's letter to the Commonwealth of May 24, entitled "Basic Requirements for the Establishment of a Volkswagen Assembly Plant in New Stanton, Pennsylvania"; a financial analysis or a cost benefit analysis or a cash flow chart, whichever you want to call it, for the 20-year period during which the PIDA loan will be outstanding; the terms of the purchase money mortgage with Chrysler for the 1,500 acres plus the plant; the terms of any releases of land within the 1,500-acre proposed park as that land is released, from the various obligations applying to that land; and, finally, the terms of the PIDA agreements with the Westmoreland County Industrial Development Corporation.

The reasons why we asked for this information go to the point which I attempted to make at the outset, and that is that if we had this information, which has got to be available or the administration would not be coming to us for approvals, it would afford us the opportunity to cast our votes based on facts rather than hopes or desires or promises.

The reasons why we wanted the analysis of the costs of the railroad spur and of the proposed highway, which are presently being produced for us now, is obvious. We have an obligation to determine why the costs are where they are and then further determine whether anything is being overbuilt, underbuilt or whatever.

The terms of the proposed railroad lease with the Commonwealth are essential because it is that document which is our promise or the Commonwealth's promise to its taxpayers that the taxpayers will be recouping the money which they are spending to build the railroad line. This is a first, and I think we have a right to know how that

money is going to come back and upon what assumptions it is determined that that money will come back, and then we can make a judgment as to whether we believe those assumptions or not.

The request to break down the effect on the future viability of PIDA, both short- and long-range was requested so that members, particularly from other parts of the state and also from the southwestern part of the state, can make some determinations as to whether this is a good thing for the future industrial development activity of the Commonwealth. We ask for the Goldman Sachs' analysis because there is such a thing, which I assume is very current, advising PIDA of what kinds of drains PIDA will experience on the funds which it receives annually and is then made available to the revolving fund, to the various other prospective and existing businesses in Pennsylvania that may apply for a PIDA loan. It is important that we know what the status of PIDA will be, post-Volkswagen transaction, so that we can make a judgment based upon that.

The letter of credit, which we learned today, just today, will be given by a consortium of banks, at least one of which will be an American bank, to guarantee the PIDA loan, becomes absolutely essential in this regard. What we are doing here in considering this transaction is committing ourselves to the assumption of certain financial risks. The more we can eliminate unknown risks from our considerations, the easier it is to vote in favor of this transaction.

If we knew the terms of the letter of credit which can be called, I presume, should there be a default during the 20-year period, we thus minimize the risk of the taxpayers of Pennsylvania not recovering some or all of the \$40 million that it is putting forth in the form of a PIDA loan.

The reason why we asked for the terms of the lease between the Volkswagen Company and the Westmoreland County Industrial Development Corporation is that it is important to us to know what warranties, what guarantees, what promises flow in that agreement from Volkswagen to Westmoreland County and vice versa. It is an essential document in this transaction, and we should know the terms of it.

We should particularly be concerned about the proposed local tax exoneration and what happens if this does not stand up or is not granted by the various municipalities involved.

The reasons why we wanted the legal opinions, which we were assured were available, on whether the retirement board can participate and what its constraints are is obvious. There is some legal question, and removing that risk of an improper investment helps us make our decision.

The reason why we want a copy of those basic requirements for the establishment of a Volkswagen assembly plant in New Stanton, Pennsylvania, put forth by Volkswagen in its letter of May 24, is that we want to know what commitments have been made by this government to that company. We may know them all now. All we want to see is a copy of them.

The most important thing that we have asked for, I think, for most of the members to justify their vote one way or the other is what I call the cost benefit analysis. We should establish a precedent on financial matters such as this, which we failed to establish in both the

PennDOT financial matter and the Housing Agency matter; that is, what is the benefit from a cost standpoint of our investment of the public's dollars with this private company? It should consider, among other things, the effect on unemployment, which affects the welfare rolls; the anticipated tax revenues that will be increased because of this transaction; the increase of satellite jobs, of satellite employment, and we should weigh them against the cash outflow from the Commonwealth and/or its several agencies. This should be charted over the entire 20-year period so that we can look at the chart with its built-in assumptions and determine where we will be should there be a default at any time during the 20-year period. That helps us minimize the risk that we are taking when we are putting out these millions of dollars with the prospect that we will not recover them.

The purchase money mortgage terms with Chrysler are obviously important, so that we determine, among other things, what the purchase price is, as well as how it is going to be paid and what future involvement, if any, we might have in the payment of that cost.

The reason why we asked for the terms of any document which includes a release of land that we are encumbering or intend to encumber with a PIDA loan is also obvious. There are some 1,500 acres, less that acreage which will be used for the railroad and the highway, upon which the Commonwealth will have a second mortgage. It is contemplated that much of this land will be developed further for industrial purposes. The question becomes as it is developed, what happens to our lien as it is removed from the acres which will be developed in the future? Do we receive partial payment of the \$40-million loan equal to that which the Westmoreland County Industrial Development Authority receives when it sells the land or do we not? Do we begin to recoup part of our investment sooner than 20 years should an industrial park be developed in that region? If it is, then I think we should know whether the Commonwealth will share in that increased creation of wealth on this particular tract. We should know that.

The reason we have asked for the terms of the Pennsylvania Industrial Development Authority agreement with the Industrial Development Authority are again to determine what, if any, promises flow from one party to the other in which we may be involved as representatives of the public.

Together with all of this, we have an obligation on this kind of a transaction to thoroughly analyze the social value of this kind of a transaction. That, perhaps, is more important than all of the numbers combined, and, therefore, we should know how, why, how many, what prospects are there of putting people to work in this area and in other areas of the Commonwealth because of this transaction, as that is absolutely vital to the obligations and, I think, to the very oath we take.

Now the one piece of information which I received in reply to my letter of June 3, which I did not receive until 6 o'clock on June 7, 47 hours ago, was an analysis of the prospective increase in tax revenues generated by the Volkswagen Deal. That document can be debated, but it serves a very useful purpose because it sets forth in great detail for each of us, how much we can expect with the various assumptions built in to the expectation in the various taxes that we levy. We have only been able to make a cursory analysis of it in this period of time. But

we can conclude, I think—I can conclude—that there will be tax benefits, but I do not want to try to give you the amount because I do not know.

We can debate that portion of the prospective tax increase which is based upon the corporate net income tax and the corporate tax aspect. I think that is subject to a lot closer scrutiny and perhaps subject to more criticism than would be, I think, the easier computations of the personal taxes, the sales tax and the income tax. But having that document spread on the record again helps to minimize the risk which we are taking, and that is what we should all be striving for.

On Sunday, June 6, the Pittsburgh Press had an editorial and it was entitled, The Volkswagen Deal, and I will just read the first three short paragraphs as follows:

The high cost of bringing a Volkswagen auto-assembly operation to New Stanton, belatedly revealed, is giving some Pennsylvanians pause.

They are asking, in effect: Is it worth it?

That is a reasonable question, and one to which the State Legislature must give more than passing attention.

That, in a very few words, really sums up what I think our charge is in dealing with this kind of a situation. Our obligation is to give matters such as this more than a passing attention. And I suggest to you that if you consider the things which we have asked for as being objective and helpful in nature, you will conclude that what we would have wanted you to do today is to permit this body to give more than passing attention to this matter.

It is for these reasons, Mr. Speaker, that I reiterate what I said at the beginning: I will cast a vote in favor of these bills reluctantly because I am basing my decision on almost totally subjective criteria. And that is wrong, and I would hope that we do not see a repeat of it in the future, and that we can work as a partner of the Governor and of the administration on matters such as this rather than be forced to act as a rubber stamp and in effect be forced to our knees to beg for information to be helpful with.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the bills we are considering today are certainly very important in the total consideration of the offer that was made by the Governor's negotiating team of what the Governor and the administration and the executive department thought could be accomplished for Volkswagen in Pennsylvania.

Two months prior to the announcement that Volkswagen had tentatively made a decision to locate in Pennsylvania, 2 months prior to that, I think it is fair to say that we were out of the picture completely. This General Assembly had done nothing. There was no leadership shown on our part, House or Senate, majority or minority, to try to acquire for Pennsylvania this industry that was looking for a place to locate in these United States.

The Governor, in my opinion, acted boldly and acted decisively by bringing a team together of persons who he thought would be able—through their expertise, through their knowledge of economics, the social matters that Mr. Butera spoke about, costs, engineering, what the Assembly might be able to do, what local government might be able to do, what investors might be able to do—

to bring a package before that team from Volkswagen who was looking for a place to locate, to bring before them an offer that would allow them to locate in Pennsylvania.

I am sure that that negotiating team, that team of consultants, spoke to Volkswagen in terms of what we would be able to do in Pennsylvania if they would locate this industry here that was going to provide 3,500 jobs initially, 5,000 jobs eventually in that basic assembly plant. And you can multiply that number of jobs by at least four as a minimum, from what I have been able to learn, to indicate the number of jobs that will be provided to Pennsylvanians if we acquire the Volkswagen plant.

When our team told the Germans what they thought we were able to do, we received a letter back from them which says, tentatively we want to locate at New Stanton if you can within the next 30 days tie down these things that you feel that you can accomplish for us and which you have indicated that you can accomplish for us.

Those things, I am sure, span the spectrum of local government tax abatement, by the school district, municipality, county; the credit that we might be able to make available through banks; investments that the retirement board might be willing to make by their independent determination; the railroad which is necessary to service the plant; the highway which has been on the books for over 10 years, which is partially built and the construction of which was stopped because of the lack of money, like all sorts of projects throughout the Commonwealth have been stopped and delayed because of the lack of money. There are a large number of things that must be done within those 30 days.

We play a part in what must be done. We are not the negotiating team. We do not have the right to second-guess. We do have the right to decide whether what we are being asked to do will have the economic benefit to the Commonwealth and to its citizens that make it a good decision, a decision in which we should make an affirmative vote.

The three bills before us do three things: One bill simply changes the law so far as the definition of a highway assistance project is concerned, to allow the financing of the railroad under present Pennsylvania law. It would also allow the acquisition of land for that railroad. A second bill spends \$6,700,000 to build that rail facility. It also spends approximately \$20 million-plus to build the highway that is necessary. And the third bill makes an appropriation to PIDA of \$10 million. That is the necessary part so far as the General Assembly is concerned.

Mr. Butera has asked a number of questions. It took him quite a length of time to just outline to you the questions that he has asked, and these certainly are valid questions. To many of the questions that he asked, I am sure, the answers are not available. I am sure that when we talked with the Germans and said that we think the Industrial Development Corporation in Westmoreland County can acquire that land with a loan from PIDA with some local financing and lease it to the German corporation, I am sure that when that was done there was no lease. It is not in existence. In fact, I am sure that the cost benefit analysis that he is talking about is not in anyone's drawer or pigeonhole. You just cannot pick it off a tree. It is going to take time to get all the loose ends tied down. Some of the ends that must be tied down must be tied down by the legislature; that is, the construc-

tion of the highway, the construction of the railroad and the additional appropriation to PIDA of \$10 million.

I have heard all sorts of questions from members, not only on the other side of the aisle, but even on this side of the aisle—how much is that PIDA loan going to cost us? If we are lending them money at 1.75 percent interest and we go on the bond market and it cost us "x" number of dollars or such a percentage of interest, what will the actual cost be to the Commonwealth?

Let me say to you that I have some faith in the Pennsylvania Industrial Development Authority and its board. That board has loaned, in its existence, some \$350 million in similar projects, many of which carried 7/8 percent interest; loans as high as 6 million on an individual plant, 5 million on an individual plant and an accumulation in one area, I notice, was about \$12 million in PIDA loans.

Those same questions would have been appropriate at that time. But we have vested the authority to make those kinds of decisions in the PIDA board, and I am hopeful that they will make wise decisions. As to the involvement of the retirement board, there is a retirement board. Whether they make an investment or not is going to be a decision that they will have to make on whether it is a wise investment of pension funds. They make that kind of a decision every day on what types of investments to make.

I am saying to you simply that we do not have much time. This is the 9th day of June. Monday, which is the first day that the Senate will be able to act on this bill, will be the 14th day of June. The 28th of June is our deadline.

The negotiating team has a number of other things to do. I would say that we should not miss the opportunity to bring Volkswagen to Pennsylvania by a delay here in the House. One of the things I am told from the Governor's office that we learned in our negotiations with Volkswagen is that perhaps one of the reasons Pennsylvania has suffered in not being able to attract outside industry into the state is because our system for attracting that industry is bad or at least needs major revision. There are too many entities to deal with. There is no one single agency that can put the necessary package together.

In this case, the Governor's negotiating team has attempted to do that, and I compliment them for the work that they have done.

I would hope, as Mr. Butera alluded, that something good will come out of this. Perhaps, in a new manner in which the entire facet of attracting industry to Pennsylvania on a large scale and major industry with large numbers of jobs can be put together because of our experience in this particular situation.

Mr. Butera says we need legal opinions as to whether or not the retirement board can do what they want to do. I am sure that legal opinions should be rendered, but that is a matter for the retirement board. They should know whether it is legal for them to do what they are going to do. They are the ones who are going to do it. That is just another loose end.

I have heard persons say, is it legal for the local authorities or the local municipalities to give the tax abatement that may be part of what we need to attract this industry? That, I am sure, is something that has to be explored also. That is for the local taxing authorities to decide: Under the law, can they give that tax abate-

ment, and can they afford to give the necessary tax abatement? Will the problems that they are going to have be able to be taken care of without receiving the additional taxes, and for what period of time? Those are all important considerations, certainly.

But I do not look at ourselves as the General Assembly as Mr. Butera does, as being the negotiating team, being the ones who must second-guess. I heard him say, and I was really stunned by it, we want to know about those highway costs. We want to know whether that system was overdesigned, whether too much money is being spent on that highway.

I have seen Mr. Butera, I have seen his side, I have seen this side pass on highway budgets of \$400 million in one single vote without inquiring about any one of those projects or how they were designed or whether they were overdesigned or whether they were designed at all.

I would hope that the highway department of this Commonwealth is doing its job. I would hope that they are not going to overdesign a highway, whether it is for Volkswagen at that plant site in Westmoreland County or whether it is down here in Carlisle or Harrisburg or Montgomery County. But that is their job, and I do not think that all of the questions raised by Mr. Butera are questions that we ought really to be inquiring into. We have set up agencies and departments of government to do this. We are being asked to do a specific part, and whether or not we do that part is important on whether or not Volkswagen locates here. But other entities are going to be asked to do their part, and whether they do it or not will depend on them also. We may accomplish nothing by the legislation that we pass here today, if all of the other matters cannot be drawn together, all of the other matters that must be drawn together.

Mr. Butera is right, I think, in asking what are the tax benefits that are going to come to the Commonwealth. It is estimated to me that the Commonwealth's investment in direct moneys and its total investment is about \$70 million. The estimate that I saw on what revenues will come back to the Commonwealth, I think in the third year, they are up to \$16 million a year.

So, it seemed to me, if the plant is there 5 to 7 years, our money has been returned. I think it is a doggone good investment. I do not think we should hesitate. I think we should pause, and I think we should review and I think we should get as much information as we can so we know what is going on. That was the reason we spent 3½ hours in the Republican caucus and a little less than that in the Democratic caucus today with the head of the negotiating team, the person who tried to put the package together and is now trying to tie down the ends of that package to give this information to the General Assembly.

Mr. Butera has indicated that he has asked for a lot of other information and you heard the kind of information that he has asked for. Much of that is not going to be available Monday, Tuesday, or any part of next week. It will all be available, it will all be made public prior to any signed agreement. It will hit the newspapers in every area where the public bodies act. It will hit the statewide media, I am sure. When the Westmoreland Industrial Development Authority makes their commitment and agreement, it will be published. When the Retirement Board does their thing, that will be published. When the local governments must do their thing, that will

be published. When the banks are involved, I am sure that will be published. I am simply saying to you, it is time to act. We are only asked to do our part, and I think we ought to do it immediately. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

Just a couple of points to keep the record clear: First, on the one about analyzing the cost of highways, whether we have ever done that in the past or not, is immaterial. For the gentleman's information, I raised the exact point at a meeting Friday, a week ago, in Montgomery County involving Montgomery County highway projects, many of which are in my district which have been delayed. The question I raise is one which I think is being raised around this country. It is: Have we gone through a 20-year period of overbuilding highways and when does it cease? I think we have to ask those questions from now on. I have done so locally, possibly to the consternation of some of my constituents.

The point that I was trying to make with which the gentleman agreed about the system being bad is this: That as long as we permit others to count upon us not to probe, not to question, but rather to rubber-stamp in 3 or 4 legislative days, the less chance there is for the system ever to be changed. That is a fact.

The fact that we have experienced this kind of treatment time and time again indicates that it will happen in the future unless at some point we say, no, we will not permit you to utilize us in that fashion; we are going to act with a different level of responsibility.

Every question which I asked can be answered immediately. There is not one bit of information which I asked for which is not available, and on most of the questions which I asked, we were told in our caucus that the information is available. And if it is not available, someone has not done the job properly in the executive branch.

The only thing which is not prepared which I asked for is the cost benefit analysis. That shocks me because that should have been prepared prior to the Commonwealth making its offer to Volkswagen on April 20 and May 7 and subsequent negotiations to that. If that kind of an analysis was not made and is not in evidence, then I think someone has been derelict in his or its approach to this situation.

How long does it take? Let us say it takes 2 weeks. That time should have been expended prior to our making the offers, and if it was not, it should have been taken since both the majority and the minority asked for it last Tuesday in the Governor's office. It just so happens that we both asked for the same information independently of one another. That was 8 days ago.

If it takes 2 weeks to prepare it, we would have it by Monday, but, obviously, nothing has been done, I presume, since last Tuesday when both of us asked for it. I say that is wrong and we should not conduct ourselves in that manner and permit ourselves to be so manipulated.

Finally, Mr. Manderino indicated that Volkswagen has said to us, we will come if you produce. I say that is backwards. What should happen on something like this is this: The Commonwealth should enter into an agreement with Volkswagen making certain commitments.



That agreement should be based upon several contingencies, such as, a railroad spur, a highway, and a PIDA loan, that we are involved in. It should say this agreement shall be effective provided the legislature produces on these 3 items; provided the Retirement Board independently produces on its item; provided the PIDA board produces on its items, and then we have a deal. We are doing it backwards.

If we had 30 days to look at a final, completed, public document and we were told what obligations we had to consider in order to make that document viable, I think we can do it and I think we can do it darn well. But given this kind of a situation in reverse, we are placed in the situation where if we do not do it, Volkswagen may not come. And if we do it, they still may not come, because there is nothing binding upon them to make any kind of arrangement with the Commonwealth formal on June 23. I say that is backwards, that is part of the bad system, and we should not tolerate it.

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

Miss SIRIANNI. Mr. Speaker, we today are being asked under crisis conditions to discuss and act upon a major economic decision which will permanently alter the policy of Pennsylvania government in its industrial and commercial development activity. The once top priority need of job and economic development has been completely ignored in this Capitol throughout the 1970's.

Our state's reputation has deteriorated across the nation. Nearly every community is at work in an effort to bring new and better employment to its citizens.

We want Volkswagen. There is not a member of this legislature who is not fully committed to the responsibility to act to ensure that an agreement is finalized and that the plant get into full production at the very earliest date.

However, when I act in this manner, I owe it to myself, to this House, to Pennsylvania, and to the people whom I represent at home to vote upon an arrangement which is made upon the fullest of disclosures. That is the right way, the fair way, the only responsible way to make a judgment in this matter.

I would like to see this House unanimously request the Governor and the principals with whom he is dealing to give this body just 96 more hours to inform ourselves and to review the new approach with industrial development leaders at home.

