COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, NOVEMBER 8, 1976

Session of 1976 160th of the General Assembly Vol. 1, No. 156

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

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

Heavenly Father, every good and perfect gift cometh from Thee, and Thou dost so graciously and generously share with us the many evidences of Thy bounty. We know that in the busy world of today we need lives of strength and conviction if we are going to be successful and overcome the trials, tensions, and difficulties which confront us constantly. O God, we turn to Thee with the prayer that Thou wilt grant to these stewards of Thine a stalwart faith so that they can stand firm and true against the onslaughts of the world, a ready faith that they may accept the challenges of life and bring forth deeds of maturity, and an abiding faith that they may rest in the confidence and assurance of Thy love. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of May 25 and 26, June 1 and 2, 1976?

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, September 27, 1976, will be postponed until printed.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The members of the Appropriations Committee will proceed immediately to a meeting of that committee which is presently in process or about to begin in the majority Appropriations Committee room.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority

Mr. MANDERINO. Mr. Speaker, I request leave of absence for the gentleman, Mr. LaMARCA, for today's session.

The SPEAKER. The Chair recognizes the minority

Mr. RYAN. Mr. Speaker, I request leaves of absence for Messrs. GRING and RENNINGER for the week's session.

The SPEAKER. Without objection, leaves are granted.

COMMUNICATION FROM GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 567, 614, 713, 797, 1302, 1514, 1811, 2101 and 2223.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
October 7, 1976

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

I have the honor to inform you that I have this day approved and signed House bill No. 567, printer's No. 3606 entitled "An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled 'Liquor Code,' further providing for special occasion permits, and changing a fee."

MILTON J. SHAPP
Governor

October 7, 1976

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

I have the honor to inform you that I have this day approved and signed House bill No. 614, printer's No. 3513 entitled "An Act amending the act of December 22, 1959 (P. L. 754, No. 778), entitled, as amended, 'An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of harness racing plants subject to local option; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations,' establishing a salary for the chairman."

MILTON J. SHAPP
Governor

September 29, 1976

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

I have the honor to inform you that I have this day approved and signed House bill No. 713, printer's No. 3513 entitled "An Act amending the act of June 2, 1915 (P. L. 715, No. 330), entitled, as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, providing procedure for the determination of liability and com-
caucus immediately after the declaration of the recess, and I subscribe to all that which the majority leader spelled out.

BILL REPORTED AND CONSIDERED FIRST TIME AND REREFERRED TO COMMITTEE ON RULES

HOUSE BILL No. 2625

By Mr. CAPUTO

An Act amending the act of June 2, 1975 (No. 2), entitled "A supplement to the act of May 23, 1937 (P. L. 955, No. 265), entitled, as amended, 'An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic to be known as housing authorities to engage in slum clearance. ***' providing for civil service protection for certain employees of certain housing authorities in cities of the second class.

Reported from Committee on Urban Affairs.
Rereferred to Committee on Rules.

COMMITTEE MEETING REPORTS

The SPEAKER. Will all chairmen please send to the desk the reports of the activities of their committees for the last week that the House was in session?

Mr. SHELHAMER, chairman of the Agriculture Committee, presented the following report:

November 8, 1976

To: The Honorable Herbert Fineman
Speaker

From: Kent D. Shelhamer, Chairman
Agriculture

This is to advise you that the House Agriculture Committee held no meetings since September 27, 1976.

Mr. WOJDAK, chairman of the Appropriations Committee, presented the following report:

November 5, 1976

There were no meetings of the House Appropriations Committee during the week of September 27th and therefore, I will not be submitting any attendance reports or roll calls.

STEPHEN R. WOJDAK
Chairman
House Appropriations Committee

Mr. LAUDADIO, chairman of the Conservation Committee, presented the following report:

CONSERVATION COMMITTEE

During the period September 27, 1976, through November 7, 1976, the Conservation Committee held no activities.

Mr. SCHMITT, chairman of the Consumer Protection Committee, presented the following report:

Attendance Report

The Consumer Protection Committee held no meetings during September, October and November 1-5, 1976.