Monday is just 96 hours away, and unless there is an overriding circumstance which would make such a small delay impossible, I would suggest that this be granted. If all aspects of the arrangement are sound, they will not only gain support over the weekend, but they will be given birth under circumstances which will accrue to the interests of all concerned.

You see, Mr. Speaker, what we do on this matter will set the pattern for what will be done in every other area of the state in the future. There can be no double standards. And the one standard we set must meet every reasonable test today and for the future time and for future circumstances. Thank you, Mr. Speaker.

MOTION TO TABLE

Miss SIRIANNI. I move that we table these bills until Monday when we come back in.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I would urge a negative vote on the motion to table. I think the time to act is here. I think we have the information necessary for those decisions that we are being asked to make. I ask all members to cast a negative vote.

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

Mr. FISCHER. Mr. Speaker, to speak against the motion.

The SPEAKER. It is not a debatable motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Miss SIRIANNI and Mr. MANDERINO and were as follows:

YEAS—61

Anderson, J. H.	Hasay	Noye	Strianni
Bellomini	Hayes, S. E.	O'Connell	Smith, E.
Beren	Hepford	Oliver	Smith, L.
Crawford	Hill	Pancoast	Spencer
Cumberland	Hutchinson, W.	Perri	Stahl
Davies	Katz	Pitts	Thomas
DiGianni	Kistler	Polite	Turner
Dorr	Kingaman	Pyles	Vroon
Fawcett	Kusse	Renninger	Wagner
Foster, A.	Manmiller	Rhodes	Weidner
Foster, W.	McClatchy	Ritter	Westerberg
Freind	McCue	Ryan	Wilt, W. W.
Gallen	McGinnis	Salvatore	Yohn
Geesey	McLane	Selrica	Zeller
Gring	Mebus	Shuman	Zord
Hamilton, J. H.			

NAYS—131

Abraham	Flaherty	Letterman	Richardson
Arthurs	Fryer	Levi	Rieger
Bennett	Gallagher	Lincoln	Ross
Berlin	Garzia	Logue	Ruggiero
Berson	Geisler	Manderino	Saioco
Bittle	George	McCall	Scheaffer
Bonetto	Giammarco	McIntyre	Schmitt
Bradley	Gillespie	Menhorn	Schweder
Brandt	Gillette	Milanovich	Shane
Brunner	Gleason	Miller, M. E.	Shclhamer
Burns	Goodman	Miller, M. E., Jr.	Shelton
Butera	Green	Milliron	Shupnik
Caputo	Greenfield	Miscevich	Stapleton
Cessar	Grieco	Moehlmann	Stout
Cianciulli	Halverson	Morris	Taddonio
Cimint	Haskell	Mrkonic	Taylor
Cohen	Hayes, D. S.	Mullen, M. P.	Toll
Cole	Hopkins	Mullen	Trelio
Cowell	Hutchinson, A.	Musto	Ustynoski
DeMedio	Irvis	Myers	Vaicenti
Deverter	Itkin	Novak	Wansacz
DeWeese	Johnson, J.	O'Brien	Wargo
Dicario	Kelly, A. P.	O'Keefe	Whelan
DiDonato	Kelly, J. B.	Parker, H. S.	Wiggins
Dietz	Kernick	Perry	Williams
Dombrowski	Knepper	Petrarca	Wilson
Doyle	Koiter	Pievsky	Wilt, R. W.
Dreibelbis	Kowalyszyn	Pratt	Wojdak
Dumas	LaMarce	Prandergast	Wright
Eckensberger	Laudadio	Rappaport	Zwickl
Englehart	Laughlin	Ravenstahl	
Fee	Lederer	Reed	Fineman,
Fischer	Lehr	Renwick	Speaker
Fisher			

NOT VOTING—11

Barber	Lynch	Seltzer	Zearfoss
Gleason	McGraw	Walsh, T. P.	Yahner
Hammock	O'Donnell	WorriLOW	

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

On the question recurring,  
Shall the bill pass finally?

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

Mr. WHELAN. Mr. Speaker, I rise in support of the Volkswagen bills, and I think I should point out a few reasons why. Although I agree with some of Mr. Butera's points, and I think he made some excellent points about the way the procedure should have been handled, it is now history. It has not been handled that way, and we can only look to the future to see some improvement in the way the negotiations might take place.

I think the overriding feature of these three bills and the Volkswagen proposition is that it is such an economic plus for Pennsylvania that we cannot afford to delay and not pass this legislation. It is the biggest single industrial development in Pennsylvania since U.S. Steel built its Fairless works in 1951, some 25 years ago.

There have been a couple points raised about the region. Would it be better suited in Bucks County rather than New Stanton? I do not think this is a valid argument. It is easy to be a Monday morning quarterback and say, well, let us look at Bucks County and let us look at some other county to develop this project. The point is that the negotiations took place in New Stanton and it took place for New Stanton, and, obviously, Volkswagen felt their best place of operation in the Commonwealth was in Westmoreland County, New Stanton, Pennsylvania.

I think an overriding feature of this bill for us who adjoin and live near Westmoreland County and represent Westmoreland County is the fact that we will create 5,000 new jobs in Westmoreland County. I anticipate and I believe the figures are correct that it will mean some 10,000 ancillary jobs. And these are in areas where we have unemployment as high as 15 percent. There is particularly high unemployment in Bedford County, Somerset County, and, of course, in parts of Westmoreland County.

As I estimated just with a few quick figures, if we employ 15,000 people new jobs in Pennsylvania at an annual salary of \$15,000 a year, it generates \$225 million in payroll. Two percent of that would go to state income tax, which would be some \$4.5 million. Another 1 percent of it would go to local municipalities and school districts, which would be another \$225 million; not counting the sales of automobiles that will be sold in Pennsylvania.

I raised the question with Mr. Brown as to how many anticipated cars Volkswagen expects to sell in Pennsylvania and he did not have the figure at hand. However, he did say that the plant itself was geared to produce up to 350,000 automobiles per year, and I am sure a significant percentage of those autos will go to Pennsylvania.

It is easy to be a Monday morning quarterback and it is also easy to create questions when business propositions and recruitment of industry is going on. In my district we have recruited Metropolitan, and no one knew about our recruitment of Metropolitan until the day that we had Metropolitan's signature on the line. And I think that in most industrial developments, it is such a highly competitive sought-after situation that much of the negotiation must go on in secret.

Although I regret that this is not a Pennsylvania industry that we are securing, I feel that it will have an overriding value for the future on our growth in both the coal business, the glass business, the steel business, and all the other related businesses which can supply this industry.

We have already had some progress for improvement of other industry. Mr. Manderino has indicated to us that the bills changing the advancement of corporate net income tax to a more current basis, the bills that have been developed, and are now in committee and will be moving in the near future, which is something that the Volkswagen people were after and yet will help the rest of industry in Pennsylvania. I think it has a fantastic halo effect in that other industry may take a look at Pennsylvania where they have not looked at it before.

It is unfortunate that U.S. Steel or some other major corporation in Pennsylvania could not have gotten the deal. But it is also a fact that U.S. Steel and other Pennsylvania corporations did not seek the opportunity to have the same type deal for themselves.

I am sure that if given the opportunity by Pennsylvania corporations to go into foreign countries under the same basis, they would select the opportunity and be happy to do it.

We cannot change what has happened in the past, but we have an opportunity today, I feel, in this legislature to improve on the business climate of Pennsylvania which has been so bad and caused some of our people to leave. I think we will have an overriding improvement in this business community.

I would urge your full support on this for not only western Pennsylvania but for the entire Commonwealth, as I can see nothing but overriding future benefits from this program. Thank you very much.

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

Mr. SHANE. Thank you, Mr. Speaker.

I would like to attempt to brief cost benefit discussion because it was referred to. I base my brief discussion on the memo that Mr. Butera referred to wherein estimates of the tax revenue generated by this project were estimated. I have studied this. I am not an operation's research person, but it convinces me that if we took \$70 million in cash today to Volkswagen and said, if you will spend \$225 million in New Stanton buying the Chrysler plant and equipping it, if you will hire 3,000 workers by September 1977 and attempt to do business there and hopefully stay for 20 years, this would still be an excellent deal. In other words, what I am saying is, even if we gave outright \$70 million to the Volkswagen Corporation for this package, it would still make a lot of good economic sense. Of course we are not giving it away. We, through bonds and the PIDA loan, expect to get it back.

The basic thrust and the basic conclusion of this memo that I have been looking at states that by the fiscal year 1979-1980 the state tax revenues from the Volkswagen plant and its ripple effects will generate about \$16 million in new state tax revenue, and that by 1982-1983 it will be up to about \$19 million.

Just do a little arithmetic with me, if you would. If we took \$70 million and just put it out at interest of 8 or 9 percent—I am not real good at this sort of thing, but I bet there are some of you who are much better—and left it there for about 20 years, I think it would roughly double about every 10 years. So that at the end of 20 years you would have \$280 million. If we, on the other hand, assume that we make this investment in Pennsylvania's people and Pennsylvania's economy and it does in fact generate \$16 million in additional state tax revenue

over 20 years, we are talking about \$320 million in state tax revenue rather than \$280 million if we just put the money out at interest. And, oh, there would be so many other benefits in addition to just that \$320 million. There would be 5,000 families with jobs in dignity. There would be, hopefully, a reduction in unemployment compensation benefits and welfare benefits.

The argument on this document, which Mr. Butera said he received last week and that he had not had a chance to give a cursory examination, I would have to respectfully disagree with, because I feel somebody as talented and as gifted as, for example, Ed Hussie on the Republican staff, could tear this document apart in three hours if he thought it was a fallacious document. I have looked at this document and I have studied it as carefully as I can, and I frankly feel that it is a conservative estimate. This, as far as I am concerned, is a conservative projection of the state tax revenues when we say \$16 million will be generated, and I will be anticipating Mr. Seltzer's point and am prepared to deal with it. I think it is quite a conservative estimate. For example, here are some of the assumptions of this estimate: It assumes a single shift of 3,000 workers starting September 1977. It assumes a second shift of 20,000 employees commencing September 1978.

Based on United Auto Workers figures, the average salary will be about \$13,000 per year, and for each 1,000 jobs created by the plant, 670 secondary jobs will be created in the community.

Now the assumption of Mr. Eldridge, a person who has been very crucial to this whole project from Penn Southwest, was that each worker would generate \$307 a year in sales tax. This memo scales down that assumption to \$166 per worker, saying that Eldridge's assumption was too high. This memo assumes not a 100 percent capacity of plant; it assumes 80 percent capacity. This memo assumes a net income to total assets ratio per year of approximately 7 percent. Now in the last several years the auto industry has had 9 percent net income to assets in 1972, 9 percent in 1973, and 3 percent in the disastrous year for the automobiles in 1974. I think a 7-percent assumption over the long haul is probably reasonable, particularly when you keep in mind the Consumer's Report Magazine gives the Rabbit subcompact its absolutely highest rating for a vehicle of that size, which indicates it is a vehicle of the gender of the original Bug which probably has a rather good market out there, so that the product, at least as Consumer's Report tested, has, I think, great sales potential.

I guess that I will not go on and I will wait for Mr. Seltzer to make his point, which I will then deal with. But my fundamental point I believe still remains: If you assume a \$16 million a year additional state tax revenue generated over 20 years, which I think is a fairly good assumption based on imperfect human projections, even if we gave Volkswagen \$70 million outright, it would still, I think, be a good economic deal for Pennsylvania. I will now stop for the moment and await Mr. Seltzer's point.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Fischer.

Mr. FISCHER. Mr. Speaker, I rise today to speak in favor of not only this piece of legislation, but the two that follow it. I feel very strongly that with this legislation we are making a commitment and an investment not

just particularly for this plant, but an investment and a commitment into the lives and the futures of Pennsylvanians. I think that it is an incentive that will help develop a program that will continue the growth that we would like to see in Pennsylvania in economic areas.

I think it is important that we make this decision today and we vote affirmatively on these three pieces of legislation.

I have watched in my time here the voting of millions, of hundreds of millions of dollars for various kinds of welfare programs. This is a program that will give direct aid to Western Pennsylvania and to the people affected by this industry, but we are also making an investment in a railroad which will be available for other industries that locate there, and a very fine location, which I think Mr. Manderino can describe far better than I. But this is very good industrial land. We will be making an investment in a highway which will benefit not only this particular industry but other industry that can locate there. We will be investing in training programs that will enable people not only to get jobs in this particular plant but in other plants in that area.

Mr. Speaker, I simply then urge all of my colleagues to vote in favor of these three pieces of legislation which can be incentives for Pennsylvania to grow and add jobs and develop itself.

Thank you.

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

Mr. SCHMITT. Mr. Speaker, I rise to support two of the three pieces of legislation that are under consideration, because while it has been projected by those who are in the know that it will produce 5,000 jobs directly with the plant, I think that it should also be recognized that this figure pyramids up to about 30,000 when you take into account all the ancillary industries and businesses that would be built, the shopping centers, the homes and all the other things involved.

I think that it should be pointed out too that we will recover our investment in the railroad siding by the connecting of a user's tax for those people who will be using it in addition to those from the Volkswagen plant.

I have heard it said that this is a gamble. But then is not all life a gamble? Certainly we have all gambled in the stock market and if we win, we are very happy, and if we lose, of course we just write it off as a bad loss. I think even if we were to have to write this off as a bad loss, we still would have benefited in the meantime, because there are ancillary benefits that come too in the sense that perhaps we are opening up new business. If this is successful, perhaps this is a trend that we ought to follow with other industries throughout the State of Pennsylvania.

I would like to call attention to everyone here, and I am doing this from memory so my facts may not be totally correct, but I do remember some years ago when the Alcoa went to PIDA and they got a \$6-million loan at 2 percent to bring a plant into Carlisle and they did not create any new jobs, except we stole those jobs away from the city of New Kensington. I think that when you are creating new jobs, you certainly ought to be willing to take more of a gamble than when you do when you are not even replacing the jobs that you are taking away from another community. I rise to support these three bills and I hope everyone in the House will do likewise.

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

Mr. SELTZER. Thank you, Mr. Speaker.

If I were from southwestern Pennsylvania, you could not hold me back with 20-mule teams of horses from voting for this legislation. It is only maybe because I live 300 miles away that I can be a bit more objective about this particular legislation which is before us today.

Let me go back to 1956 before I was a member of this House. The Speaker was a member then, Mr. Renwick was a member then, Mr. Mullen was a member then and Mr. Wargo was a member at that time. They, I would assume without checking the record, all voted for the first PIDA law in Pennsylvania. I came the following year and helped support appropriations for PIDA and I have consistently and continually supported appropriations for PIDA ever since, and I think it is one of the greatest things that have ever happened to Pennsylvania. There was a philosophy that was said at that time and has been continued ever since then, that the best thing that could happen to Pennsylvania is that we bring in new industry and we enlarge industry that is currently in the state, but we do it all over the state and we try to do it in smaller numbers.

We did not want to, and the original founders of PIDA did not want to, bring in one giant industry. If it stayed, it would make a lot of money for that area and, if it failed, it would leave that area in a very depressed state. For the first time in 20 years, that philosophy is now changing and I do not know whether it is right or wrong, good or bad. I am just bringing this before the members of this House, that that philosophy is now changing.

It certainly has its good points when you can see with one time we have a possibility of bringing 5,000 jobs into this Commonwealth. On the other hand, it also has a detrimental effect if we can also lose 5,000 jobs at one time if something bad happens to us.

But I think that it is imperative and important to all of us that we use this term which you have heard used before and it is called the "Cost Benefit Ratio." We are going to be asked to put in \$70 million—\$40 million from PIDA, \$20 million from the capital budget for highways, and \$10 million for the railroad. What can we generate in jobs and an income to the Commonwealth from this kind of investment? I think we can look at it from that point of view.

As I indicated earlier when I started, if I were from southwestern Pennsylvania, Westmoreland County, I would not even look at that foolish figure because it would be jobs for my area. But I think that the rest of us should look at it because it is very important. If we do not look at it, we will be whipsawing each other back and forth in years to come, give me the same kind of a deal, and really is it worthwhile to the Commonwealth to spend this kind of money to take a gamble on this number of jobs?

Mr. Speaker, what upsets me somewhat with the statistics that have been furnished to us is that there have been too many assumptions made and many of them, in my opinion, false. One of the columns provided to us indicates that in the 7 years from now we will have collected somewhere in the neighborhood of \$38 million in corporate net income taxes from Volkswagen Corporation of America or whatever other name it goes by. It goes on to say that the capital stock and franchise tax will be

something over \$8 million, and it goes on for the other taxes, including sales tax, personal income tax, realty transfer and some other ones, for a total of \$93 million.

Mr. Speaker, the method that was arrived at, in my opinion at least, to come to the bottom line of those figures is erroneous in many instances.

But just take the largest one, the corporate net income tax. Volkswagen could make \$500 million a year, could make \$1 billion a year, could make \$10 billion a year and still not pay one nickle, one nickle, under the Pennsylvania Corporate Net Income Tax Act.

Mr. Speaker, some of the largest corporations of Pennsylvania who have been here for years do not pay one nickle into the Pennsylvania corporate net income tax and they do not pay it in because they show no profits from their operations in Pennsylvania. Volkswagen may or may not show any profits from their operation in Pennsylvania, and whatever tax, if any, that we will get under CNI will be determined by the profits that they show from their operation in New Stanton. That could be the \$38 million which has been projected here or it could be 38 cents or it could be nothing.

The next item for over \$8 million is the capital stock and franchise tax. That is a negotiated tax, and how they arrived at this figure I have no idea. That could be \$1 million or \$80 million.

Mr. Speaker, these two taxes alone are better than half of the anticipated revenue that the Commonwealth expects to get generated by the Volkswagen Corporation coming into New Stanton. Mr. Speaker, they showed us this list of income but they did not tell us about some of the other expenses that we are going to have to meet in the years to come.

One of the problems we had in our caucus—and we queried Mr. Brown very extensively on this—is, what is going to happen to PIDA as it pertains to all of the other counties in Pennsylvania if we transfer this \$30 million in one lump sum to New Stanton and we appropriate the additional \$10 million which is on our calendar today? What is going to happen to the other industrial development corporations?

Mr. Speaker, I think that it is important enough that the members listen to me. I do not ask that they agree with me by any means. But I would hope that in several years to come they will have known what they are going to do today, because this can have a tremendous impact on the economy of Pennsylvania, good or bad.

Jobs for Pennsylvania is probably one of the most important things that any of us can do, and that is jobs in Westmoreland County just as it is jobs in Luzerne County or jobs in Fayette County or jobs in every county because the Commonwealth benefits from it. But let us make a decision on what we are doing to the rest of the state by taking a very serious action for one area of the state. The point I was developing is that by granting this \$30 million from the revolving fund to New Stanton for Volkswagen, it is going to cost us about \$3 million dollars a year out of the general fund, so that we can pay interest to borrow that money to replace it so that we can loan it to other industrial development agencies.

Now I do not object to that because I think that is what we should do and, if we do not do it, the other industrial development agencies will be out of business. But I think that they could have shown us that. They showed us what it is going to cost to build the road—and this is amazing—7

years ago when the road was first proposed for Chrysler, it was a \$2-million item; 7 years later it is a \$20-million item. That in itself raised a very serious question about the design of the road. But they did not tell us at the same time that to retire that bond issue over a 20-year period is going to cost us another \$20 million. These are moneys that are going to have to be made up in the general fund and/or we will lose from the motor license fund that we will not have for other projects. I do not necessarily object to that, because if we are going to have the plant in Westmoreland County, you have to have a road to get the people in and you have to have a road to get the automobiles out.