Signed
C. L. SCHMITT
Chairman

Attendance Report

The Consumer Protection and Business and Commerce Committees held a public hearing on House Resolution No. 199 on October 19, 1976 in the Gold Room, Allegheny County Courthouse, Pittsburgh, Pa. The meeting started at 10:00 a.m. and adjourned at 4:30 p.m.

The roll was taken and was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>C. L. Schmitt</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Donald Abraham</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>James Barber</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Mark Cohen</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Helen Gillette</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Amos Hutchinson</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Charles Laughlin</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>James A. Green</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Thomas J. Stapleton, Jr.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Samuel Ross</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Michael Schweder</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Fred Taylor</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Rose Tolli</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Fred Trelo</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>John Renninger</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clarence Dietz</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vern Pyles</td>
<td></td>
<td></td>
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<tr>
<td>John Scheaffer</td>
<td></td>
<td></td>
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<tr>
<td>John Stahl</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lee Taddonio</td>
<td></td>
<td></td>
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<tr>
<td>Peter Vroon</td>
<td></td>
<td></td>
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<tr>
<td>William Yohn, Jr.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Herbert Zearfoss</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signed
C. L. SCHMITT
Chairman
Mr. GALLAGHER, chairman of the Education Committee, presented the following report:

November 8, 1976

Subject: Education Committee Meeting Report

To: Honorable Herbert Fireman, Speaker

From: James J. A. Gallagher, Chairman
House Education Committee

During the interim since my last report, the Higher Education Subcommittee conducted a hearing at Temple University on Wednesday, September 29, 1976. This hearing was held at the request of Majority Leader, K. Leroy Irvis and Rep. David P. Richardson, of Philadelphia.

The hearing at Ritter Hall, Kiva Auditorium, on the Temple campus in Philadelphia dealt with alleged patters of institutional discrimination.

The full Education Committee held a meeting on Thursday, November 4, 1976, in Room 246 of the Main Capitol at which Senate Bill 093 was reported to the Floor with amendments. A copy of the minutes and attendance sheet are attached.

MINUTES OF THE EDUCATION COMMITTEE MEETING

Thursday, November 4, 1976

The meeting was called to order at 2:10 p.m. in Room 246 by Chairman James J. A. Gallagher. The presence of a quorum was noted. (See attached attendance sheet)

Purpose of the meeting was to consider Senate Bill 093 PR NR 2052. As committed, the bill provides alternate provisions for equalizing tax assessments in school districts which sprawl over more than one county.

Representative Garzia offered two amendments, which were adopted by the Committee. The first provides that no municipality of political subdivision shall pay an aggregate amount in school taxes which is greater than its ratio of market value to the total market value of the district.

Mr. Garzia's second amendment allows directors of a school district in a home rule county to use the county tax assessments. In his particular situation this would provide the option of averting the assessments of a Third Class City.

Both of the Garzia amendments were adopted without dissent.

Chairman Gallagher then proposed an amendment dealing with subsidies. It calls for:
- a 6% cost-of-living increase to the districts computed on their basic instructional subsidy for the 1975-76 fiscal year.
- a provision to prevent districts from losing any subsidies in 1976-77 as compared to 1975-76.
- a doubling of the amount of reimbursements for health, nursing and dental care of students.
- an increase in the per-student payment in super poverty funds for those districts with more than 35% poverty students—from $150 per student to $225.
- an increase in the State reimbursements for Act 372 transportation costs (non-public student and hazardous route busing).

Mr. Pancoast proposed that the transportation subsidy be based on actual costs instead of approved reimbursable costs.

On a motion by Mr. Burns, which was duly seconded, the Pancoast amendment was approved by the Committee. Mr. Milanovich moved to report S.B. 903 PR NR 2052 to the Floor as amended, and the motion was properly seconded.

The vote on reporting the bill as amended was 11 to 4. There being no further business to come before the Committee, the meeting was adjourned at 3:03 p.m.

Respectfully submitted,
FRED R. MILANOYICH
Secretary
PHILIP M. MURPHY,
for Dr. Pancoast

Attendance Report

The Education Committee met on November 4, 1976 in Room 246. The meeting started at 2:10 p.m. and adjourned at 3:03 p.m.

The roll was taken and was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallagher</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Pancoast</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Gleeson</td>
<td></td>
<td></td>
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<tr>
<td>Shane</td>
<td></td>
<td>X</td>
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<tr>
<td>Bellomini</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Burns</td>
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<td>Cohen</td>
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<td>X</td>
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<tr>
<td>Cowell</td>
<td></td>
<td>X</td>
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<tr>
<td>Davies</td>
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<tr>
<td>DiCarlo</td>
<td></td>
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<tr>
<td>Fischer</td>
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<td>X</td>
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<tr>
<td>Hayes</td>
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<tr>
<td>Kelly</td>
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<tr>
<td>Lincoln</td>
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<td>X</td>
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<tr>
<td>Milanovich</td>
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</tr>
<tr>
<td>Miller</td>
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<td>O'Donnell</td>
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<tr>
<td>Parker</td>
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<tr>
<td>Rhodes</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Richardson</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
ROLL CALL
The Education Committee met on November 4, 1976 to vote on Garzia amendments No. 1 and No. 2 providing additional options in determining tax assessment equalization in school districts.
A voice vote was taken and the motion passed unanimously.

ROLL CALL
The Education Committee met on November 4, 1976 to vote on Pancoast amendment offered by Gallagher relating to transportation subsidies.
A voice vote was taken and the motion passed unanimously.

ROLL CALL
The Education Committee met on November 4, 1976 to vote on Gallagher amendment on subsidy revisions and hold harmless and reporting the bill as amended.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallagher</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Pancoast</td>
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</tr>
<tr>
<td>Gleeson</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Shane</td>
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<td></td>
</tr>
<tr>
<td>Burns</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Cohens</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Cowell</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Davies</td>
<td>not voting</td>
<td></td>
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<tr>
<td>DiCarlo</td>
<td>not voting</td>
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<tr>
<td>Fischer</td>
<td>not voting</td>
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<tr>
<td>Hayes</td>
<td>not voting</td>
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<tr>
<td>Kelly</td>
<td>yea</td>
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<tr>
<td>Lincoln</td>
<td>yea</td>
<td></td>
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<tr>
<td>Milanovich</td>
<td>yea</td>
<td></td>
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<tr>
<td>Miller</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>O'Donnell</td>
<td>not voting</td>
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<tr>
<td>Parker</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Rhodes</td>
<td>not voting</td>
<td></td>
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<tr>
<td>Richardson</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Schwender</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Shupnik</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Hutchinson</td>
<td>yea</td>
<td></td>
</tr>
</tbody>
</table>

YEAS—11
NAYS—4
NOT VOTING—8

The motion passed.

Mr. BRUNNER, chairman of the Finance Committee, presented the following report:

Attendance Report
The Finance Committee met on November 8, 1976 at 1:00 p.m.
The roll was taken and was as follows:

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<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
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<tbody>
<tr>
<td>John L. Brunner</td>
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<tr>
<td>Joseph Rhodes</td>
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<td></td>
</tr>
<tr>
<td>Galen Dreibelbis</td>
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<td>X</td>
</tr>
<tr>
<td>John Hope Anderson</td>
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<td>X</td>
</tr>
<tr>
<td>Joseph Bonetto</td>
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<td>X</td>
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<td>Matthew J. Cianciulli</td>
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<tr>
<td>Harry Englehart</td>
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<td></td>
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<tr>
<td>Ralph Garzia</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Charles Logue</td>
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<tr>
<td>Harry Menhorn</td>
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<td>John Milliron</td>
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<td>George Miscevich</td>
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<tr>
<td>Michael Mullen</td>
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<td>X</td>
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<tr>
<td>Peter O'Keefe</td>
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<tr>
<td>Joseph Wargo</td>
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<tr>
<td>Harry Gring</td>
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<td>X</td>
</tr>
<tr>
<td>Forest Hopkins</td>
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<tr>
<td>James Kelly</td>
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<tr>
<td>Robert Kusse</td>
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<tr>
<td>Nicholas Moehlmann</td>
<td></td>
<td>X</td>
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<tr>
<td>G. Sieber Pancoast</td>
<td></td>
<td>X</td>
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<tr>
<td>John E. Scheaffer</td>
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<td></td>
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<tr>
<td>Herbert Zearfoss</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