No one has talked to the impact on the local area. Now somewhere along the line we have been told that most of the employes hired will be the unemployed of that area. Well, Mr. Speaker, any of us who have been in industry, we go so far to help as much as we can, but we certainly are not going to hire unemployed untrained people if there are unemployed trained people in the area or even close by. And with the large unemployment in the motor industry just several hundred miles to the west, I am sure that we can expect a large influx of qualified employees asking for employment, and this is going to bring a lot of new people into the area which certainly has an impact on the hospitals, the schools, and the other ramifications, as Philadelphia refers to as municipal overburden. That is good; we understand that; but no one has really spoken to that.

We are all interested, Mr. Speaker, in doing something for jobs in every area of this Commonwealth. One of the questions that was asked in our meeting today, in our caucus, was why did United States Steel announce just 2 weeks ago that they were locating in Texas and not in Pennsylvania. I guess no one had the answer. I do not know whether anyone really knows. But we are concerned when we see a major employer in Pennsylvania not build a new plant here when by all rights they should have built a new plant here. We were concerned several years ago when that same industry moved its corporate offices out of this state into the State of Delaware.

I only raise this question now, Mr. Speaker, that this looks like a great thing for us to do for industrial development of Pennsylvania, and it is. But, Mr. Speaker, for 7 years we have been going around the back door hurting industry. Maybe if we had not taken some of those serious steps that we have, many more than those 5,000 jobs would have stayed in Pennsylvania, maybe many more than those 5,000 jobs would have come into Pennsylvania voluntarily. It takes more than just two or three pieces of legislation to make Pennsylvania an attractive state for industry. So let us not stop now. Let us think about what it really means to industry to come in here.

Mr. Speaker, my leader said he was going to vote for these bills because, if he voted otherwise, it could be pictured that this is a partisan issue. Mr. Speaker, I am voting against them—not because it is a partisan issue, because it is not—because, in my opinion and with the opportunity I had to review the figures that have been given to us, the cost benefit ratio sells this project short, Mr. Speaker. I hope that I am wrong.

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

Mr. SHANE. Mr. Speaker, I need 60 seconds I think to rebut the CNI argument.

If the New Stanton Volkswagen Plant makes a profit in Pennsylvania, it must pay a corporate net income tax. The gentleman's law is incorrect. I will give it to him this way: It is the difference between a parent corporation and a subsidiary corporation. If the Gulf Oil Drilling Company did business in Pennsylvania and made a profit and distributed that profit to the parent corporation, under Pennsylvania law, the parent corporation, the Gulf Corporation, has 100 percent exemption from that distribution they received from the subsidiary. At the Federal level, they have an 80 percent exemption. But the subsidiary doing business in Pennsylvania would pay a corporate net income tax. Now going to Volkswagen, we remember that the New Stanton Volkswagen plant will be a subsidiary corporation to the parent corporation in Germany. Therefore, the income or profit generated by the New Stanton operation will pay corporate net income tax.

There is a second point of rebuttal. That is on page 3 of the memo referred to. There is an allocation formula that is relevant. The allocation is based on tangible property in the state, wages and salary fractions in the state and sales in the state. The assumption of the memo is that the tangible property is all in the state, the wages and salaries are all in the state, but only 10 percent of the sales are in the state, so that they have taken account of out-of-state business generated by the New Stanton facility in calculating corporate net income. So the gentleman is wrong on his law and incorrect in his arithmetic.

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

Mr. A. C. FOSTER. Mr. Speaker, will the gentleman, Mr. Manderino, consent to a couple of questions?

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

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. A. C. FOSTER. Mr. Speaker, I would like to know at what point the Commonwealth will be irrevocably committed to this proposition in terms of signing contracts. At what point will we be bound? Will that be by the 28th of June?

Mr. MANDERINO. As I indicated to you, there are a number of things that must be done. The Volkswagen Corporation has indicated that if we can make good the many matters that were part of the offer by the 28th day of June, they will come here.

I do not think there is going to be any one single agreement. But if they see that the House of Representatives has provided the money for the railroad, that the House of Representatives have provided the money or the legislation necessary to acquire the railroad, that the PIDA board has acted in granting the loan, that the investment or at least the loan funds, whether they are from private individuals, whether they are from banks, whether they are from the retirement fund, has been made available and a commitment has been made, then I think Volkswagen will make their decision to begin purchasing their equipment and to sign their lease with the Westmoreland County Industrial Development Authority. The final document, I would imagine, is the lease they will sign with the Westmoreland County Industrial Development Authority.

Mr. A. C. FOSTER. Mr. Speaker, I would like to ask

you this in terms of reversibility of what we might do today. Should we see fit to pass House bill No. 2456 today and within a week period or a 10-day period facts be brought to light which indicates that we have erred in doing so, can we then come back to Harrisburg and rescind the passage of this particular bill or repeal it?

Mr. MANDERINO. Are you speaking of this particular bill or all three of them?

Mr. A. C. FOSTER. At the moment of House bill No. 2456, but I will—

Mr. MANDERINO. House bill No. 2456 has to do with changing the definition of a highway construction project or something in that order.

Mr. A. C. FOSTER. I will expand my question to include the remainder of the package. Could we, in fact, come back, say in a 10-day period, and reverse our decision?

Mr. MANDERINO. Certainly.

Mr. A. C. FOSTER. Mr. Speaker, that concludes my interrogation. I would like to make a brief statement.

The SPEAKER. The gentleman is in order.

Mr. A. C. FOSTER. Mr. Speaker, I have seldom seen so much diversity of opinion on the matter among my colleagues. I have talked with them and find that they are going to approach this package in so many different directions that it boggles the mind. I have tried to look at it from the viewpoint of what we might do today with the possibility that we may want to reverse course.

In looking at this I supported the motion to table the bill because, I, very frankly, would like more time to consider what we do today. I really think we should, but, on the other hand, time is of the essence. That motion having failed, I do not think we can any longer consider what might have been. The question is now if we opt to pass the bills today and we discover we have erred within a 10-day or 2-week period we have the option of coming back and correcting our mistake, and I think that is important.

As I listened to the minority leader, I was very much impressed with the questions he raised and I think he posed them very well, and they are legitimate questions. Unfortunately, the time element does not allow us to address ourselves to them.

At this point, Mr. Speaker, I feel the legislature is much in the same position as the second baseman on the pivot portion of a double play. The ball was not hit to him and he is not going to be on the final end of the double play either. He has one obligation, to complete the pivotal part of it. In assuming this stance, I cannot stand here today and argue that the throw from the shortstop was late or that it was high or wide or in the dirt or off target. When you are under game conditions, you do the best you can to dig the ball out of the dirt or whatever and throw it to first base. I think we have essentially the same obligation here today since we no longer have the option or the luxury of time. I think we do have the obligation then of casting a vote on these, and I would recommend casting an affirmative vote on this basis, with the very strong provision attached that both the majority and the minority staff pursue this matter diligently to try to see if what we are doing today is the proper course of action.

I do not want to see 3,000 or 5,000 jobs escape us here in Pennsylvania. I do not want to see our industrial climate worsened. Therefore, I am prepared to cast a vote

in favor of the bill on the board at the present and of the remainder of the package with the reservations that we do not have all the information at this point. But we will have to argue that point at a later date. Thank you, Mr. Speaker.

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

Mr. DORR. Mr. Speaker, the debate has ranged pretty widely across the spectrum of the three bills, and I think that is probably appropriate because that is the way the story will be played even though it may not be technically accurate, because I am quite sure that there are members in the House who will be casting their vote on each bill separately, attempting to analyze it as it affects their own people.

In spite of the fact, therefore, that my comments probably more directly relate to the third bill in the package, I would like to continue because the point really follows up that which Mr. Seltzer made and Miss Sirianni a little earlier.

The SPEAKER. The gentleman may proceed.

Mr. DORR. Mr. Speaker, perhaps the most direct answers that we were able to obtain in earlier conversations with representatives of the Governor related to the matter of the Pennsylvania Industrial Development Authority, the effect of this package of legislation upon that authority, and to some extent the effect upon industrial development in our own communities across the state, particularly those of us who do not happen to live in the southwest.

Mr. Speaker, the one hard fact that I was particularly interested in and able, I think, to develop related to a particular portion of the PIDA application form which required the industry to respond to the point of how many jobs or how much economic development would be created by the particular project. My recollection of Mr. Brown's answer to my question was that the likelihood was that the question would be answered in the Volkswagen matter with the number of 2,500 jobs.

Now what I have done is to relate a portion of the package that we are dealing with here today, and only a portion of it, to that figure of 2,500 jobs and I have tried to analyze that in conjunction with the money that the industrial development system has put into your county. And I think the members might be interested in these figures. In fact, it might be interesting for you to go back to your own industrial development authorities and try to develop the same kind of figures, because, Mr. Speaker, I have discovered that without all the rest of the perks, as we might call them, that are locked into this deal, the highway, the loans from the Teachers Retirement Fund and all the other things, considering only the \$40-million loan through the Pennsylvania Industrial Development System, the cost per job is a figure of \$16,000.

I took the latest York County Industrial Development Corporation's annual report and I discovered that without these additional perks, the 6-year average in York County is a cost of \$5,000 per job to the industrial development system. Even in the last year alone, with the inflation that we have seen, in considering only that last year, the cost in York County was \$12,000 per job.

Mr. Speaker, I can only draw one conclusion from that, and that is, if you take the \$40 million that is going to be put into Westmoreland County to create 2,500 jobs and

put it into your county or perhaps spread it into south-central Pennsylvania, we would not create 2,500 jobs, but we would create something like 3,500 or 4,000 jobs using the same figures.

Under those circumstances, I find it rather difficult to justify putting that money into Westmoreland County, particularly since the gentleman from the Governor's office also indicated that there was no question about the fact that the Pennsylvania Industrial Development Authority's program, at least for the next 2½ years, would be severely hurt by this particular project in terms of its ability to continue the same kind of programming that it has in the past.

I want industrial development authorities and industrial development to continue in my county as it has fortunately over the last several years through the operation of the Pennsylvania Industrial Development Authority, and I am going to vote that way. I wish I had more time to consider this, because perhaps the gentleman or someone else could change my mind on that point by bringing out additional facts. But, Mr. Speaker, they certainly have not been brought out today, and I cannot cast my vote any other way in view of that. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, the point that Mr. Seltzer brought out I agree with for the simple reason that what we are doing under an investment of this type is taking all of our eggs and putting them into one basket. In the investment business—and I am not an investor—I understand they call it diversification, spreading the risk.

Now this \$100 million or so—I do not know. No one has been able to give us a figure yet as to what it is really going to cost. It is anywhere between \$100 million and \$200 million—could be spread out in the State of Pennsylvania with many, many industries, because you are using it now under the guise of jobs. They say, we want jobs. Absolutely, but we also want jobs in Lehigh County. We want jobs down in the southeast, northwest. We want jobs in the central area. We want jobs all over the State of Pennsylvania.

Schaefer Brewery, when they came to Allentown, was not given one penny of PIDA money, and 80 percent of all the beer that Schaefer Brewery brews is brewed in the Pennsylvania plant and shipped around the country. Is that not strange?

Now how many times have we challenged Congress on foreign investments? How many times have we done this? We tell them that you should not send all this money out of the country. That is true, it is staying here. That is true in this particular case, but how many of them have ever paid it back? Very few. We have no assurance that this company is going to stay here. We have absolutely no assurance of that at all. We are doing this under the guise of what we call jobs.

Then we have some of these same bleeding hearts, the same ones who are crying for this plant, many of whom vote along with DER that have been shutting down many of our plants, shutting them down for many, many items that they think bring votes, a thing called votes. That is exactly what this is going to bring in that area—votes. It is not a question of whether it is going to be good or bad; it is going to bring votes on the surface.

One more point I would like to bring out, and you have given some latitude to the former speakers. I would like to bring this out and I hope I am not out of order. The simple reason is, I have been fighting on the floor of this House and I appreciate that this House here has backed us on the veterans. I appreciate this. But I have an article in the paper right here and this is what bothers me, when I see that the very person who is fighting to bring this plant in there votes against \$3 million for veterans on the conference report. It is also strange to me—

The SPEAKER. The gentleman knows the remark is out of order.

Mr. ZELLER. Thank you, Mr. Speaker.

It also bothers me to no end—and I do realize this country of Germany is a democracy today. It is not the country it was in the thirties—and is it not ironic that the very men and women we are trying to help became involved in the nursing home today because of what happened in the thirties and forties? We are quick to help them, but do not help the veteran. Let us vote against this thing and show them what we mean.

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

Mr. VROON. Mr. Speaker, I hesitate to play on the patience of my good fellow members of the House who have already heard a lot of rhetoric. You have heard just about everything there is to know about this subject, but there are just a few little things that I think are necessary to be brought out to your attention before we vote on these things.

For one thing, I must say I commend very highly the Governor and his office and his team for springing to the task of attracting Volkswagen to this Country. Mr. Manderino said, we did not do anything, but naturally this is the Governor's task, and I commend him for recognizing the task and for doing something about it. I commend him for the package he put together. But I must say this, by way of passing, that this particular deal came about as a matter of bidding and actually it took no genius to attract this deal to the State of Pennsylvania. The simple truth of it, fellow members, is this deal was bid in at a good high price, much higher than anybody else was willing to pay. I am not saying this is entirely wrong, but let us realize that we are paying a high price to get these people into Pennsylvania.

Now the remark was made by our good minority leader that we were minus a good lot of information concerning PIDA. Members, PIDA by means of its \$40-million loan on this deal will be blowing its wad for 2 years. We had this much of an admission in our caucus. For 2 years, therefore, PIDA will not be able to engage in any other kind of financing activity anywhere in the state. So we are pouring all of our resources, through PIDA, into one big project and we are tying up the rest of the state completely for 2 years and for several years thereafter on a partial basis.

Now I do not mind your getting good jobs, 5,000 or more good jobs, out in the western part of the state, but this is a consideration which must be considered here and now, are we willing to pour out \$40 million and blow our wad for 2 years? Now this is a very important consideration.

The subject of economic justification came up in the words of "cost benefit analysis," and our good professor from Indiana County gave us his good version of what

he thought economic justification was. Now economic justification is an art and economic justification includes a lot more than just taking a few projections put on a piece of paper and calling this an economic justification. I can do that in 5 minutes. I can dream up all kinds of figures in 5 minutes, but I do not see any market projections at all for the number of Rabbits that are going to be sold in the next 5 years. This is all important. The subcompact market is anything but good, ladies and gentlemen. American Motors is losing money on their subcompacts. Chevettes are cutting way back. All the American car companies are cutting their subcompact production way back and they can make more than enough of these subcompacts to meet our market demand. I am not sure that we have taken into consideration—and I would like to know from the Governor's office—have we a projection, a valid projection, including a market survey as to what the sales of the Rabbit will be in the next 5 years, maybe in the next 20 years, because we are not sure that this plant will last 20 years?

Let us be realistic about this whole situation. The automobile industry is a volatile industry. The automobile industry goes up one year and down the next and they have missed the boat so many times on guessing what kinds of cars are going to be purchased the next year. All of a sudden now we see the American public demanding larger cars again. What will it be 5 years from now? Do we have any assurance whatsoever that the Rabbit will sell and that Volkswagen will make money?

Again let me point out to you, Mr. Speaker, that the Volkswagen Company in Germany has been losing money for several years. They have a tremendous sales program all over the world and yet the Volkswagen Company has not been making any profits. Do you think that Volkswagen can come here and compete with American companies for the subcompact market which is overcrowded now, which we have proved it may be, and exist and make money? I am not sure at all. I am not convinced that they can make money here on subcompacts.

Again we point to the auxiliary companies that will move in here and supply Volkswagen here. Now it is a very well known fact, and it was stated to us in the caucus that Volkswagen was to be as near as possible to Detroit. Why do they want to be as near as possible to Detroit, Mr. Speaker? Because they expect to use the suppliers in the Detroit area who supply the American automobile companies who have the labor and the expertise to do so.

They also have suppliers overseas and, if it suits them competitively to bring these parts in from overseas, they will bring them in from overseas. We have no assurance whatsoever that they will hire and that they will attract a multitude of other industries into our state to supply the Volkswagen plant.

All I am saying, Mr. Speaker, is that there are too many questions here that have not been answered, and we are coming right back to the basic point. I think that if we want to take the responsibility of guaranteeing loans on a 20-year basis and we are not even sure that we do have valid guarantees from "Poppa" Volkswagen in Germany, if we are going to take that risk, it is our responsibility to make sure that we know what we are doing. I think we need more valid information, including valid economic studies and market projections and

profit projections, before we can make a valid decision on these bills.

In the last place, I want to point out very definitely that we have no assurance whatsoever that Volkswagen, even if they do make money, will ever pay a cent of tax in the city to this State of Pennsylvania. I do not know if you realize it or not but we have something called "club dues" which we pass between companies that are affiliated. What are "club dues?" These are intercompany charges that the parent makes to the subsidiaries. Volkswagen in Germany can milk all the profit out of the U.S. subsidiary via intercompany charges and we have no assurance that they are going to pay us a cent of tax. You should know these facts before you vote on these bills.

To sum it all up, I think that we have so many considerations here that we must think about, we should take our time; we should insist on having the facts before we stick our necks out and commit the people of Pennsylvania to a large amount of money and put it all in one basket. Thank you.

The SPEAKER. The Chair would remind the membership that it is now a quarter after 6 on Wednesday afternoon and would hope that those who take the microphone from now on would not be reiterating the very same points that have been made time, after time, after time, after time by previous speakers.

The Chair recognizes the gentleman from Delaware, Mr. O'Keefe.

Mr. O'KEEFE. Thank you, Mr. Speaker, for those nice words of wisdom.

I just would like to talk for 2 minutes on the bill, if that would be all right.

Mr. Speaker, I get concerned, of course, on decisions made on bills like this when we start talking on large amounts of money. I just want to go on record with my dissatisfaction with the Pennsylvania Development Authority and the lack of activity or help that they have given me in my term here.

I have pointed out more than once, in my district I had the largest locomotive works or what was the largest locomotive works, the Baldwin, before they went out of business and I could get no answer from them. We have in the district the largest manufacturer of helicopters also boarded up, with no activity for our district.

So I just wonder where the Pennsylvania Development Authority gets its direction and I just say that I am disappointed in it.

Certainly I agree with some of the questions answered today in caucus. They did not have the answers on the finance, and I give them credit and hope that they will have those answers in the future, and I see where Mr. Foster has already brought that up and I will not talk about that but, hopefully, that will be followed up.

My last remark is, I hope that the jobs given here will be given to Pennsylvanians, whether they be skilled or unskilled, no matter what part of Pennsylvania they are from and that the people will not come from the other areas, particularly the State of Michigan or Indiana. I also hope that the ports of Pennsylvania will be used and not the port of Baltimore which Volkswagen presently uses.

Thank you, Mr. Speaker.



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

Mr. STAHL. Mr. Speaker, I would like to interrogate just one question of Mr. Manderino. One question?

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Saloom, rise?

Mr. SALOOM. Mr. Speaker, all we are doing here is building a road, buying a railroad spur, and pumping \$10 million into the PIDA fund, and I wish to move the previous question.

The SPEAKER. The Chair would hope that the gentleman would remove his request to move the previous question. The matter is entirely too important to all of the members of this House. It should be aired completely.

The only objection that the Chair has is to the repetitiveness of the argument that has been made. If you have a new point to be recorded for the consideration of the membership, it should be made. But too many members have stood forth on this floor for the purpose of being recorded and repeated precisely what other speakers have said before them.

The gentleman, Mr. Stahl, will proceed with his interrogation.