ROLL CALL
The Finance Committee met on November 8, 1976 to vote to report out Senate Bill No. 1568.
The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brunner</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Rhodes</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Dreibelbis</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Bonetto</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Englehart</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Garzia</td>
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<td></td>
</tr>
<tr>
<td>Logue</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Menhorn</td>
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<td></td>
</tr>
<tr>
<td>Milliron</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Miscevich</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Mullen</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>O'Keefe</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Wargo</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Anderson</td>
<td>not voting</td>
<td></td>
</tr>
<tr>
<td>Gring</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Hopkins</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Kelly</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Kusse</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Moehlmann</td>
<td>yea</td>
<td></td>
</tr>
<tr>
<td>Pancoast</td>
<td>not voting</td>
<td></td>
</tr>
</tbody>
</table>
The Finance Committee met on November 8, 1976 to vote to report out Senate Bill No. 1531.

The yeas and nays were taken and were as follows:

**Member**  
**Vote**
- Brunner  
  yea  
- Rhodes  
  not voting  
- Dreibelbis  
  not voting  
- Bonetto  
  not voting  
- Cianciulli  
  not voting  
- Englehart  
  not voting  
- Zarza  
  yea  
- Logue  
  yea  
- Menhorn  
  not voting  
- Milliron  
  yea  
- Miscevich  
  yea  
- Mullen  
  not voting  
- O'Keefe  
  yea  
- Wargo  
  yea  
- Anderson  
  not voting  
- Gring  
  yea  
- Hopkins  
  yea  
- Kelly  
  yea  
- Kusse  
  yea  
- Moehlmann  
  yea  
- Pancoast  
  not voting  
- Scheaffer  
  not voting  
- Zearfoss  
  yea

**YEAS—13**  
**NAYS—0**  
**NOT VOTING—10**

There were no meetings of the Finance Committee during the election recess.

RONNY JANE GOLDSMITH

**Mr. VALICENTI**, chairman of the Labor Relations Committee, presented the following report:

- **Subject**: Labor Relations Committee  
- **To**: Honorable Herbert Fineman, Speaker  
- **From**: A. Joseph Valicenti, Chairman  
  Labor Relations Committee

There were no meetings held by the House Labor Relations Committee during the week of November 1, 1976.

**Mr. BERSON**, chairman of the Judiciary Committee, presented the following report:

- **Subject**: Meetings—House Judiciary Committee  
- **To**: Office of the Speaker  
- **From**: Norman S. Berson, Chairman

No meetings were held during the week of September 27, 1976 by the Judiciary Committee.

**Mr. ECKENSBERGER**, chairman of the Law and Justice Committee, presented the following report:

- **Subject**: Committee on Law and Justice  
- **To**: Honorable Herbert Fineman, Speaker  
- **From**: William H. Eckensberger, Jr.

Please be advised that the Committee on Law and Justice has held no meetings during the recess commencing September 27, 1976.

**Mr. FRYER**, chairman of the Local Government Committee, presented the following report:

- **Subject**: Local Government Committee Meetings  
- **To**: Honorable Herbert Fineman, Speaker  
- **From**: Lester K. Fryer, Chairman  
  Local Government Committee  
  Room 149 ext. 3-8683

November 8, 1976
Please be advised that there were no House of Representatives Local Government Committee meetings held during the period from September 27 to November 8, 1976.

Mr. DeMEDIO, chairman of the Military and Veterans Affairs Committee, presented the following report:

November 8, 1976

Mr. Speaker:

There was no meeting of the Military and Veterans Affairs Committee the last week we were in session.

Sincerely,
WILLIAM O. SHUMAN
Secretary

Mr. O'BRIEN, chairman of the Mines and Energy Management Committee, presented the following report:

November 8, 1976

Subject: Mines and Energy Management Committee—Meeting Attendance Report

To: The Honorable Herbert Fineman
   The Speaker

From: Bernard F. O'Brien, Chairman
James Wright, Minority Chairman

Attached is the Mines and Energy Management Committee attendance report for meetings held on September 27 and October 7.

Attendance Report

The Mines and Energy Management Committee met on September 27, 1976 in Room 401. The meeting started at 10:00 a.m. and adjourned at 12:20 a.m.

The roll was taken and was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bernard F. O'Brien</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>James Goodman</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Barry Stout</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Camille George</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Joseph P. Bradley, Jr.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Thomas J. McCall</td>
<td></td>
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<tr>
<td>George Miscevich</td>
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<tr>
<td>Raphael Musto</td>
<td></td>
<td>X</td>
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<tr>
<td>Donald Abraham</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Ivan Itkin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John F. Laudadio, Sr.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>William Lincoln</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Fred Taylor</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>James J. Wright, Jr.</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>L. Eugene Smith</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Joseph V. Zord, Jr.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William Wilt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stanford I. Lehr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>David M. Turner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>James J. Ustynoski</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edward F. Burns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Cesar</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mr. BENNETT, chairman of the Business and Commerce Committee, presented the following report:

November 8, 1976

Subject: Minutes of Business and Commerce Committee Meetings

To: honoroble Herbert Fineman, Speaker

From: Honorable Reid L. Bennett, Chairman
   Business and Commerce Committee

The Business and Commerce Committee did not hold any Committee meetings during the following weeks:

| Week of September 27, 1976 |
| Week of October 4, 1975 |
| Week of October 18, 1976 |
| Week of October 25, 1976 |
| Week of November 1, 1976 |
| October 13, 1976 |

Subject: Minutes of Business and Commerce Committee Meeting—October 13, 1976

To: Honorable Herbert Fineman, Speaker

From: Honorable Reid L. Bennett, Chairman
   Business and Commerce Committee

The Business and Commerce Committee held a meeting on Wednesday, October 13, 1976, in Room 401, Main
Capitol Building, beginning at 11:00 a.m. The roll was taken by the Chairman as follows:

Present
Bennett
Cole
Dombrowski
Kowalyshyn
Laughlin
Ravenstahl
DeVerter
Dorr
Grieco
Halverson
Scheaffer, John
Smith, L. Eugene
Spencer

Absent
Gillespie
Hammock
Letterman
O'Donnell
Rappaport
Saloom
Stout
Wansacz
Zwikl
McGinnis

Rep. Knepper was excused because his legislative duties required that he be in Allegheny County on October 13, 1976.

DISCUSSION OF BILLS:

House Bill 2644, Printer's No. 3737—Representative Dorr made the motion to have this bill released from Committee as committed, and Representative Dombrowski seconded the motion. A roll call vote was taken and the motion was unanimously passed to report the bill as committed 13 yeas—9 nays.

ADJOURNMENT:

Rep. Dombrowski made the motion to adjourn the meeting and Rep. Laughlin seconded the motion. The meeting was adjourned at 12:15 p.m.

The roll was taken and was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reid L. Bennett</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Kenneth Cole</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Patrick Gillespie</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Charles Hammock</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Russell Kowalyshyn</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Charles Laughlin</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Russell Letterman</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Robert W. O'Donnell</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Samuel Rappaport</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Robert P. Ravenstahl</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Eugene Saloom</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Barry Stout</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Mr. Knepper was excused because of conflicting legislative duties.

Signed
CHARLES P. HAMMOCK
Secretary

OFFICIAL LEAVE REQUEST

I James W. Knepper, Jr. ask for official leave of absence from attending the meeting of the Business and Commerce Committee on October 13, 1976 for the following reason:

Conflicting legislative duties (Legislative duties require that I be in Allegheny County on October 13th.)