Mr. STAHL. Thank you, Mr. Speaker.

Mr. Speaker, after several hours of listening to the Governor's negotiating team, Mr. McIntosh, Mr. Brown, and others, at the end of that very, very long and tedious question-and-answer process and after we asked him several questions about, will he give us information or will he not give us information, he said to a reporter after the meeting, and not to the members of the Republican caucus, which I just happened to overhear, that there are some 54 documents which are to be signed by the Commonwealth committing this Commonwealth to various courses of action.

Now, I am wondering, Mr. Speaker, have you seen any of these documents?

Mr. MANDERINO. I have not seen these documents.

Mr. STAHL. That is all I asked. I am going to make a comment.

I am not so concerned that these questions have not been answered. I get the feeling that I am Don Quixote sometimes up here at the mike battling against a great big windmill over there, mostly the wind. But the point is, what is the administration afraid of? We have asked concrete questions. I said to Mr. Brown, I do not care to know all the information. All—

The SPEAKER. The gentleman is out of order.

Mr. RYAN. Why?

Mr. STAHL. Yes, why, Mr. Speaker? I mean, why? On what basis?

The SPEAKER. The gentleman is out of order because he is covering the same ground that has been covered again.

Mr. STAHL. Now wait a minute, I am not—

The SPEAKER. Namely—

Mr. RYAN. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. Namely—

Mr. RYAN. Point of parliamentary inquiry.

The SPEAKER. Will the gentleman yield? I am trying to respond to the gentleman. He asked me why the Chair has ruled, and I am responding. Because the

speaker before him and the speaker who first led off the minority leader, who did the job capably enough, made the point that information was not made available. It has been reiterated by Mr. Butera admirably. It has been stated again by Mr. Vroon. The members of this House should not be subjected repeatedly to the same argument. That is the point I am making.

Mr. RYAN. May I ask a point of parliamentary inquiry?

The SPEAKER. The gentleman's point of parliamentary inquiry, of course, is in order.

#### PARLIAMENTARY INQUIRY

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

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, what rule of the House do you rely on to gag the members of this House from making any statement?

The SPEAKER. Mr. Ryan—

Mr. RYAN. Now, do not "Mr. Ryan" me. Point to a rule. You made a ruling.

The SPEAKER. You are not in court, Mr. Ryan.

Mr. RYAN. And neither are you a judge to slam a gavel on the members of this House.

The SPEAKER. You are not in court, Mr. Ryan, and you are out of order. You are out of order.

You know that that is unfair to characterize what I have done here as an attempt to gag. I have tried fairly and equitably to move the discussion along without subjecting members on both sides of the aisle to needless reiteration of the same point. Now that does not constitute a gag and it is not fair of you to so characterize it.

Mr. RYAN. Mr. Speaker, in my judgment, when you banged the gavel on Mr. Stahl when he was making comments, that amounted to a gag.

You pointed out that he was out of order under some rule of the House, I suppose. What he was out of order on was on your dictate that there should be no repetition, which I agree with. But if this man or any other member of this House decides that it is important that he reiterate any of these earlier facts, I believe, Mr. Speaker, he has the right to do it and there is no rule of the House that would prevent that.

The SPEAKER. Mr. Ryan, I appreciate the necessity of your having to come to the defense of your membership, serving in the post that you serve. That does not justify, however, your characterization of what I am endeavoring to do by labeling me as someone who is gagging someone on this floor.

For 2 years now, very patiently, I have given in a most fair manner, an eminently fair manner, everybody a full opportunity to air their views on every point. No one can deny that. The rulings from this Chair have been eminently fair. I think you will agree with it.

I am not about at this point in the session to start altering my point of view about what is fair. I am, at 6:30 on Wednesday afternoon, trying to move the debate along.

Mr. RYAN. Mr. Speaker, I have no objection to your trying to move the debate along. I have objection, however, to the Speaker setting rules whereby the members

are permitted or not permitted to speak on something that is germane before the House.

I am not quarreling with your prior performance. You characterized my remarks as being in court, I characterized yours as being a judge. I do not think that is unfair either.

The SPEAKER. It is the responsibility of the presiding officer to direct the proceedings of the House and to make rulings. I have done that in this instance. I will abide by that ruling. The gentleman has the right to appeal the ruling of the Chair.

Mr. RYAN. Mr. Speaker, cite the rule.

The SPEAKER. The rule is that the Speaker does not have to tolerate frivolous conduct on the part of the membership of the House.

Mr. RYAN. Cite the number on that one, Mr. Speaker. This is not frivolous conduct on our part. We spent 3½ hours with the administration going over these things, and many of the questions raised at that meeting were repetitious. I am afraid that in any major debate, in any major issue, there is going to be repetition.

#### MOTION FOR PREVIOUS QUESTION

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Brunner.

Mr. BRUNNER. Notwithstanding the Chair's original ruling, I now move the previous question.

Mr. RAPPAPORT. And I second it, Mr. Speaker.

The SPEAKER. Are there 20 seconds? The motion takes 20 seconds.

Mr. BUTERA. I would like to hear the names read into the record.

The SPEAKER. Does the gentleman, Mr. Brunner, insist on his motion? The Chair would hope the gentleman would withdraw his motion.

#### MOTION WITHDRAWN

Mr. BRUNNER. I withdraw the motion, Mr. Speaker.

The SPEAKER. Thank you.

The Chair recognizes the gentleman from Westmoreland, Mr. Saloom.

#### SECOND TO MOTION WITHDRAWN

Mr. SALOOM. Mr. Speaker, I withdraw my second to the motion.

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

Miss SIRIANNI. Mr. Speaker, you are constantly making reference to the time. Now if this matter is that important, I do not see what difference the time makes. If it takes all night to make the proper decision, then we should stay there without constantly referring to the time.

The SPEAKER. Set your clock, Carmel.

Miss SIRIANNI. I have already missed my 8 o'clock meeting in Hop Bottom, so I do not care how long it takes.

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

Mr. STAHL. Mr. Speaker, if you had let me finish, I would have been done about 10 minutes ago.

Is the ruling of the Chair—now I just want to get

this straight for the rest of this session—that you cannot reiterate anything on the floor of the House, because I am done, Mr. Speaker?

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

Mr. W. W. WILT. Mr. Speaker, just very briefly, there is one point in particular that concerns me. Mr. Thomas showed me three letters here just a few minutes ago, one that he had written to the Governor's office in 1974 when the industrial development people were working on a project in his area.

They solicited the support of the Governor's office and every branch of the state government that they could possibly consider that might be helpful and they could not even get an answer out of the Governor's office.

The Chamber of Commerce from his area wrote to the Governor's office, solicited and begged for their help and they received absolutely no response to their letters at all.

It meant immediately 1,000 jobs, 1,000 jobs. This was the Miller Brewing Company situation. They received no support whatsoever.

In yesterday's newspaper there was an article that stated that a gentleman in southwestern Pennsylvania has been working on this Volkswagen project for 5 years. But here we are pouring all this praise on the Governor for his part in this situation when another man actually did the legwork or the groundwork on the project. Well, this was in yesterday's paper. I do not know whether he did or did not. Of course, they never make misstatements of fact.

The part that concerns me is that I do not understand why all of a sudden the Governor suddenly becomes interested and concerned about industrial development when just 2 years ago there was not any interest whatsoever.

For these reasons, I am going to vote against the bill.

The SPEAKER. Just as a matter of intellectual pursuit and for the edification particularly of the gentleman, Mr. Ryan, Mason's Manual, Sec. 101, point 2:

A member who resorts to persistent irrelevance or to persistent repetition after the attention of the house has been called to the matter may be directed to discontinue his speech by the presiding officer.

That is Sec. 101.2 of Mason's Manual, page 94.

The Chair recognizes the minority whip.

Mr. RYAN. Is Mason's Manual referring to a member who was repetitious in his own statement or a member who was reiterating a point that has been made by other members? Would the Speaker rule on that, too?

The SPEAKER. Yes. The interpretation of the direction of the paragraph would be that repetition by anyone, after the attention of the matter has been called to the House by the Speaker, fits within the framework of the rule.

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

Mr. O'CONNELL. Mr. Speaker, I do not want to get into that debate, but I think that might be to prevent a filibuster and not particularly to have other members reiterating the same thing.

The other thing that I would like to point out here—

and I know the time is late and people's nerves are thin, and apparently the Speaker's nerves are worn thin—but the problem is that, really and truthfully, we sat here in the opposite situation and were confronted with this very same thing. So out of courtesy and respect for the people on our side, as well as for your own, I would suggest that you allow this debate to go whether it is repetitious or whether it is not.

We all know exactly what we are doing here tonight and the purposes for doing it. If they wish an opportunity to be spread upon the record, I do not see any reason for denying it.

Now, Mr. Speaker, I will make my statement and I will try not to be repetitious. But I sat here deliberating about this thing and I faced this vote with mixed emotions, because I share the concerns of Mr. Butera, and I sat through that caucus today without lunch as did many others and I can afford it. Some of the others may not be able to. But what I would like to say here is that there are unknown factors that give me a great deal of concern. There is long-range fiscal impact that does give me a tremendous amount of concern. The impact upon PIDA concerns me because our area has been the benefactor of the PIDA program and to close it down would be disastrous. But the bottom line here is just this: That if I were to vote in opposition to these bills, I would be considered parochial or provincial, as it has to do with my own particular geographic district and my legislative district, and I do not want that to happen. I am going to support these bills. I had three choices today—red, green or yellow. The yellow would have been to take a walk. I thought about all of them and I am not the kind of a guy who takes a walk on any issue.

But I would like to remind the membership of this House that we on this side, as well as you in other areas of this Commonwealth, will be back to this legislature for similar kinds of assistance, and I hope then that what happens here today is remembered and that we will get the very same consideration. That basis is the reason for my casting an affirmative vote, because I am going to be looking for help as I give help. I am going to call the chips if that is what it is. Our good Congressman, Dan Flood, stands up and says, you know, this is the day you call your chips. Well, I am laying a chip out today and some day later I am going to call it.

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—167

Abraham	Garza	McCall	Ritter
Arthurs	Geisler	McClatchy	Ruggiero
Barber	George	McCue	Ryan
Bellomint	Giammarco	McGinnis	Saloom
Bennett	Gillespie	McLane	Salvatore
Beren	Gillette	Menhorn	Scheaffer
Berlin	Gleason	Milanovich	Schmitt
Berson	Goodman	Miller, M. E.	Schweder
Bonetto	Green	Miller, M. E., Jr.	Scirica
Bradley	Greenfield	Milliron	Shane
Brandt	Grisco	Miscevich	Shelhamer
Brunner	Halverson	Moehlmann	Shupnik
Burns	Hamilton, J. H.	Morris	Sirianni
Butera	Hasay	Mrkonje	Smith, E.
Caputo	Haskell	Mullen	Smith, L.
Cassar	Hayes, D. S.	Mullen, M. P.	Spencer
Cianciulli	Hayes, S. E.	Musto	Stapleton
Cimini	Hepford	Myers	Stout

Cohen	Hopkins	Novak	Tadajono
Cole	Hutchinson, A.	Noye	Taylor
Cowell	Irvin	O'Brien	Toll
Davies	Itkin	O'Connell	Trelio
DeMedio	Johnson, J.	O'Donnell	Ustynowski
Deverter	Katz	O'Keefe	Valicenti
DeWeese	Kelly, A. P.	Oliver	Vroon
Dicarlo	Kelly, J. B.	Pancoast	Wagner
DiDonato	Kernick	Parker, H. S.	Wansacz
Dietz	Knepper	Perri	Wargo
Dombrowski	Kolter	Perry	Whelan
Dorr	Kowalyshyn	Petrarca	Wiggins
Doyle	LaMarca	Pievsky	Williams
Dreibelbis	Laudadio	Pitts	Wilson
Eckensberger	Laughlin	Polite	Wilt, R. W.
Engelhart	Lederer	Pratt	Wojdak
Fee	Lehr	Prendergast	WorriLOW
Fischer	Letterman	Pyles	Wright
Fisher	Levi	Rappaport	Yohn
Flaherty	Lincoln	Ravenstahl	Zord
Foster, A.	Logue	Reed	Zwinkl
Foster, W.	Lynch	Renninger	
Fryer	Manderino	Renwick	Fineman,
Gallagher	Manmiller	Rieger	Speaker
Gallen			

NAYS—23

Anderson, J. H.	Geesey	Kusse	Turner
Bittle	Gring	Mebus	Weidner
Cumberland	Hill	Seltzer	Westerberg
Dintini	Hutchinson, W.	Shuman	Witt, W. W.
Fawcett	Kistler	Stahl	Zeller
Freind	Klingaman	Thomas	

NOT VOTING—13

Crawford	McGraw	Richardson	Walsh, T. P.
Dumas	McIntyre	Rosa	Yahner
Gleason	Rhodes	Shelton	Zearfoss
Hammock			

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. Mr. O'Connell, just as an aside, there was a day not too long ago when you stood before this House and asked for the kind of help that your section of the state needed, and the balance of this state responded enthusiastically and affirmatively to your plea.

Mr. O'CONNELL. I am appreciative of that.

The SPEAKER. I am sure that if that help request is sent forth again in the days ahead, that same response will be there.

Mr. O'CONNELL. I am appreciative of that, too, Mr. Speaker, but I tell you the circumstances were different. That particular question was put to the people of this Commonwealth. The people in this Commonwealth are the ones who decided that issue. This legislature then acted upon that particular part of the constitution that they allowed that legislation to be drafted to.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. DUMAS. Mr. Speaker, I wish to vote in the affirmative on House bill No. 2456, printer's No. 3351. I was out of my seat.

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. 2457, printer's No. 3352, entitled:

A Supplement to the act of October 18, 1975 (No. 112), entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing a transportation assistance project and a highway project \* \* \* and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 4, page 3, line 25, by striking out "equal" and inserting: exceed

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. On page 3 of the bill, when the bill is speaking about the time for repayment of the bonds, the word "equal" is changed to "exceed", which indicates that the time for repayment of the bonds cannot exceed 30 years, must not be equal to 30 years and that one word is the only word changed. "Equal" is changed to "exceed".

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, the amendments are all right. I just want to ask Mr. Manderino one simple question.

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

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. BUTERA. It has been my understanding throughout that the land upon which the highway is going to be built will be donated to the Commonwealth. Is that an accurate understanding?

Mr. MANDERINO. I do not believe that that is accurate. The cost breakdown on the highway shows additional acquisition that is necessary that has not already been acquired is estimated to cost \$1.7 million.

Mr. BUTERA. Who owns that land?

Mr. MANDERINO. Property owners along roadway 119, which is presently there.

Mr. BUTERA. You mean it is not a part of the 1,500 acres?

Mr. MANDERINO. No. It is my understanding also, Mr. Speaker, and I am not sure that it is accurate but it is my understanding, that any part that is under those 1,400 acres is being donated. That is my understanding.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—163

Table listing names of members who voted 'YEAS' (163 total). Includes names like Abraham, Arthur, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cianciulli, Cimini, Cohen, Cole, Cowell, Davies, DeMedio, Deverter, DeWeese, Dicarilo, DiDonato, Dietz, Dombrowski, Doyle, Dreifelbis, Dumas, Eckensberger, Englehart, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Garza, Geisler, George, Giammarco, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Halverson, Hamilton, J. H., Haskell, Hayes, D. S., Hayes, S. E., Hopford, Hopkins, Hutchinson, A., Irviss, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Knepper, Kolter, Kowalyszyn, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Logue, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McIntyre, McLane, Menhorn, Milanovich, Miller, M. E., Miller, M. E. Jr., Milliron, Misceovich, Moehlmann, Morris, Mrkonjc, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnell, O'Keefe, Oliver, Parker, H. S., Perri, Perry, Petrarca, Plevsky, Pratt, Prendergast, Pyles, Rappaport, Ravenstahl, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Ross, Ruggiero, Ryan, Saloom, Salvatore, Schmitt, Schweecer, Seirica, Shane, Shelhamer, Shelton, Shupnik, Smith, E., Smith, L., Spencer, Stapleton, Stout, Taddonio, Taylor, Toll, Trelo, Ustykoski, Valicenti, Wagner, Wansacz, Wargo, Westerberg, Whelan, Wiggins, Williams, Wilson, Wilt, R. W., Wojdak, Worrlow, Wright, Yohn, Zord, Zwickl, Fineman, Speaker.

NAYS—30

Table listing names of members who voted 'NAYS' (30 total). Includes names like Anderson, J. H., Bittle, Cumberland, Dininni, Dorr, Fawcett, Freind, Galien, Geesey, Gring, Hasay, Hill, Hutchinson, W., Kistler, Klingaman, Kusse, McGinnis, Mebus, Pancoast, Polite, Scheaffer, Seltzer, Shuman, Srianni, Stahl, Thomas, Turner, Wagner, Wilt, W. W., Zeller.

NOT VOTING—10

Table listing names of members who did not vote (10 total). Includes names like Crawford, Gleason, Hammock, McGraw, Pitts, Rhodes, Vroon, Walsh, T. P., Yahner, Zearfos.

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 consideration.

Agreeable to order,

The House proceeded to third consideration of House bill No. 2458, printer's No. 3353, entitled:

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Bill, page 1, by inserting between lines 10 and 11: Section 2. None of the above appropriation shall be used in connection with any facility in Pennsylvania for

the manufacture or assembly of motor vehicles by a foreign-based manufacturer except under the following conditions:

(1) The foreign manufacturer shall use a Pennsylvania port for the distribution point for all assembled motor vehicles, accessory parts and tools.

(2) All assembly parts, tools and special machinery transported from a foreign port via ocean to the Commonwealth from the foreign-based manufacturer shall use a Pennsylvania port as a receiving point: Provided, That the above conditions are contingent upon the Pennsylvania port's ocean freight rates being competitive.

Amend Sec. 2, page 1, line 11, by striking out "2." and inserting: 3.

Amend Sec. 3, page 1, line 14, by striking out "3." and inserting: 4.

On the question,

Will the House agree to the amendments?

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

Mr. WIGGINS. Mr. Speaker, the amendment that I have offered does basically two things. We are talking about the receiving point and the disbursement point for the parts that initially come in to make the Volkswagen a finished product and also the distribution points for shipping the finished automobile to the various distributors. In essence, this is the key factor surrounding the amendment that I have presented to the floor.

The SPEAKER. Is the gentleman through?

Mr. WIGGINS. Yes, I am, sir.

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

Mr. RAPPAPORT. Mr. Speaker, I join with the gentleman, Mr. Wiggins, in urging the approval of this amendment.

Many of us were surprised, at least in our caucus and I understand in the other caucus, that Volkswagen plans to do all of its shipping through the port of Baltimore and the port of Wilmington. They are very nice places but they are not in Pennsylvania.

It is not that ports of Pennsylvania are unable to handle this kind of work. Toyota ships through the port of Philadelphia. Ford Motor Company ships through the port of Philadelphia. It is one of the largest ports in the country.

However, this amendment does not limit itself to the port of Philadelphia. I know that sounds strange coming from me, but I did not think it is proper. And the people who are in favor of this amendment do not think it is proper. We have other ports in this Commonwealth that also are well located to handle this traffic, the port of Chester and the port of Erie.

This amendment says that if we are competitive in cost with Baltimore and Wilmington, then the shipping should be done through a Pennsylvania port.

I can report to the House that one of the leadership has already contacted the Longshoreman's Union in Philadelphia and they have indicated that they will cooperate any way necessary to assure this traffic.

I have personally discussed this matter this afternoon with people representing the port of Philadelphia and representing the city and they have also indicated that they will do everything necessary to be competitive price-wise with any other port outside of Pennsylvania. I would, therefore, ask the House to support this amendment. Thank you.