Signed: JAMES W. KNEPPER, JR.

ROLL CALL

The Business and Commerce Committee met on October 13, 1976 to vote to report as committed House Bill No. 2644, Printer's No. 3737, sponsored by Mr. Dorr, seconded by Mr. Dombrowski.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reid L. Bennett</td>
<td>yea</td>
</tr>
<tr>
<td>Kenneth Cole</td>
<td>yea</td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
<td>yea</td>
</tr>
<tr>
<td>Russell Kowalyshyn</td>
<td>yea</td>
</tr>
<tr>
<td>Charles Laughlin</td>
<td>yea</td>
</tr>
<tr>
<td>Robert P. Ravenstahl</td>
<td>yea</td>
</tr>
<tr>
<td>Eugene Saloom</td>
<td>yea</td>
</tr>
<tr>
<td>Barry Stout</td>
<td>yea</td>
</tr>
</tbody>
</table>

The motion passed.

Signed
CHARLES P. HAMMOCK
Secretary

The Professional Licensure Committee, presented the following report:

Mr. SHELTON, chairman of the Professional Licensure Committee, held a meeting
on Thursday, September 16, 1976 at 1:00 p.m. in Room 401 and no action was taken.

Hon. ULYSSES SHELTON, Chairman

The Professional Licensure Committee held a meeting Monday, September 20, 1976 at 1:30 p.m. in Room 146 and no action was taken.

Hon. ULYSSES SHELTON, Chairman

Attendance Report

The Professional Licensure Committee met on August 18, 1976 in Philadelphia, Pa. The meeting started at 10:00 a.m. and adjourned at 3:00 p.m.

The roll was taken and was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>William W. Rieger</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Philip Ruggiero</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>George G. Williams</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Anita P. Kelly</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Robert Ravenstahl</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Aljia Dumas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. L. Schmitt</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Frank Oliver</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Reid Bennett</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Samuel Ross</td>
<td></td>
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</tr>
<tr>
<td>Phyllis Kernick</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Matthew J. Cianciulli</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>H. Joseph Hepford</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>David Hayes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William K. Klingaman</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Fortunato N. Perri</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Lee C. Taddono</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Stephen Freind</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Roosevelt I. Polite</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Harry H. Gring</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patricia Crawford</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Signed
PHILIP S. RUGGIERO
Secretary

Attendance Report

The Professional Licensure Committee met on September 27, 1976 in Room 115-A. The meeting started at 12:00 p.m. and adjourned at 1:05 p.m.