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

Mr. MYERS. Mr. Speaker, I also rise in support of the amendment and I would like to bring a few points up, if I may.

First of all, I believe that we give a lot of incentive to Volkswagen to come into Pennsylvania. I think in the Governor's office haste to land this project, which is a good one and I am not against it, I think he overlooked the port of Philadelphia in particular.

We have American manufacturers, such as, Ford Motor Company, who presently is shipping one million cubic feet of parts out of the port of Philadelphia. Now I think if we offered these same incentives that we are offering to Volkswagen, maybe Ford would have jumped at it.

For that reason, I would like to say a few more things on the port of Philadelphia. We have, first of all, the finest labor market on any eastern port. Secondly, we offer dockside storage. We have an excellent rail service. We are centrally located to New York and Baltimore and all the major cities in the northeast.

I think that a Pennsylvania port should get some of this work. I am in no way against New Stanton getting the plant. I am very much in favor of it. I have voted in favor of the last two bills, but, at the same time, I am interested in the port of Philadelphia or any Pennsylvania port getting this work. Now Ford is giving it to us right now. So for those reasons, I would like to ask the House to support this amendment.

Thank you.

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

Mr. GARZIA. Mr. Speaker, I also rise to support this amendment. I would just like to tell the body that we have a port in the city of Chester that Ford Motor Company at one time used to us. So I hope that my colleagues will vote for this amendment.

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

Mr. DOMBROWSKI. Yes, I also rise in support of this amendment, Mr. Speaker. I would like to remind the legislature here that one time when they had the strike on the docks on the east coast that the port of Erie was used to unload some Volkswagen cars in our port. We are also geographically closer to Germany for the import of any parts than any other port in the United States, and we are located closer to New Stanton. Therefore, I rise to support the amendment.

#### CONSTITUTIONALITY OF AMENDMENT QUESTIONED

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I rise to oppose the amendment. I think there are valid arguments to be made against the amendment on its merits, although I agree in principle to what the gentlemen are trying to accomplish. I think Pennsylvania is making an investment here and I think that Pennsylvanians should be preferred in any of the dealings of Volkswagen.

I will reserve my remarks on the merits until after a disposition of the point that I want to raise, that the amendment is unconstitutional under the Federal Con-

stitution which prevents and prohibits the states from enacting any laws in restraint of trade.

I think that this would be in restraint of trade. I think it would restrain the free choice of the Volkswagen people in the manner in which they would bring in and ship out any and all parts, materials and the finished product.

I would ask that the Chair put the question of constitutionality to the House.

The SPEAKER. The question before the House is on the matter of the constitutionality of the amendment offered by the gentleman, Mr. Wiggins.

On that point, the Chair recognizes the gentleman, Mr. Rappaport.

Mr. RAPPAPORT. Mr. Speaker, I do not know if a private corporation can insist on a tie-in deal. It may be the violation of another Federal act. However, there is nothing that says that when a government or an industrial development authority, which is technically doing it, advances money or gives an advantage, they cannot place certain conditions on it, provided the prices given are competitive. That is what this amendment says. If we cost more, then they should ship through the port of Baltimore. If we are competitive, it is not a restraint of trade.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I do not believe that this amendment is unconstitutional. This is simply talking about an appropriation. If the company that is involved does not want to come up under the conditions of this and use Pennsylvania ports, they do not have to take the money.

I think, under that basis, it is not an unconstitutional amendment. It is a very proper one, and I think we ought to support it.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I may be wrong, but it is my recollection of the provisions of the Constitution that there is nothing in here with respect to restraint of trade, but rather that these are statutory provisions.

Aside from that point, I also, at the risk of being ruled out of order, share the opinion of the former speaker in that this is part of a package deal that can or cannot be accepted, and we have the right to put contingents and conditions on that package. I support the amendment.

The SPEAKER. Those voting to express a view of the amendment being constitutional will vote in the affirmative. Those holding to the view that the amendment is unconstitutional will vote in the negative.

Members will proceed to vote.

On the question,

Will the House sustain the constitutionality of the amendment?

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

YEAS—176

Abraham	Geesev	McGinnis	Schweder
Anderson, J. H.	Geisler	McIntyre	Scirica
Arthurs	Giammarco	McLane	Seltzer
Barber	Gillespie	Mebus	Shane

Bellomini	Gleason	Miller, M. E.	Shelhamer
Bennett	Goodman	Miller, M. E., Jr.	Shelton
Beren	Green	Miliron	Shuman
Berlin	Greenfield	Miscevich	Shupnik
Bittle	Grieco	Moehlmann	Sirianni
Bradley	Gring	Morris	Smith, E.
Brandt	Hamilton, J. H.	Mrkonic	Smith, L.
Brunner	Hammock	Mullen, M. P.	Spencer
Burns	Hasay	Mullen	Stahl
Butera	Haskell	Musto	Stapleton
Caputo	Hayes, D. S.	Myers	Taylor
Cessar	Hayes, S. E.	Novak	Thomas
Cianciulli	Hepford	Noye	Toll
Cimini	Hill	O'Brien	Trello
Cohen	Hopkins	O'Connell	Turner
Cole	Hutchinson, A.	O'Donnell	Ustynoski
Cowell	Hutchinson, W.	O'Keefe	Valicenti
Davies	Irvis	Ohver	Vroon
Deverter	Itkin	Pancoast	Wagner
DeWeese	Johnson, J.	Parker, H. S.	Wansacz
Dicarlo	Katz	Ferri	Wargo
DiDonato	Kelly, A. P.	Perry	Weidner
Dietz	Kelly, J. B.	Petrarca	Westerberg
Dininni	Kernick	Pitts	Whelan
Dombrowski	Kistler	Polite	Wiggins
Dorr	Klingaman	Pratt	Williams
Doyle	Knepper	Prendergast	Wilson
Dreibelbis	Kowalyszyn	Pyles	Wilt, R. W.
Dumas	Kusse	Rappaport	Wilt, W. W.
Eckensberger	Laudadio	Ravenstahl	Wojdak
Fawcett	Laughlin	Reed	Worriow
Fee	Lederer	Richardson	Wright
Fischer	Lehr	Rieger	Yohn
Flaherty	Letterman	Ritter	Zearfoss
Foster, A.	Levi	Ross	Zeller
Foster, W.	Lincoln	Ruggiero	Zord
Freind	Logue	Ryan	Zwickl
Fryer	Lynch	Saloom	
Gallagher	Manmiller	Salvatore	Fineman,
Gallen	McCall	Scheaffer	Speaker
Garzia	McClatchy		

NAYS—16

DeMedio	Gillette	McCue	Renwick
Englehart	Halverson	Menhorn	Schmitt
Fisher	LaMarca	Milanovich	Stout
George	Manderino	Renninger	Taddonio

NOT VOTING—11

Berson	Cumberland	McGraw	Walsh, T. P.
Bonetto	Gleason	Pievsky	Yahner
Crawford	Koiter	Rhodes	

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

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

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, as I indicated in my earlier remarks in the general discussion of the Volkswagen package and on bringing Volkswagen to Pennsylvania, certain statements were made in negotiations of things that could be accomplished. Volkswagen has written back and said, if you can accomplish these things, we will come to New Stanton. That is as I understand it. What we are now doing is changing the offer. We are saying, we are not going to lend you \$40 million from the PIDA fund, unless you ship through ports in Pennsylvania if the freight rates in those ports are competitive. Freight rates, by the way, are only one item in the cost of bringing in and shipping out. That is only one part of the cost.

I see no appropriateness to this amendment, no more appropriateness to this amendment than it would be appropriate for us to say that we will not lend PIDA, or we will not lend Mack Truck that we lent money to, or

we will not lend any other company money, unless they brought their products in through ports in the Commonwealth. Or for that matter, if they bought their steel from the steel plants in the Pittsburgh area. They are going to need steel. Why do we not say that they have got to buy their steel here. They have to put the glass in from the glass plants in Pennsylvania. I am saying these are all things we certainly want to accomplish. We would hope that we would be competitive in our supplies. That our suppliers of materials and that our providers of service will be competitive so that the work will stay here. But, it is certainly inappropriate, I think, to put all of these matters in as conditions, as well as it is to put this particular matter in as a condition to the grant of money. We have done it on no other PIDA loans. We have made substantial PIDA loans. Mr. Zeller, who got up and cried and screamed for the defeat of this bill, in 1974, received a total of \$10 million from PIDA in his district. And four years later he received another \$5 million in his district; \$15 million in a 4-year period. But, of course, this is not his district today, and no conditions were placed on that loan.

There are other reasons that this amendment, if you read the amendment, have improper conditions. For instance, the first condition is that the foreign manufacturer shall use a Pennsylvania port for distribution point for all assembled motor vehicles, accessory parts and tools. Let us just assume that Volkswagen makes their Rabbit at New Stanton and decides to sell some of these Volkswagens in Japan, and decides to use the port of Los Angeles as the place to send the cars across, and decides to use rail transportation from New Stanton to Los Angeles. This particular amendment would prevent them from doing that because this particular amendment says they must distribute, if they are going to go by ocean—which they would be—from ports in Pennsylvania. And the first condition that I read does not even talk about distribution by ocean.

Mr. Speaker, I think that on the merits, we cannot take the chance of changing the offer that has been made. We have been asked to fulfill our commitment to make the PIDA money available by the 28th day of June.

I would support and cosponsor a resolution of the House and the Senate indicating our strong desire that we want to be a partner; that our people produce products at competitive rates; that we provide services at competitive rates. And we would want high priority in their consideration and their choice. And I am sure that the fear that the port of Wilmington or the port of Baltimore will be used is ill founded. I think that is the present plan; I think that is what the plan is. But I am sure if the competitive rates can be demonstrated to this assembly plant, that they are going to use Pennsylvania ports. I am sure if the longshoremen come up with an offer, as it has been indicated that they will come up with, that the Pennsylvania ports will be used.

Mr. Speaker, I am pleading with this House today not to change the offer, not to jeopardize bringing this new industry into Pennsylvania by changing the offer, because the people sitting on the other side of the desk may not accept those terms. And we could, with this one simple amendment, blow the whole deal.

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

Mr. A. C. FOSTER. Mr. Speaker, the intent of the amendment is admirable, and certainly if I lived in the area, I would be supportive of it, I guess by necessity; a political necessity, if nothing else.

But I think there are enough complexities and unanswered questions already raised without introducing this new dimension of difficulty.

And on that basis, I would ask that we vote in the negative on the amendment. Let us simply proceed with this package and ignore provincialism, as we have done in previous votes. Someday we may all benefit from a similar proposal in our own legislative districts, but I just think it is better not to be provincial in this matter and I would urge a negative vote on the amendment.

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

Mr. MILLIRON. Just one quick note, Mr. Speaker.

It is a shame that we even have to have an amendment drawn up to tell the Governor that he should give priority to those industries in the state. I support the amendment, and when I had contacted Mr. Brown several weeks ago and said, have they solved the conflict between B & O and ConRail? Who would run the spur? He said, we are not to that point yet. But yet if ConRail runs it, my district—which has the largest railroad shops in the world—would get bids to build over a thousand of the railroad cars that transport them. But yet they were not to that stage; that was not important enough. Right outside my district and my colleague's from Blair, Mr. Sam Hayes, we have the only plate glass in the plate glass company plant in the state that make the window glass, the side glass and the vent glass. We are competing with Libby Owens Ford out of Ohio. When we asked the Governor's team to try to get us the inside track or try to help us out, the response from Mr. Brown was, I will give you the name of the guy to call. Like you get a phone book from Germany. I am saying I did not want to introduce amendments requiring the PPG to supply the glass, or requiring ConRail to have the spur. But, I am glad to see that Philadelphia, which has a few more votes than Blair County, can come and offer the amendment. I support it. I think it is a shame that we have to do this by statute to tell the Governor to give us, not preference, but to give us an even break when it should be one of the first priorities. We hear about all these ancillary jobs that will be coming along. There is not, to my knowledge, any priority given to one extra industry that will be affected, other than getting the plant here. And after that we are all on our own. I support the amendment.

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

Mr. RITTER. Mr. Speaker, I support the amendment, and I do not come from Philadelphia. But, I think, in fact, one of the reasons I voted for the other two bills was because this amendment was going to be offered. And had I known that Mr. Manderino was going to oppose this amendment, I might have taken another look at how I did vote on the other two bills.

I do not see anything wrong at all with asking this company, that we are going to lay out all of this money for, if the rates are competitive in used Pennsylvania

ports. What in the world is wrong with that? Why do we have to build all of these facilities and have that company say, well, thanks a lot fellows, but we are going to support the port of Wilmington or the port of Baltimore. We are not going to get a penny from them.

We have got jobs in Philadelphia that depend on this trade, too. So, not only are we going to help the job situation in Westmoreland County, we are going to help it in southeastern Pennsylvania, in Delaware County and in Philadelphia County.

I support this amendment. If this amendment is defeated, Mr. Speaker, then I want to be recognized to change my vote on the other two bills.

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

Mr. CAPUTO. Mr. Speaker, I was going to ask for a division of the amendment, because I agree with Mr. Manderino that section 2, item 1, is not a good amendment, but I am going to withdraw that motion because I think it can be corrected in the Senate.

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

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

YEAS—174

Abraham	George	McIntyre	Schmitt
Anderson, J. H.	Giammarco	McLane	Scheaffer
Barber	Gillespie	Mebus	Schweder
Bellorini	Gleeson	Milanovich	Scrica
Bennett	Goodman	Miller, M. E.	Seltzer
Beren	Green	Miller, M. E., Jr.	Shane
Berlin	Greenfield	Milliron	Shelhamer
Berson	Grieco	Moehmann	Sbelton
Bittle	Gring	Morris	Shuman
Bradley	Hamilton, J. H.	Mrkonic	Shupnik
Brandt	Hasay	Mullen, M. P.	Sirianni
Burns	Haskell	Mullen	Smith, E.
Butera	Hayes, D. S.	Musto	Smith, L.
Caputo	Hayes, S. E.	Myers	Spencer
Cessar	Hepford	Novak	Stahl
Cianciulli	Hill	Noye	Stapleton
Cimini	Hopkins	O'Brien	Thomas
Cohen	Hutchinson, A.	O'Connell	Toll
Cole	Hutchinson, W.	O'Donnell	Trello
Cowell	Irvs	O'Keefe	Turner
Davies	Itkin	Oliver	Ustynoski
Deverter	Johnson, J.	Pancoast	Vroon
Dicarlo	Katz	Parker, H. S.	Wagner
DiDonato	Kelly, A. P.	Perri	Wansacz
Dietz	Kelly, J. B.	Perry	Wargo
Dininni	Kernick	Petrarca	Weidner
Dombrowski	Kistler	Pjevsky	Westerberg
Dorr	Klingaman	Ptts	Whelan
Doyle	Knepper	Folite	Wiggins
Dreibelbis	Kolter	Pratt	Williams
Dumas	Kowalshyn	Prendergast	Wilson
Eckensberger	Kusse	Pyles	Wilt, R. W.
Fawcett	Laughlin	Rappaport	Wilt, R. W.
Fee	Lederer	Ravenstahl	Wojdak
Fischer	Lehr	Reed	Worrlow
Flaherty	Letterman	Renninger	Wright
Foster, W.	Levi	Richardson	Yohn
Freind	Lincoln	Rieger	Zearfoss
Fryer	Logue	Ritter	Zeller
Gallagher	Lynch	Ross	Zord
Gallen	Manmiller	Ruggiero	Zwinkl
Garzia	McCall	Ryan	
Geesey	McClatchy	Saloom	
Geisler	McGinnis	Salvatore	

NAYS—20

Arthurs	Fisher	Laudadio	Renwick
Brunner	Foster, A.	Manderino	Stout
DeMedio	Gillette	McCue	Taddonio
DeWeese	Halverson	Menhorn	Taylor
Englehart	LaMarca	Miscevich	Valcenti

NOT VOTING—9

Bonetto Crawford Cumberland	Gleason Hamrock	McGraw Rhodes	Walsh, T. P. Yahner
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So the question was determined in the affirmative and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

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

Mr. SELTZER. Mr. Speaker, just a moment of the House's time. This is a very important piece of legislation for Pennsylvania, except, Mr. Speaker, for one sentence. I would assume this bill is going to pass and become law, but, if by chance, the deal with Volkswagen falls through, we are not going to have another \$10 million in the PIDA fund in Pennsylvania for the rest of the state, because this one sentence in there says, Mr. Speaker, that any money of this appropriation which is uncommitted, unencumbered or unexpended shall lapse.

Mr. Speaker, I regret that that sentence is in there, because in Pennsylvania all 67 counties need help. I would hope that when the other body receives that bill, they will have more sense than we do and offer that amendment so that, Mr. Speaker, when this bill becomes an act—and if by chance this deal falls through, that we will have the \$10 million to put in the PIDA fund for the rest of Pennsylvania.

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

Mr. ZELLER. It will be real quick to answer Mr. Manderino. Mr. Manderino mentioned about Zeller receiving some \$15 million. I would just like to set the record straight. Before I became a Representative, the district which I now have received some \$10 million, and that was before I ever became a Representative. As a matter of fact, Air Products, which is a home base, happens to be from that area. It is not a foreign country; it is America. Kraft Foods, which happens to have a plant and came in before I got there, is America. And also, the great Mack Truck Corporation, which just came into my district a couple years ago, has been in the city of Allentown since its existence, and that is great America. So I am very proud, except one thing we talked about earlier—Mr. Seltzer talked about it. We have spread the risk here. We have \$5 million versus \$40 million. We have not put all of our eggs in one basket. We spread the risk quite well.

Thank you very much.

The SPEAKER. Will all patriots please rise?

The Chair recognizes the gentleman from Dauphin, Mr. Hepford.

Mr. HEPFORD. Mr. Speaker, I followed the debate on these bills with great interest, and there seems to be a great deal of apprehension. I think part of the problem is that we were called upon in an emergency to make a



large appropriation with regard to the Housing Agency, and the reports that we were given by the department, all those records on a \$7-million building were now subpoenaed last week to a grand jury.

I only hope that the representations that have been made to us orally are true, and I am looking to a communication addressed to this section in this bill with regard to this project that states, no finders' fees or other fees were paid. The question is, Are there any going to be paid? But this representation comes not from anyone who was there, who would be in a position to receive the finder's fee. And even this individual states not that there is not going to be one paid. He states, "To the best of my knowledge."

All the issues, as far as I can see, that we have raised almost are irrelevant because that is not our area of discretion. If this PIDA application is improper, it is not our fault. We are not going to see the PIDA application. But I am going to trust the individuals who are on that board. I am going to trust the individuals who are investing the money of the retired people in this Commonwealth, because that is not our job. We cannot affect that unless we pass legislation to restrict their investment, which we cannot control.

I think much of the discussion we have had today is not relevant because these bills are enabling legislation. But in dealing with this size of operation and this size of money, we expect the individuals who are entrusted with fidelity to carry out their obligations and exercise their sound judgment to do that. In our caucus they said the usual percentage fees would not be paid to the lawyers, to the bond counsel, and to others. You are going to be called upon to spend \$60 million to PIDA in the years to come to make up this deal. It will be a good investment if everybody acts with fidelity. The hesitancy on the part of this House has been occasioned. I believe, because of the failure of individuals in responsible positions to exercise good judgment and fidelity to the citizens of this Commonwealth.

I urge support of the bill and all the bills. Then I urge you in the communities that are affected to see that the money is spent in the way it is intended and to give real life and meaning to our PIDA operation.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—165

Abraham	Garzia	McClatchy	Ross
Arthurs	Geisler	McCue	Ruggiero
Barber	George	McGinnis	Ryan
Bellomini	Giammarco	McIntyre	Saloom
Bennett	Gillespie	McLane	Salvatore
Beren	Gillette	Menhorn	Scheaffer
Berlin	Gleeson	Milanovich	Schmitt
Berson	Goodman	Miller, M. E.	Schweder
Bonetto	Green	Miller, M. E., Jr.	Scirica
Bradley	Greenfield	Milliron	Shane
Brandt	Grieco	Miscevich	Shelhamer
Brunner	Halverson	Moehlmann	Shelton
Burns	Hamilton, J. H.	Morris	Shupnik
Butera	Hasay	Mrkonjic	Smith, E.
Caputo	Haskell	Mullen, M. P.	Smith, L.
Cessar	Hayes, S. E.	Mullen	Spencer
Ciarciulli	Hepford	Musto	Stapleton
Cimini	Hopkins	Myers	Stout
Cohen	Hutchinson, A.	Novak	Taddento
Cole	Iris	Noye	Taylor

Cowell	Itkin	O'Brien	Toll
Davies	Johnson, J.	O'Connell	Trelio
DeMedio	Katz	O'Donnell	Ustynoski
Deverter	Kelly, A. P.	O'Keefe	Valcenti
DeWeese	Kelly, J. B.	Oliver	Wansacz
Dacarlo	Kernick	Pancoast	Wargo
DiDonato	Knepper	Parker, H. S.	Westerberg
Dombrowski	Kolter	Perri	Whelan
Doyle	Kowalyszyn	Perry	Wiggins
Dreibelbis	LaMarca	Petrarca	Williams
Dumas	Laudadio	Plevsky	Wilson
Eckensberger	Laughlin	Polite	Wojdak
Englehart	Lederer	Pratt	Worriow
Fee	Lehr	Prendergast	Wright
Fischer	Letterman	Pyles	Yohn
Fisher	Levi	Rappaport	Zearfoss
Flaherty	Lincoln	Ravenstahl	Zord
Foster, A.	Logue	Reed	Zwilk
Foster, W.	Lynch	Renninger	
Fryer	Manderino	Renwick	Fineman,
Gallagher	Manmiller	Rieger	Speaker
Gallen	McCall	Ritter	

NAYS—26

Anderson, J. H.	Geesey	Mebus	Turner
Rittle	Gring	Seltzer	Wagner
Dietz	Hill	Shuman	Weidner
Dininni	Hutchinson, W.	Sirianni	Wilt, R. W.
Dorr	Kistler	Stahl	Wilt, W. W.
Fawcett	Kingman	Thomas	Zeller
Freind	Kusse		

NOT VOTING—12

Crawford	Hammock	Pitts	Vroon
Cumberland	Hayes, D. S.	Rhodes	Waish, T. P.
Gleason	McGraw	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.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. D. S. HAYES. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. D. S. HAYES. Mr. Speaker, had I not been talking to the majority leader, I would have voted "yes" on House bill No. 2458.

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

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 620, printer's No. 3339, entitled:**

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), gradually increasing the maximum annual State grants to county institution districts or their successor for cost of child welfare programs.

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. 1032, printer's No. 3135, entitled:**

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), increasing cer-

tain time periods, requiring new notice provisions, establishing hearing procedures, requiring public auctions and setting minimum bid levels at public auctions.

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

Ordered, to be transcribed for third consideration.

**CONCURRENCE IN SENATE  
AMENDMENTS TO HOUSE BILL No. 361**

Mr. IRVIS called up for concurrence in Senate amendments, from page 16 of today's calendar, House bill No. 361, printer's No. 3402.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE**

The clerk of the Senate, being introduced, returned

**HOUSE BILL No. 361**

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law," providing for the levying of taxes following a countywide reassessment of real property.

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 Section 1, page 1, line 16, by striking out "May 16, 1939 (P. L. 143, No. 74," and inserting "December 3, 1975 (No. 134),"; line 18, by inserting after "Property.—" the letter "(a)"

Amend Section 1, page 2, line 9, by striking out "No" and inserting "Except in counties of the first class, no"

Amend Section 1, page 2, by inserting after line 12 the following: (b) Except as to counties of the first and second class, after any county makes a county-wide revision of assessment of real property at values based upon an established predetermined ratio as required by law, each political subdivision, which hereafter for the first time levies its real estate taxes on that revised assessment or valuation, shall, for the first year, reduce its tax rate, if necessary, for the purpose of having the total amount of taxes levied for that year against the real properties contained in the duplicate for the preceding year, equal, in the case of any taxing district, not more than ten per centum greater than the total amount it levied on such properties the preceding year, notwithstanding the increased valuations of such properties under the revised assessment. For the purpose of determining the total amount of taxes to be levied for said first year, the amount to be levied on newly constructed buildings or structures or on increased valuations based on new improvements made to existing houses need not be considered. The tax rate shall be fixed for that year at a figure which will accomplish this purpose. With the approval of the court of common pleas, upon good cause shown, any such political subdivision may increase the tax rate herein prescribed, notwithstanding the provisions of this subsection.

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, on the question of concurring in amendments inserted by the Senate to House bill No.

361, printer's No. 3402, I move that the House do concur.

On the question recurring,

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

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

**YEAS—186**

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

**NAYS—0**

**NOT VOTING—17**

Bonetto	McGraw	Pitts	Shelton
Crawford	McIntyre	Rhodes	Vroon
Glesson	Perri	Rieger	Walsh, T. P.
Hamilton, J. H.	Pievsky	Salvatore	Yahner
Hammock			

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.

**CONCURRENCE IN SENATE  
AMENDMENTS TO HOUSE BILL No. 385**

Mr. IRVIS called up for concurrence in Senate amendments, from page 16 of today's calendar, House bill No. 385, printer's No. 3227.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE**

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 385

An Act providing for the payment of death benefits to the surviving spouse or children of firemen or law enforcement officers killed in the performance of their duties.

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 Section 3, page 2, line 15, by removing the period after "immediately" and inserting "and its provisions shall be retroactive to January 1, 1976."

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on the question of concurring in amendments inserted by the Senate to House bill No. 385, printer's No. 3227, I ask that the House do concur.

On the question recurring,

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

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

YEAS—183

- Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cesar, Cianciulli, Cimini, Cohen, Cole, Cowell, Cumberland, Davies, DeMedio, Deverter, DeWeese, Dicarolo, DiDonato, Dietz, Dimini, Dombrowski, Dorr, Doyle, Dreibelts, Dumas, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Freind, Fryer, Gallagher, Gallen, Garza, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hopford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvs, Itkin, Johnson, J., Katz, Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Logue, Lincoln, Lynch, Mann Miller, McCall, McClatchy, McGinnis, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, Moeblmann, Morris, Mrkonjc, Mullen, M. P., Muller, Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perry, Petrarca, Pievsky, Polite, Pratt, Prendergast, Pyles, Rappaport, Ravenstahl, Reed, Renninger, Renwick, Richardson, Ritter, Ross, Ruggiero, Ryan, Saloom, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shuman, Shupnik, Sirrianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Taddonio, Taylor, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Wiggins, Williams, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrlow, Wright, Yohn, Zearfoss, Zeller, Zord, Zwick, Fineman, Speaker

NAYS—1

McCue

NOT VOTING—19

- Bonetto, Crawford, Foster, W., Gleason, Hamilton, J. H., Hancock, Kelly, A. P., Manderino, McGraw, McIntyre, Perri, Pitts, Rhodes, Rieker, Salvatore, Shelton, Vroon, Walsh, T. P., Yahner

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.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 460

Mr. IRVIS called up for concurrence in Senate amendments, from page 16 of today's calendar, House bill No. 460, printer's No. 3318.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 460

An Act amending the act of June 30, 1975 (No. 8-A), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975," changing appropriations to the Departments of Treasury, Community Affairs, Health and Justice and to the Philadelphia Traffic Court and making an appropriation to the Department of Health for Tay-Sachs disease.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, lines 1 through 5, by striking out all of said lines and inserting in lieu thereof the following:

Amending the Act of June 30, 1975 (No. 8-A), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975," changing appropriations to the Departments of Treasury, Community Affairs, Health and Justice, and to the Philadelphia Traffic Court and making an appropriation to the Department of Health for Tay-Sachs disease.

Amend Bill, page 1, lines 18 through 23, by striking out all of said lines; page 2, lines 1 through 8, by striking out all of said lines and inserting the following: Section 1. Section 2, Act of June 30, 1975 (No. 8-A), known as the "General Appropriation Act of 1975," is amended by amending appropriations to the Treasury Department for administration of the Board of Finance and Revenue; the Department of Community Affairs for housing and redevelopment, amended February 2, 1976 (No. 2-A); to the Department of Health for health rehabilitation services-institutional, amended December 16, 1975 (No. 50-A); to the Department of Justice for administration expenses

for drug law enforcement, for the Juvenile Court Judges Commission and for the Bureau of Corrections, amended December 16, 1975 (No. 50-A); and to the Philadelphia Traffic Court; and adding an appropriation to the Department of Health for a program relating to Tay-Sachs disease, to read:

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the general fund to the several hereinafter named agencies of the Executive, Legislative and Judicial Departments of the Commonwealth for the payment of the salaries, wages or other compensation and travel expense of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1975 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975.

I. Executive Department

\* \* \*

To the Treasury Department

\* \* \*

Administration of the Board of Finance and Revenue ..... [278,000] 308,000

\* \* \*

To the Department of Community Affairs

\* \* \*

For grants for housing and redevelopment assistance as authorized by the Act of May 20, 1949 (P. L. 1633, No. 493), known as the "Housing and Redevelopment Assistance Law," and by payment of the costs of administering such act up to but not exceeding an amount equalling 2% of this appropriation ..... [2,850,000] 15,650,000

\* \* \*

To the Department of Health

\* \* \*

For health rehabilitation services-institutions ..... [3,744,000] 4,444,000

\* \* \*

For the establishment of a comprehensive program relating to persons with Tay-Sachs disease at the Jefferson Medical College and Hospital, Philadelphia, Pennsylvania ..... 50,000

Such program shall include the detection of Tay-Sachs disease in the community, counselling of individuals and families, education of the public, institution, coordination of research into the treatment for Tay-Sachs disease and the expansion of genetic diagnostic services and treatment of persons with the disease.

The Department of Health shall ascertain that the funds appropriated by this act are used by the Jefferson Medical College and Hospital, Philadelphia for the purposes herein set forth.

\* \* \*

To the Department of Justice

For the salaries, wages and all necessary expenses for the proper administration of the Department of Justice to be appropriated as follows:

Attorney General ..... [338,000] 348,000
Comptroller ..... [33,000] 56,000
Regional offices ..... [1,107,000] 1,106,000
Community Advocate Unit ..... [288,000] 278,000

Office of Management Services ..... 547,000
Office of Criminal Law ..... [113,000] 122,000
Bureau of Investigations ..... [483,000] 523,000
\* \* \*
Office of Civil Law ..... [1,344,000] 1,339,000
Bureau of Consumer Protection ..... [897,000] 929,000
Board of Pardons ..... [121,000] 112,000

Except that no funds appropriated herein shall be expended for the payment of leased space that exceeds \$6.90 per square foot unless such lease shall include a provision providing for heat, electric and janitorial services and in no event shall the payment for leased space exceed \$7.05 per square foot.

For the salaries, wages and all necessary expenses of the Bureau of Drug Control and the Office of Drug Law Enforcement ..... [2,623,000] 2,973,000

For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission ..... [164,000] 167,000

For the operation, maintenance and administration of the state correctional institutions and community treatment centers, not including funds for the establishment, maintenance or operation of a maximum security facility at Farview State Hospital ..... [57,140,000] 57,000,000

\* \* \*

III. Judicial Department

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

\* \* \*

Philadelphia Traffic Court

Salaries and expenses of judges ..... [132,000] 140,000

Amend Bill, page 6, line 14, by striking out after "Section" the number "3." and inserting "2."

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on the question of concurring in amendments inserted by the Senate to House bill No. 460, printer's No. 3318, I move that the House do concur.

On the question recurring,

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

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

YEAS—185

Abraham Gallen Manderino Saloom
Anderson, J. H. Garzia Manmiller Scheaffer
Arthurs Geesey McCall Schmitt
Barber Geisler McClatchy Schweder
Bellomonte George McCue Scirica
Bennett Giammarco McGinnis Seltzer
Beren Gillespie McLane Shane
Berlin Gillette Mebus Shelhamer
Berson Gleason Menhorn Shupnik
Bittle Goodman Milnovitch Strianni
Bradley Green Miller, M. E. Smith, E.
Brandt Greenfield Miller, M. E., Jr. Smith, L.
Brunner Grieco Milliron Spencer
Burns Gring Misceovich Stahl

Butera	Halverson	Moehlmann	Stapleton
Caputo	Hasay	Morris	Stout
Cessar	Haskell	Mrkoncic	Taddonio
Cianciulli	Hayes, D. S.	Mullen	Taylor
Cimini	Hayes, S. E.	Mullen, M. P.	Thomas
Cohen	Hepford	Musto	Toll
Cole	Hill	Myers	Trello
Cowell	Hopkins	Novak	Turner
Cumberland	Hutchinson, A.	Noye	Ustynoski
Davies	Hutchinson, W.	O'Brien	Valicenti
DeMedio	Irvic	O'Connell	Wagner
Deverter	Itkin	O'Donnell	Wansacz
DeWeese	Johnson, J.	O'Keefe	Wargo
Dicarlo	Katz	Oliver	Weidner
DiDonato	Kelly, A. P.	Pancoast	Westerberg
Dietz	Kelly, J. B.	Parker, H. S.	Whelan
Dinnini	Kernick	Perric	Wiggins
Dombrowski	Kistler	Perry	Williams
Dorr	Klingaman	Petrarca	Wilson
Doyle	Knoepfer	Pievisky	Witt, R. W.
Dreibelbis	Kolter	Polite	Witt, W. W.
Dumas	Kowalyszyn	Pratt	Wojdak
Dickensberger	Kusse	Prendergast	WorriLOW
Engelhart	LaMarca	Pyles	Wright
Fawcett	Laudadio	Rappaport	Yohn
Fee	Laughlin	Ravenstahl	Zearfoss
Fischer	Lederer	Reed	Zeller
Fisher	Lehr	Renninger	Zord
Flaherty	Letterman	Renwick	Zwki
Foster, W.	Levi	Richardson	
Freind	Lincoln	Ritter	Fineman,
Fryer	Logue	Ross	Speaker
Gallagher	Lynch	Ryan	

NAYS—2

Foster, A. Shuman

NOT VOTING—16

Bonetto	Hammock	Rhodes	Shelton
Crawford	McGraw	Rieger	Vroon
Gleason	McIntyre	Ruggiero	Walsh, T. P.
Hamilton, J. H.	Pitts	Salvatore	Yahner

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.

**CONCURRENCE IN SENATE  
AMENDMENTS TO HOUSE BILL No. 567**

Mr. IRVIS called up for concurrence in Senate amendments, from page 17 of today's calendar, House bill No. 567, printer's No. 3403.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HOUSE BILL No. 567**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for special occasion permits and charging a fee.

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 17, by striking out "temporarily" and inserting "further providing for special occasion permits,"; line 18, by striking out "changing a fee"

Amend Section 1, page 1, line 22, by striking out "Sub-section (a) of section" and inserting "section 408.4"; line 24, by striking out "and a"; line 25, by striking out "sub-section is added"

Amend Section 1, page 2, by inserting after "company," the following: "bona fide sportsman's club in existence for at least ten years"; line 4, by inserting after "Admin-

istration" the following: "and so designated prior to June 1, 1976"; line 6, by striking out the bracket before "twenty" and by striking out after "(\$25)" the bracket and the following: "TEN DOLLARS (\$20)" and by striking out "except"; line 7, by striking out all of said line; line 8, by striking out "1976, the fee shall be (\$10) per day,"; line 11, by striking out all of said line and by inserting immediately thereafter the following:

(B) In any city, borough, incorporated town or township in which the sale of liquor and/or malt or brewed beverage has been approved by the electorate, such special occasion permit shall authorize the hospital, church, synagogue [or], volunteer fire company, bona fide sportsman's club in existence for at least ten years or local bicentennial committee recognized by the American Revolution Bicentennial Administration and so designated prior to June 1, 1976 to sell liquor and/or malt or brewed beverages as the case may be to any adult person on any day for which the permit is issued.

(C) Such special occasion permit shall only be valid for the number of days stated in the permit. Only one permit may be issued to any hospital, church, synagogue [or], volunteer fire company, including their auxiliaries or affiliates, bona fide sportsman's club in existence for at least ten years or local bicentennial committee recognized by the American Revolution Bicentennial Administration and so designated prior to June 1, 1976 during the year.

Amend Section 1, page 3, line 4, by striking out all of said line and by inserting immediately thereafter the following:

(D) Such permits shall only be issued for use at a special event including, but not limited to bazaars, picnics and clambakes. The special event must be one which is used by the hospital, church, synagogue [or], volunteer fire company, bona fide sportsman's club in existence for at least ten years or local bicentennial committee recognized by the American Revolution Bicentennial Administration and so designated prior to June 1, 1976 as a means of raising funds for itself.

(E) The provisions of this section shall not be applicable to any licenses now or hereafter possessing a caterer's license, nor to any professional fund raiser.

(F) Any person selling liquor or malt or brewed beverages in violation of this section shall, upon summary conviction, be sentenced to pay a fine of two hundred fifty dollars (\$250) for the first offense and a fine of five hundred dollars (\$500) for each subsequent offense. This fine shall be in addition to any other penalty imposed by law for the illegal sale of malt or brewed beverages.

Section 2. This act shall take effect immediately.

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, on the question of concurring in amendments inserted by the Senate to House bill No. 567, I ask that the vote be in the negative.

On the question recurring,

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

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

YEAS—5

Klingaman	Ritter	Smith, E.	Zeller
Renninger			

NAYS—183

Abraham	Gallagher	Mandertno	Saloom
Anderson, J. H.	Gallen	Manmiller	Scheaffer
Arthurs	Garzia	McCall	Schmitt
Barber	Geesey	McClatchy	Schweder
Bellomini	Gelsler	McCue	Scirica
Bennett	George	McGinnis	Seitzer
Beren	Giammarco	McLane	Shane

Berlin	Gillespie	Mebus	Shelhamer
Berson	Gillette	Menhorn	Shuman
Bittle	Gleeson	Milanovich	Shupnik
Bradley	Goodman	Miller, M. E.	Sirianni
Brandt	Green	Miller, M. E., Jr.	Smith, L.
Brunner	Greenfield	Milliron	Spencer
Burns	Grieco	Miscevich	Stahl
Butera	Gring	Moehlmann	Stapleton
Caputo	Halverson	Morris	Stout
Cassar	Hasay	Mrkonje	Taddonio
Cianciulli	Haskell	Mullen, M. P.	Taylor
Cimini	Hayes, D. S.	Mullen	Thomas
Cohen	Hayes, S. E.	Musto	Toll
Cole	Hepford	Myers	Trello
Cowell	Hill	Novak	Turner
Cumberland	Hopkins	Noye	Ustynoski
Davies	Hutchinson, W.	O'Brien	Valicenti
DeMedio	Irvic	O'Connell	Vroon
Deverter	Itkin	O'Donnell	Wagner
DeWeese	Johnson, J.	O'Keefe	Wansacz
Dicarlo	Katz	Oliver	Wargo
DiDonato	Kelly, A. P.	Pancoast	Weidner
Dietz	Kelly, J. B.	Parker, H. S.	Westerberg
Dinanzi	Kernick	Perri	Whelan
Dombrowski	Kistler	Perry	Wiggins
Dorr	Knepper	Petrarca	Williams
Doyle	Kolter	Pievsky	Wilson
Dreibelbis	Kowalyszyn	Polite	Wilt, W. W.
Dumas	Kusse	Pratt	Wilt, R. W.
Eckensberger	LaMarca	Prendergast	Wojdak
Englehart	Laudadio	Pyles	Worrilow
Fawcett	Laughlin	Rappaport	Wright
Fee	Lederer	Ravenstahl	Yee
Fischer	Lehr	Reed	Zearfoss
Fisher	Letterman	Renwick	Zord
Flaherty	Levi	Richardson	Zwilk
Foster, A.	Lincoln	Ross	
Foster, W.	Logue	Ruggiero	
Freind	Lynch	Ryan	Fineman, Speaker
Fryer			

NOT VOTING—15

Bonetto	Hammock	Pitts	Shelton
Crawford	Hutchinson, A.	Rhodes	Walsh, T. P.
Gleason	McGraw	Rieger	Yahner
Hamilton, J. H.	McIntyre	Salvatore	

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

Ordered, That the clerk inform the Senate accordingly.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ZELLER. Mr. Speaker, I was just informed that the amendments that I had placed in House bill No. 567 were removed, and that is one of the reasons why I had voted for it. I would like to have my vote changed to the negative on House bill No. 567. I thought my amendments were in.