The roll was taken and was as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Present</th>
<th>Absent</th>
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</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>X</td>
<td></td>
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<tr>
<td>William W. Rieger</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Philip Ruggiero</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>George G. Williams</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Anita P. Kelly</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Robert Ravenstahl</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Aljia Dumas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. L. Schmitt</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Frank Oliver</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Reid Bennett</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
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<td></td>
</tr>
<tr>
<td>Samuel Ross</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phyllis Kernick</td>
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<td>X</td>
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<tr>
<td>Matthew J. Cianciulli</td>
<td></td>
<td>X</td>
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<td>H. Joseph Hepford</td>
<td></td>
<td>X</td>
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<tr>
<td>David Hayes</td>
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</tr>
<tr>
<td>William K. Klingaman, Sr.</td>
<td></td>
<td></td>
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<tr>
<td>Fortunato N. Perri</td>
<td></td>
<td></td>
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<tr>
<td>Lee C. Taddono</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stephen Freind</td>
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<td></td>
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<tr>
<td>Roosevelt I. Polite</td>
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</tr>
<tr>
<td>Harry H. Gring</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patricia Crawford</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signed
PHILIP S. RUGGIERO
Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to table Senate Bill No. 311, Printer's No. 515, sponsored by Mr. Gring, seconded by Mr. Rieger.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>yea</td>
</tr>
<tr>
<td>William W. Rieger</td>
<td>yea</td>
</tr>
<tr>
<td>Philip Ruggiero</td>
<td>yea</td>
</tr>
<tr>
<td>Edward G. Williams</td>
<td>yea</td>
</tr>
<tr>
<td>Anita P. Kelly</td>
<td>yea</td>
</tr>
<tr>
<td>Robert Ravenstahl</td>
<td>yea</td>
</tr>
<tr>
<td>Aljia Dumas</td>
<td>yea</td>
</tr>
<tr>
<td>C. L. Schmitt</td>
<td>yea</td>
</tr>
<tr>
<td>Frank Oliver</td>
<td>yea</td>
</tr>
<tr>
<td>Reid Bennett</td>
<td>yea</td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
<td>yea</td>
</tr>
<tr>
<td>Samuel Ross</td>
<td>yea</td>
</tr>
<tr>
<td>Phyllis Kernick</td>
<td>yea</td>
</tr>
<tr>
<td>Matthew J. Cianciulli</td>
<td>yea</td>
</tr>
<tr>
<td>H. Joseph Hepford</td>
<td>yea</td>
</tr>
<tr>
<td>David Hayes</td>
<td>yea</td>
</tr>
<tr>
<td>William K. Klingaman, Sr.</td>
<td>yea</td>
</tr>
<tr>
<td>Fortunato N. Perri</td>
<td>not voting</td>
</tr>
<tr>
<td>Lee C. Taddono</td>
<td>yea</td>
</tr>
<tr>
<td>Stephen Freind</td>
<td>yea</td>
</tr>
<tr>
<td>Roosevelt I. Polite</td>
<td>yea</td>
</tr>
<tr>
<td>Harry H. Gring</td>
<td>yea</td>
</tr>
<tr>
<td>Patricia Crawford</td>
<td>not voting</td>
</tr>
</tbody>
</table>

YEAS—20
NAYS—0
NOT VOTING—3

The motion passed.

Signed
PHILIP S. RUGGIERO
Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to report out as committed Senate Bill No. 1172, Printer's No. 1913, sponsored by Mrs. Kernick, seconded by Mr. Ravenstahl.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>yea</td>
</tr>
</tbody>
</table>

Signed
PHILIP S. RUGGIERO
Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to report out as committed Senate Bill No. 1172, Printer's No. 1913, sponsored by Mrs. Kernick, seconded by Mr. Ravenstahl.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>yea</td>
</tr>
</tbody>
</table>

Signed
PHILIP S. RUGGIERO
Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to report out as committed Senate Bill No. 1172, Printer's No. 1913, sponsored by Mrs. Kernick, seconded by Mr. Ravenstahl.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>yea</td>
</tr>
</tbody>
</table>

Signed
PHILIP S. RUGGIERO
Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to report out as committed Senate Bill No. 1172, Printer's No. 1913, sponsored by Mrs. Kernick, seconded by Mr. Ravenstahl.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>yea</td>
</tr>
<tr>
<td>Member</td>
<td>Vote</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>William W. Rieger</td>
<td>yea</td>
</tr>
<tr>
<td>Philip Ruggiero</td>
<td>yea</td>
</tr>
<tr>
<td>Edward G. Williams</td>
<td>yea</td>
</tr>
<tr>
<td>Anita P. Kelly</td>
<td>yea</td>
</tr>
<tr>
<td>Robert Ravenstahl</td>
<td>yea</td>
</tr>
<tr>
<td>Aljia Dumas</td>
<td>yea</td>
</tr>
<tr>
<td>C. L. Schmitt</td>
<td>yea</td>
</tr>
<tr>
<td>Frank Oliver</td>
<td>yea</td>
</tr>
<tr>
<td>Reid Bennett</td>
<td>not voting</td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
<td>nay</td>
</tr>
<tr>
<td>Samuel Ross</td>
<td>yea</td>
</tr>
<tr>
<td>Phyllis Kernick</td>
<td>yea</td>
</tr>
<tr>
<td>Matthew J. Cianciulli</td>
<td>yea</td>
</tr>
<tr>
<td>H. Joseph Hepford</td>
<td>yea</td>
</tr>
<tr>
<td>David S. Hayes</td>
<td>yea</td>
</tr>
<tr>
<td>William K. Klingaman, Sr.</td>
<td>not voting</td>
</tr>
<tr>
<td>Lee C. Taddeo</td>
<td>yea</td>
</tr>
<tr>
<td>Stephen Freind</td>
<td>yea</td>
</tr>
<tr>
<td>Roosevelt L. Polite</td>
<td>nay</td>
</tr>
<tr>
<td>Harry H. Gring</td>
<td>yea</td>
</tr>
<tr>
<td>Patricia Crawford</td>
<td>not voting</td>
</tr>
</tbody>
</table>