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

Mr. ZELLER. Thank you.

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, on the vote on concurrence in Senate amendments to House bill No. 567, I inadvertently voted in the affirmative, and I want my vote to be recorded in the negative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

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

Mr. E. H. SMITH. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Mr. Speaker, I voted in the positive. I wanted to be recorded in the negative on concurrence to Senate amendments to House bill No. 567.

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

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 690

Mr. IRVIS called up for concurrence in Senate amendments, from page 17 of today's calendar, House bill No. 690, printer's No. 3088.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 690

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining the offense of robbery, adding an additional grade for the offense and amending the offense of theft by extortion.

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 2, by striking out "and"; line 3, by inserting after offense the following: "and amending the offense of theft by extortion."

Amend Section 1, page 1, line 7, by striking out after "1." the word "Section" and inserting in lieu thereof "Sections 3701 and 3923" line 10, by striking out "is" and inserting "are"; line 19, by striking out "or" where it appears the second time.

Amend Section 1, page 2, by inserting at the beginning of the page the following:

(iv) Inflicts bodily injury upon another or threatens another with or intentionally puts him in fear of immediate bodily injury; or

Amend Section 1, page 2, line 4, by striking out "(iv)" and inserting "(v)"; line 10, by striking out "third" and inserting "second" and by inserting after "degree," the following: "robbery under subsection (a) (1) (v) is a felony of the third degree"

Amend Section 1, page 2, by inserting after line 12 the following:

§ 3923. Theft by Extortion.

(A) Offense Defined.—A person is guilty of theft if he intentionally obtains or withholds property of another by threatening to:

(1) [Inflict bodily injury on anyone or] Commit another criminal offense;

(2) Accuse anyone of a criminal offense;

(3) Expose any secret tending to subject any person to hatred, contempt or ridicule;

(4) Take or withhold action as an official, or cause an official to take or withhold action;

(5) Bring about or continue a strike boycott or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act;

(6) Testify or provide information or withhold testi-

mony or information with respect to the legal claim or defense of another; or

(7) Inflict any other harm which would not benefit the actor.

(B) Defenses.—It is a defense to prosecution based on paragraphs (A) (2), (A) (3) or (4) of this section that the property obtained by threat of accusation, exposure, lawsuit or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstances to which such accusation, exposure, lawsuit or other official action relates, or as compensation for property or lawful services.

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, on the question of concurring in amendments inserted by the Senate to House bill No. 690, printer's No. 3088, I move that the House do concur.

On the question recurring,

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

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

YEAS—188

Abraham	Gallen	McClatchy	Scheaffer
Anderson, J. H.	Garza	McCue	Schmitt
Arthurs	Geesey	McGinnis	Schweder
Barber	Geisler	McLane	Scrica
Bellomini	George	Mebus	Seltzer
Bennett	Giammarco	Menhorn	Shane
Beren	Gillespie	Millanovich	Shelhamer
Berlin	Gleeson	Miller, M. E.	Shuman
Berson	Goodman	Miller, M. E., Jr.	Shupnik
Bittle	Green	Milliron	Sirianni
Bradley	Greenfield	Miscevich	Smith, E.
Brandt	Grieco	Moehlmann	Smith, L.
Brunner	Gring	Morris	Spencer
Burns	Halverson	Mrkonic	Stahl
Eutera	Hasay	Mullen	Stapleton
Caputo	Haskell	Mullen, M. P.	Stout
Cessar	Hayes, D. S.	Musto	Taddonio
Cianciulli	Hayes, S. E.	Myers	Taylor
Cimini	Hepford	Novak	Thomas
Cohen	Hill	Noye	Toll
Cole	Hopkins	O'Brien	Trello
Cowell	Hutchinson, A.	O'Connell	Turner
Cumberland	Hutchinson, W.	O'Donnell	Ustynoski
Davies	Irvis	O'Keefe	Valcenti
DeMedio	Itkin	Oliver	Vroon
Deverter	Johnson, J.	Parcoast	Wagner
DeWeese	Katz	Parker, H. S.	Wansacz
Dicarlo	Kelly, A. P.	Perri	Wargo
DiDonato	Kelly, J. B.	Perry	Weidner
Dietz	Kernick	Petrarca	Westerberg
Dininni	Kistler	Pievsky	Whelan
Dombrowski	Klingaman	Pitts	Wiggins
Dorr	Kolter	Polite	Williams
Doyle	Kowalshyn	Pratt	Wilson
Dreibelbis	Knepper	Prendergast	Wilt, R. W.
Dumas	Kuuse	Pyles	Wilt, W. W.
Eckensberger	Laudadio	Rappaport	Wojdak
Engelhart	Laughlin	Ravenstahl	Worritow
Fawcett	Lederer	Reed	Wright
Fee	Lehr	Reininger	Yohn
Fischer	Letterman	Renwick	Zearfoss
Fisher	Levi	Richardson	Zeller
Flaherty	Lincoln	Ritter	Zord
Foster, A.	Logue	Ross	Zwinkl
Foster, W.	Lynch	Ruggiero	
Freind	Manderino	Ryan	
Fryer	Manmiller	Saloom	
Gallagher	McCall		

NAYS—2

Gillette	LaMarca
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NOT VOTING—13

Bonetto	Hammock	Rhodes	Shelton
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Crawford Gleason Hamilton, J. H.	McGraw McIntyre	Rieger Salvatore	Walsh, T. P. Yahner
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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.

CONCURRENCE IN SENATE  
AMENDMENTS TO HOUSE BILL No. 1893

Mr. IRVIS called up for concurrence in Senate amendments, from page 17 of today's calendar, House bill No. 1893, printer's No. 3360.

SENATE MESSAGE

AMENDED HOUSE BILL  
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 1893

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Military Affairs, to transfer a portion of the Fort Indian-town Gap to the United States of America.

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 Bill, page 1, line 18, by striking out all of said line; pages 2, 3, 4 and 5, lines 1 through 30, by striking out all of said lines; page 6, lines 1 through 4, by striking out all of said lines and by inserting immediately there-  
after the following:

Beginning at a point in East Hanover Township, Lebanon County, at the eastern end of a 97.01 foot arc connecting the southern right-of-way line of Old Cumberland Road (T-601), a 40 foot right-of-way, to the eastern right-of-way line of Fisher Avenue, an 80 foot right-of-way; thence along the southern right-of-way line of Old Cumberland Road (T-601) south 52 degrees 52 minutes 52 seconds east, a distance of 128.64 feet to a point; thence across Old Cumberland Road (T-601) at right angles to the last mentioned course and along land now or late of Ray M. and Ruth Ann Funck north 37 degrees 07 minutes 08 seconds east, a distance of 230.00 feet to a point; thence along the same north 52 degrees 52 minutes 52 seconds west, a distance of 240.40 feet to a point on the eastern right-of-way line of Fisher Avenue L. R. No. 38023, an 80 foot right-of-way; thence along the eastern line of the aforesaid right-of-way north 26 degrees 03 minutes 38 seconds east, a distance of 542.14 feet to a point of circular curvature; thence along the arc of a circular curve in a northeasterly direction curving to the right having a radius of 150 feet, an arc distance of 141.27 feet to a point of circular tangency on the southern right-of-way line of Biddle Road L. R. No. 38054, a 50 foot right-of-way; thence along the southern right-of-way line of Biddle Road L. R. No. 38054, north 80 degrees 01 minute 23 seconds east, a distance of 1828.38 feet to a point of circular curvature; thence along the same in a northeasterly direction on the arc of a circular curve curving to the left having a radius of 1920.83 feet, an arc length of 809.90 feet to a point of circular tangency; thence along the same and across the township line separating East Hanover Township, Lebanon County from Union Township, Lebanon County north 55 degrees 51 minutes 53 seconds east, a distance of 903.35 feet to a point of circular curvature, in Union Township, Lebanon County, Pennsylvania; thence along the same in a northeasterly direction on the arc of a circular curve curving to the right having a radius of 1406.85 feet, an arc length of 862.74 feet to a point of circular tangency; thence along

the same south 88 degrees 59 minutes 57 seconds east, a distance of 801.03 feet to a point of circular curvature; thence along the same in a southeasterly direction on the arc of a circular curve curving to the left having a radius of 6935.98 feet, an arc length of 234.14 feet to a point of circular tangency; thence along the same north 89 degrees 04 minutes 00 seconds east, a distance of 420.12 feet to a point; thence along the same south 89 degrees 39 minutes 22 seconds east, a distance of 86.06 feet to a point; thence along the same south 86 degrees 13 minutes 52 seconds east, a distance of 20.53 feet to a point; thence along the same south 80 degrees 37 minutes 25 seconds east, a distance of 60.63 feet to a point; thence along the same south 79 degrees 03 minutes 23 seconds east, a distance of 186.58 feet to a point at the southwest corner of Biddle Road L. R. No. 38054, a 50 foot right-of-way and T-380, a 33 foot right-of-way; thence along the western right-of-way line of T-380, a 33 foot right-of-way, south 09 degrees 58 minutes 42 seconds east, a distance of 33.21 feet to a point; thence along the same south 14 degrees 35 minutes 48 seconds east, a distance of 66.51 feet to a point; thence along the same south 40 degrees 13 minutes 39 seconds east, a distance of 70.42 feet to a point; thence along the same south 52 degrees 53 minutes 48 seconds east, a distance of 72.86 feet to a point; thence along the same south 43 degrees 35 minutes 06 seconds east, a distance of 33.97 feet to a point; thence across T-380, a 33 foot right-of-way, and along land of Commonwealth of Pennsylvania (Fort Indiantown Gap) south 64 degrees 30 minutes 27 seconds east, a distance of 1036.97 feet to a point; thence along the same and across Biddle Road L. R. No. 38048, a 50 foot right-of-way, north 26 degrees 08 minutes 30 seconds east, a distance of 228.07 feet to a point on the northern right-of-way line of Biddle Road L. R. No. 38048; a 50 foot right-of-way; thence along the aforesaid right-of-way line north 57 degrees 08 minutes 55 seconds west, a distance of 384.11 feet to a point; thence along land of the Commonwealth of Pennsylvania (Fort Indiantown Gap) north 14 degrees 48 minutes 40 seconds east, a distance of 881.32 feet to a point on the southern right-of-way line of a Metropolitan Edison distribution line right-of-way; thence along said right-of-way line north 58 degrees 24 minutes 03 seconds east, a distance of 1973.77 feet to a point; thence along land of the Commonwealth of Pennsylvania (Fort Indiantown Gap) south 13 degrees 03 minutes 17 seconds east, a distance of 751.91 feet to a point; thence along the same south 09 degrees 31 minutes 44 seconds east, a distance of 1269.55 feet to a point; thence along same south 08 degrees 52 minutes 12 seconds east, a distance of 115.75 feet to a point; thence along the same and across quartermaster road L. R. No. 38067, a 33 foot right-of-way, north 88 degrees 56 minutes 42 seconds east, a distance of 826.65 feet to a point; thence along the same north 01 degree 31 minutes 44 seconds west, a distance of 360.63 feet to a point; thence along the same north 76 degrees 18 minutes 44 seconds east, a distance of 2274.20 feet to a point on the western right-of-way line of T-444, a 33 foot right-of-way; thence along the aforesaid right-of-way line of T-444 south 34 degrees 51 minutes 52 seconds east, a distance of 305.67 feet to a point; thence along the same south 36 degrees 22 minutes 07 seconds east, a distance of 300.40 feet to a point; thence along the same south 37 degrees 43 minutes 02 seconds east, a distance of 50.93 feet to a point; thence along the same south 42 degrees 51 minutes 52 seconds east, a distance of 52.10 feet to a point; thence along the same south 52 degrees 15 minutes 37 seconds east, a distance of 160.50 feet to a point; thence along the same south 57 degrees 52 minutes 32 seconds east, a distance of 82.81 feet to a point; thence along the same south 64 degrees 51 minutes 42 seconds east, a distance of 85.49 feet to a point; thence along the same south 75 degrees 08 minutes 57 seconds east, a distance of 71.62 feet to a point; thence along the same north 87 degrees 06 minutes 08 seconds east, a distance of 57.76 feet to a point; thence along the same north 65 degrees 15 minutes 33 seconds east, a distance of 125.48 feet to a point; thence along the same north 69 degrees 46 minutes 53 seconds east, a distance of 55.94 feet to a point; thence along the same north 80 degrees 35 minutes 38 seconds east, a distance of 87.87 feet to a point; thence along the same south 85 degrees 03 minutes 25 seconds east, a distance of 177.58 feet to a point of circular curvature; thence along the same in a southeasterly direction on the arc of a circular curve

curving to the right having a radius of 290.44 feet, an arc length of 50.91 feet to a point; thence along the same and radial to the aforementioned curve south 14 degrees 59 minutes 08 seconds west, a distance of 8.5 feet to a point; thence along the same in a southeasterly direction on the arc of a circular curve curving to the right having a radius of 281.94 feet, an arc length of 52.15 feet to a point at land now or late of Joseph and Mary Werni; thence along said land and a private cemetery (owners unknown) south 05 degrees 51 minutes 14 seconds west, a distance of 235.26 feet to a point; thence along land now or land of Joseph and Mary Werni south 04 degrees 59 minutes 12 seconds west, a distance of 127.49 feet to a point on the northern right-of-way line of U. S. Route No. 81 L. R. No. 1005, a limited access and variable width right-of-way; thence along the same in a southwesterly direction along the arc of a circular curve curving to the right having a radius of 3719.83 feet, an arc length of 279.17 feet to a point; thence along the same and radial to the aforementioned curve north 20 degrees 25 minutes 15 seconds west, a distance of 30.00 feet to a point; thence along the same in a southwesterly direction on the arc of a circular curve curving to the right having a radius of 3689.83 feet, an arc length of 236.63 feet to a point of circular tangency; thence along the same south 73 degrees 15 minutes 13 seconds west, a distance of 5.03 feet to a point; thence along the same south 16 degrees 44 minutes 47 seconds east, a distance of 30.00 feet to a point offset 100 feet at right angles from the southbound baseline station 356+50.00; thence along the same south 73 degrees 15 minutes 13 seconds west, a distance of 2244.64 feet to a point offset 142 feet at right angles from center line base line station 334+05.36; thence along land now or late of Sylvester L. and Helen M. Rohrer north 05 degrees 51 minutes 05 seconds east, a distance of 345.33 feet to a point; thence along the same and across Quartermaster Road L. R. No. 38067, a 33 foot right-of-way, north 84 degrees 15 minutes 25 seconds west, a distance of 1500.85 feet to a point on the western right-of-way line of Quartermaster Road L. R. No. 38067; thence along the western right-of-way line of Quartermaster Road L. R. No. 38067 south 12 degrees 58 minutes 43 seconds west, a distance of 847.69 feet to a point at the northeast corner of Quartermaster Road L. R. No. 38067 aforementioned and Biddle Road L. R. No. 38048, a 50 foot right-of-way; thence across Biddle Road L. R. No. 38048 south 87 degrees 01 minute 27 seconds west, a distance of 74.00 feet to a point on the western right-of-way line of Biddle Road L. R. No. 38048; thence along land now or late of Sylvester L. and Helen M. Rohrer north 84 degrees 52 minutes 25 seconds west, a distance of 434.58 feet to a point; thence along the same north 64 degrees 22 minutes 15 seconds west, a distance of 305.26 feet to a point; thence along the same south 46 degrees 06 minutes 01 second west, a distance of 531.61 feet to a point; thence along the same south 08 degrees 12 minutes 44 seconds east, a distance of 307.18 feet to a point; thence along land now or late of Florence M. Speck and across the township line separating Union Township, Lebanon County from East Hanover Township, Lebanon County south 83 degrees 36 minutes 38 seconds west, a distance of 2235.70 feet to a point on the eastern right-of-way line of T-380, a 33 foot right-of-way; thence along the eastern right-of-way line of T-380 north 23 degrees 10 minutes 22 seconds west, a distance of 70.50 feet to a point; thence across T-380 and along the northern right-of-way line of Old Cumberland Road (T-601), a 33 foot right-of-way, south 83 degrees 37 minutes 55 seconds west, a distance of 1485.33 feet to a point; thence along the same north 84 degrees 49 minutes 02 seconds west, a distance of 59.95 feet to a point; thence along the same north 76 degrees 07 minutes 30 seconds west, a distance of 30.92 feet to a point at land now or late of George F. and Joyce E. Lerch; thence along said land north 09 degrees 22 minutes, 15 seconds east, a distance of 184.41 feet to a point; thence along the same and the northern right-of-way line of Old Cumberland Road (T-601) south 63 degrees 58 minutes or seconds west, a distance of 1035.21 feet to a point; thence along the northern right-of-way line of aforementioned road south 79 degrees 11 minutes 13 seconds west, a distance of 32.96 feet to a point; thence along the same south 68 degrees 00 minutes 58 seconds west, a distance of 36.97 feet to a point; thence along the same south 87 degrees 42 minutes 56 seconds



west, a distance of 186.25 feet to a point; thence along the same south 83 degrees 36 minutes 08 seconds west, a distance of 1772.08 feet to a point; thence along the same south 87 degrees 46 minutes 13 seconds west, a distance of 109.51 feet to a point; thence along the same north 85 degrees 59 minutes 30 seconds west, a distance of 47.02 feet to a point; thence along the same north 72 degrees 38 minutes 54 seconds west, a distance of 66.63 feet to a point; thence along the same north 61 degrees 50 minutes, 32 seconds west, a distance of 93.55 feet to a point; thence along the same north 58 degrees 42 minutes 01 second west, a distance of 377.92 feet to a point; thence across Old Cumberland Road (T-601) and along the western right-of-way line of a proposed 50 foot right-of-way south 00 degrees 12 minutes 33 seconds west, a distance of 346.24 feet to a point; thence along land now or late of William M. and Joy K. Carroll south 83 degrees 36 minutes 08 seconds west, a distance of 474.94 feet to a point; thence along the same south 05 degrees 51 minutes 33 seconds east, a distance of 725.57 feet to a point; thence along the same south 80 degrees 20 minutes 51 seconds west, a distance of 308.98 feet to a point; thence along land now or late of George S. and Etsuko T. Wells, land now or late of Victor H. Diener and other land now or late of George S. and Etsuko T. Wells north 89 degrees 48 minutes 11 seconds west, a distance of 778.78 feet to a point; thence along land now or late of George S. and Etsuko T. Wells and land now or late of William R. and Nellie C. Roeder south 03 degrees 01 minute 22 seconds east, a distance of 395.72 feet to a point on the northern right-of-way line of U. S. Route No. 81 L. R. No. 1005 ramp "F"; thence in a northwesterly direction on the arc of a circular curve curving to the right having a radius of 320 feet, an arc length of 30.44 feet to a point of circular tangency; thence along the same north 35 degrees 00 minutes 11 seconds west, a distance of 469.10 feet to a point of circular curvature; thence along the same in a northwesterly direction on the arc of a circular curve curving to the right having a radius of 320 feet, an arc length of 325.69 feet to a point of circular tangency; thence along the same north 23 degrees 18 minutes 43 seconds east, a distance of 77.12 feet to a point; thence along the same north 20 degrees 15 minutes 33 seconds east, a distance of 227.45 feet to a point; thence along the same north 69 degrees 44 minutes 27 seconds west, a distance of 23.92 feet to a point on the eastern right-of-way line of Fisher Avenue, a variable width right-of-way; thence along the eastern right-of-way line of Fisher Avenue north 23 degrees 18 minutes 43 seconds east, a distance of 80.24 feet to a point offset 90 feet at right angles from center line base line station 960+00.00; thence along the same north 66 degrees 41 minutes 17 seconds west, a distance of 20 feet to a point; thence along the same north 23 degrees 18 minutes 43 seconds east, a distance of 624.96 feet to a point offset 70 foot at right angles from center line base line station 966+24.96; thence along the same north 66 degrees 41 minutes 17 seconds west, a distance of 30.00 feet to a point; thence along the same north 23 degrees 18 minutes 43 seconds east, a distance of 330.15 feet to a point; thence along the same north 26 degrees 03 minutes 38 seconds east, a distance of 345.09 feet to a point of circular curvature; thence in a northeasterly direction on the arc of a circular curve curving to the right having a radius of 55 feet, an arc length of 97.01 feet to a point the place of beginning. Said tract containing 676.8317 acres with a dwelling, barn and outbuildings thereon and is subject to a Metropolitan Edison right-of-way, Bell Telephone Company of Pennsylvania right-of-way and a 40 foot wide sanitary sewer easement.

Amend Section 5, page 17, line 8, by inserting after "of" the word "any" and by inserting after "funds" the word "appropriated"; line 9, by striking out after "facilities" the word "only"; line 11, by inserting after "be" the word "reasonably"; line 14, by striking out after "a" all the remainder of said line; line 15, by inserting at the beginning of the line "document"

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, on the question of amendments inserted by the Senate to House bill No. 1690, printer's No. 3154, I move that—I beg your pardon.

The SPEAKER. House bill No. 1893.

Mr. IRVIS. Did you skip House bill No. 1690?

The SPEAKER. House bill No. 1690 was not on the calendar for action. House bill No. 690 was on the calendar for action.

Mr. IRVIS. Well, that was an error on my part, Mr. Speaker, and I regret it. I apologize to the Chair. It should have been on.

On the question of concurring or nonconcurring in amendments inserted by the Senate to House bill No. 1893, printer's No. 3360, I move that the House do concur.

On the question recurring,  
Will the House concur in the amendments made by the Senate?

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

YEAS—193

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

NAYS—0

NOT VOTING—10

Bonetto	Hamilton, J. H.	Rhodes	Walsh, T. P.
Crawford	Hammock	Salvatore	Yahner
Gleason	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.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1690

Mr. IRVIS called up for concurrence in Senate amendments, from page 17 of today's calendar, House bill No. 1690, printer's No. 3154.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 1690

An Act amending the act of July 27, 1955 (P. L. 288, No. 104), entitled, as amended, "City Property Sale Regulation Law," making the act available to cities of the second class A, boroughs, towns and townships.

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 17, by inserting a period after "townships" and by striking out all the remainder of said line.

Amend Bill, page 3, lines 13 through 16, by striking out all of said lines.

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, on the question of amendments inserted by the Senate to House bill No. 1690, printer's No. 3154, I move that the House do concur.

On the question recurring,

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

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

YEAS—191

Table listing names of members who voted 'YEAS' for House Bill No. 1690, including Abraham, Anderson, J. H., Arthurs, Barber, Bellominti, Bennett, Beren, Berlin, Berson, Bittle, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cianciulli, Ciminti, Cohen, Cole, Cowell, Cumberland, and Davies.

Table listing names of members who voted 'YEAS' for House Bill No. 1690, including DeMedio, Deverter, DeWeese, Dicarilo, DiDonato, Dietz, Diminu, Dombrowski, Dorr, Doyle, Dreibelbitz, Dumas, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Freind, Gallagher, Gallen, Garzia, Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Kolter, Kowalyszyn, Knepper, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Logue, Lynch, Manderino, Manmiller, McCall, McClatchy, Oliver, Pancoast, Parker, H. S., Ferri, Perry, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Ravenstahl, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Ross, Ruggiero, Ryan, Saloom, Valicenti, Vroon, Wagner, Wansacz, Wargo, Weldner, Westerber, Whelan, Wiggins, Williams, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrlow, Wright, Yohn, Zeartoss, Zeller, Zord, Zwinkl, and Fineman, Speaker.

NAYS—1

Fryer

NOT VOTING—11

Table listing names of members who did not vote, including Bonetto, Crawford, Gleason, Hamilton, J. H., Hammock, Hutchinson, W., McGraw, Rhodes, Salvatore, Walsh, T. P., and Yahner.

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.

RESOLUTIONS CALLED UP

The SPEAKER. Does the majority leader desire to act on resolutions?

Mr. IRVIS. Yes, Mr. Speaker, on House resolution No. 269 on page 18 and the two resolutions on the supplemental calendar, please.

HOUSE RESOLUTION No. 269 ADOPTED

Mr. IRVIS called up HOUSE RESOLUTION No. 269, printer's No. 3287, entitled:

Memorializing Congress to reaffirm the policy of "Universal Service" and the authority of the State Public Utilities Commissions.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. I move that the House do adopt the resolution, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

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

YEAS—191

Table listing names of members who voted 'YEAS' for House Resolution No. 269, including Abraham, Anderson, J. H., Arthurs, Barber, Bellominti, Bennett, Beren, Berlin, Berson, Bittle, Garzia, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleeson, Goodman, Green, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Millron, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, and Shupnik.

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

NAYS—0

NOT VOTING—12

Bonetto	Greenfield	Kolter	Salvatore
Crawford	Hamilton, J. H.	McGraw	Walsh, T. P.
Gleason	Hammock	Rhodes	Yahner

So the question was determined in the affirmative and the resolution was adopted.

SUPPLEMENTAL CALENDAR

HOUSE RESOLUTION No. 77 ADOPTED

Mr. M. P. MULLEN called up HOUSE RESOLUTION No. 77, printer's No. 1048, entitled:

Memorializing Congress to pass an amendment to the U.S. Constitution guaranteeing equal protection to apply to unborn the same extent as to all other citizens of the United States.

On the question,  
Will the House adopt the resolution?

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

Mr. M. P. MULLEN. Mr. Speaker, this is the resolution we referred to yesterday which would memorialize the Congress to initiate the adoption of a human life amendment to protect life from the moment of conception to the moment of death. I ask the members to support it, please.

On the question recurring,  
Will the House adopt the resolution?

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

YEAS—143

Abraham	Gelsler	Manmiller	Saloom
Arthurs	George	McCall	Scheaffer
Bellomint	Glammarco	McClatchy	Schmitt

Bennett	Gillespie	McCue	Schweder
Berlin	Gillette	McGinnis	Seltzer
Bradley	Gleeson	McLane	Shuman
Brandt	Goodman	Menhorn	Shupnik
Brunner	Green	Milanovich	Sirianni
Burns	Grieco	Milliron	Smith, L.
Caputo	Gring	Morris	Spencer
Cessar	Halverson	Mrkonje	Stahl
Cianciulli	Hasay	Mullen, M. P.	Stapleton
Cimini	Hayes, D. S.	Mullen	Stout
Coie	Hayes, S. E.	Musto	Taddonio
Cowell	Hepford	Myers	Taylor
DeMedio	Hopkins	Novak	Thomas
Deverter	Hutchinson, A.	O'Brien	Trelio
Dicarlo	Hutchinson, W.	O'Connell	Turner
DiDonato	Katz	O'Donnell	Ustynoski
Dietz	Kelly, A. P.	O'Keefe	Valicenti
Dininni	Kistler	Pancoast	Wansacz
Dombrowski	Klingaman	Perri	Wargo
Doyle	Kolter	Perry	Westerberg
Eckensberger	Kowalyszyn	Petrarca	Whelan
Englehart	Kusse	Pievsky	Williams
Fee	LaMarca	Pitts	Wilson
Fischer	Laudadio	Polite	Wilt, R. W.
Fisher	Laughlin	Pratt	Wilt, W. W.
Flaherty	Lederer	Prendergast	Wojdak
Foster, A.	Lehr	Ravenstahl	Worrlow
Foster, W.	Letterman	Reed	Wright
Freind	Levi	Renninger	Zearfoss
Gallen	Lincoln	Renwick	Zeller
Garzia	Logue	Rieger	Zord
Geesey	Lynch	Ross	Zwikl
	Manderino	Ryan	

NAYS—41

Anderson, J. H.	Hill	Miscevich	Shelton
Barber	Irvis	Moehlmann	Smith, E.
Berson	Itkin	Noye	Toll
Butera	Johnson, J.	Oliver	Wagner
Cohen	Kelly, J. B.	Parker, H. S.	Weidner
Davies	Kernick	Pyles	Wiggins
Dorr	Knepper	Richardson	Yohn
Dreibelbis	McIntyre	Ritter	
Dumas	Mebus	Scitrica	Fineman,
Fawcett	Miller, M. E.	Shane	Speaker
Haskell	Miller, M. E., Jr.	Shelhamer	

NOT VOTING—19

Beren	DeWeese	Hammock	Salvatore
Bittle	Fryer	McGraw	Vroon
Bonetto	Gleason	Rappaport	Walsh, T. P.
Crawford	Greenfield	Rhodes	Yahner
Cumberland	Hamilton, J. H.	Ruggiero	

So the question was determined in the affirmative and the resolution was adopted.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RAPPAPORT. Mr. Speaker, I apologize to the Chair. I did not realize that the other resolution had been voted on as well in my temporary absence. I believe it was House resolution No. 77. I would like to be recorded in the negative on that one as well.

Thank you, Mr. Speaker.

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

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

Mr. E. H. SMITH. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Mr. Speaker, I inadvertently voted "nay" on House resolution No. 77 and I would like to be recorded as voting in favor of the resolution. Thank you.

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

The Chair recognizes the gentleman from Greene, Mr. DeWeese. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. DeWEESE. Mr. Speaker, on House resolution No. 77, I inadvertently voted in the negative. I would like to be recorded in the positive.

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

**HOUSE RESOLUTION No. 107 ADOPTED**

Mr. M. P. MULLEN called up **HOUSE RESOLUTION No. 107, printer's No. 1647, entitled:**

Memorializing Congress to amend Constitution of the United States to permit voluntary recitation of prayer in public schools.

On the question,

Will the House adopt the resolution?

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

Mr. M. P. MULLEN. Mr. Speaker, this is the same resolution we discussed yesterday memorializing Congress to permit the states to have prayers in the public schools, and I ask that it be adopted.

On the question recurring,

Will the House adopt the resolution?

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

**YEAS—176**

- |                 |                |                    |             |
|-----------------|----------------|--------------------|-------------|
| Abraham         | Gallagher      | Logue              | Ross        |
| Anderson, J. H. | Gallen         | Lynch              | Ryan        |
| Arthurs         | Garzia         | Mandolino          | Scheaffer   |
| Barber          | Geesey         | Manmiller          | Schmitt     |
| Bellomint       | Gelsler        | McCall             | Schweder    |
| Bennett         | George         | McClatchy          | Seltzer     |
| Berlin          | Giammarco      | McCue              | Shane       |
| Bittle          | Gillespie      | McGinnis           | Shelhamer   |
| Bradley         | Gillette       | McLane             | Shuman      |
| Brandt          | Gleason        | Mebus              | Shupnik     |
| Brunner         | Goodman        | Menhorn            | Sirianni    |
| Furns           | Green          | Milanovich         | Smith, E.   |
| Butera          | Grieco         | Miller, M. E.      | Smith, L.   |
| Caputo          | Gring          | Miller, M. E., Jr. | Spencer     |
| Cessar          | Holverson      | Millison           | Stahl       |
| Cianciulli      | Hasay          | Moehlmann          | Stapleton   |
| Cimini          | Haskell        | Morris             | Stout       |
| Cole            | Hayes, D. S.   | Mrkonjic           | Taddonio    |
| Cowell          | Hayes, S. E.   | Mullen, M. P.      | Taylor      |
| Cumberland      | Hepford        | Mullen             | Thomas      |
| Davies          | Hill           | Musto              | Trello      |
| DeMedio         | Hookins        | Myers              | Turner      |
| Deverter        | Hutchinson, A. | Novak              | Ustynoski   |
| DeWeese         | Hutchinson, W. | Noye               | Valicenti   |
| Dicarlo         | Irvic          | O'Brien            | Vroon       |
| DiDonato        | Johnson, J.    | O'Connell          | Wagner      |
| Dietz           | Katz           | O'Keefe            | Wansacz     |
| Dinianni        | Kelly, A. P.   | Pancoast           | Wargo       |
| Dombrowski      | Kelly, J. B.   | Parker, H. S.      | Weidner     |
| Dorr            | Kornick        | Perri              | Westerberg  |
| Doyle           | Kistler        | Perry              | Whelan      |
| Draibeibis      | Klingaman      | Petrarca           | Wiggins     |
| Dumas           | Knepper        | Plevsky            | Williams    |
| Eckensberger    | Kolter         | Pitts              | Wilson      |
| Englehart       | Kowalyszyn     | Polite             | Wilt, R. W. |
| Fawcett         | Kusse          | Pratt              | Wilt, W. W. |
| Fee             | LaMarca        | Prendergast        | Wojdak      |
| Fischer         | Laudadio       | Pyles              | Worrlow     |
| Fisher          | Laughlin       | Ravenstahl         | Wright      |
| Flaherty        | Lederer        | Reed               | Yohn        |
| Foster, A.      | Lehr           | Renninger          | Zearfoss    |

- |            |           |         |        |
|------------|-----------|---------|--------|
| Foster, W. | Letterman | Renwick | Zeller |
| Freind     | Levi      | Rieger  | Zord   |
| Fryer      | Lincoln   | Ritter  | Zwikl  |

**NAYS—12**

- |          |           |            |                  |
|----------|-----------|------------|------------------|
| Eerson   | Miscevich | Richardson | Toll             |
| Cohen    | O'Donnell | Scifren    | Fineman, Speaker |
| Itkin    | Oliver    | Shelton    |                  |
| McIntyre |           |            |                  |

**NOT VOTING—15**

- |          |                 |           |              |
|----------|-----------------|-----------|--------------|
| Beren    | Greenfield      | Rappaport | Salvatore    |
| Bonetto  | Hamilton, J. H. | Rhodes    | Walsh, T. P. |
| Crawford | Hammock         | Ruggiero  | Yahner       |
| Gleason  | McGraw          | Saloom    |              |

So the question was determined in the affirmative and the resolution was adopted.

**QUESTIONS OF PERSONAL PRIVILEGE**

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

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

The SPEAKER. The gentleman will state it.

Mr. LEDERER. Mr. Speaker, I noticed that Mr. McIntyre was not in his seat when House resolution No. 107 was passed. I would like the record to show that he was not in his seat and that he did not vote in the negative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

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

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

The SPEAKER. The gentleman will state it.

Mr. RAPPAPORT. Mr. Speaker, I was temporarily out of my seat. I would like to be recorded in the negative, please, on House resolution No. 107.

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

**RECONSIDERATION OF VOTE ON WAGNER AMENDMENT TO HOUSE BILL No. 572**

Mr. RICHARDSON moved that the vote by which the Wagner amendment was agreed to be reconsidered.

Mr. BARBER seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. The bill and amendment will go over for today.

**BILLS AND RESOLUTIONS NOT CALLED UP**

The SPEAKER. Remaining bills and resolutions on today's calendar are not called up.

**ANNOUNCEMENT**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, next week, I repeat, will be a voting session week. We will be starting the voting on Monday at 1 p.m. on the floor. I hope that we will be able to complete the voting for Monday by 3:30 and declare a recess then for caucus as far as the Democratic Party is concerned. I have not been advised by Mr. Butera whether or not he will call a caucus on the part of the Republican Party. But next week will be a voting session week, and we will begin at 1 p.m. on Monday on the voting.

I have no further business, Mr. Speaker.

**COMMITTEE REPORTS**

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

The Chair hears no objection.

**BILL REPORTED FROM COMMITTEE**

**SENATE BILL No. 1417**

By Mr. ARTHURS

A Supplement to the act of (P. L. , No. ), entitled "Motor License Fund Supplement to the General Appropriation Act of 1976," itemizing appropriations required from the Motor License Fund for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

Reported from Committee on Transportation.

Referred to Committee on Appropriations.

**LEGISLATION TO BE INTRODUCED**

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

Mr. DAVIES. Mr. Speaker, today I am introducing a bill which would endeavor to protect the consumers of our Commonwealth against the failure of travel promoters or brokers to deliver the trip packages or portions of those packages to the consumer. This bill will endeavor to make fiscal guarantees, honest advertising, and fair sales practices a must in a rapidly growing multimillion-dollar industry. I invite members from both sides of the aisle to join me in sponsoring this legislation. Thank you.

**REPORT OF COMMITTEE OF  
CONFERENCE ON SENATE BILL No. 670**

Mr. FRYER presented the Report of the Committee of Conference on Senate bill No. 670.

The SPEAKER. The report will be laid over for printing under the rules.

**WELCOMES**

The SPEAKER. The Chair, on behalf of the House, is happy to welcome to the House this morning 83 high school students from Northern Bedford High School, Bedford County, along with their teacher, Mr. Reed.

These students are here as guests of Mr. Clarence Deitz of Bedford County.

The Chair is pleased to welcome a group of 37 fourth-grade students from the A. D. Thomas School in Hazleton, Luzerne County. The students are accompanied by their teacher, Mrs. Joan Cerula.

They are the guests of the gentleman from Luzerne, Mr. Ustynoski.

The Chair is pleased to welcome 81 students from Pennbrook Junior High School and their teachers, Charles Shagg, Rick Brasch, Larry Gallaher, and Jane Nagurney.

They are here as the guests of the gentleman from Montgomery County, Mr. Polite.

The Chair is pleased to welcome Mr. Paul Gaudino of Butler, Pennsylvania.

Mr. Gaudino is the producer of the Paul Gaudino Show, an exercise program that is shown throughout Pennsylvania and New York on cable television networks.

Mr. Gaudino is here as the guest of the gentleman, Mr. Arthurs.

**REPORT OF COMMITTEE  
ON COMMITTEES**

The SPEAKER. Announcement by the clerk of Report of Committee on Committees.

The CLERK. (Reading:)

June 8, 1976

Subject: COMMITTEE ASSIGNMENTS

To: Honorable Herbert Fineman  
Speaker

From: John Hope Anderson, Republican Chairman  
Committee on Committees

Please have our new member, Stephen Freind, added to the membership of the Committees on Professional Licensure and Urban Affairs.

Thank you!

JOHN HOPE ANDERSON

**ADJOURNMENT**

Mr. MRKONIC moved that this House do now adjourn until Monday, June 14, 1976, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 7:16 p.m., e.d.t.) the House adjourned.