**YEAS—14**

**NAYS—6**

**NOT VOTING—3**

The motion passed.

Signed

PHILIP S. RUGGIERO

Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to report out as committed Senate Bill No. 1283, Printer's No. 1347, sponsored by Mrs. Kernick, seconded by Mr. Ravenstahl.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
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<td>yea</td>
</tr>
<tr>
<td>Philip Ruggiero</td>
<td>yea</td>
</tr>
<tr>
<td>Edward G. Williams</td>
<td>yea</td>
</tr>
<tr>
<td>Anita P. Kelly</td>
<td>yea</td>
</tr>
<tr>
<td>Robert Ravenstahl</td>
<td>yea</td>
</tr>
<tr>
<td>Aljia Dumas</td>
<td>yea</td>
</tr>
<tr>
<td>C. L. Schmitt</td>
<td>yea</td>
</tr>
<tr>
<td>Frank Oliver</td>
<td>yea</td>
</tr>
<tr>
<td>Reid Bennett</td>
<td>not voting</td>
</tr>
<tr>
<td>Bernard Dombrowski</td>
<td>yea</td>
</tr>
<tr>
<td>Samuel Ross</td>
<td>yea</td>
</tr>
<tr>
<td>Phyllis Kernick</td>
<td>yea</td>
</tr>
<tr>
<td>Matthew J. Cianciulli</td>
<td>yea</td>
</tr>
<tr>
<td>H. Joseph Hepford</td>
<td>yea</td>
</tr>
<tr>
<td>David S. Hayes</td>
<td>yea</td>
</tr>
<tr>
<td>William K. Klingaman, Sr.</td>
<td>not voting</td>
</tr>
<tr>
<td>Lee C. Taddeo</td>
<td>yea</td>
</tr>
<tr>
<td>Stephen Freind</td>
<td>yea</td>
</tr>
<tr>
<td>Roosevelt I. Polite</td>
<td>yea</td>
</tr>
<tr>
<td>Harry H. Gring</td>
<td>yea</td>
</tr>
<tr>
<td>Patricia Crawford</td>
<td>not voting</td>
</tr>
</tbody>
</table>

**YEAS—19**

**NAYS—0**

**NOT VOTING—4**

The motion passed.

Signed

PHILIP S. RUGGIERO

Secretary

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to adopt amendments to House Bill No. 2148, Printer's No. 2793, sponsored by Mr. Schmitt, seconded by Mrs. Kelly.

The yeas and nays were taken and were as follows:

<table>
<thead>
<tr>
<th>Member</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulysses Shelton</td>
<td>yea</td>
</tr>
<tr>
<td>William W. Rieger</td>
<td>yea</td>
</tr>
<tr>
<td>Philip Ruggiero</td>
<td>yea</td>
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<tr>
<td>Edward G. Williams</td>
<td>yea</td>
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<tr>
<td>Anita P. Kelly</td>
<td>yea</td>
</tr>
<tr>
<td>Robert Ravenstahl</td>
<td>yea</td>
</tr>
<tr>
<td>Aljia Dumas</td>
<td>yea</td>
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<tr>
<td>C. L. Schmitt</td>
<td>yea</td>
</tr>
<tr>
<td>Frank Oliver</td>
<td>yea</td>
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<tr>
<td>Reid Bennett</td>
<td>not voting</td>
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<tr>
<td>Bernard Dombrowski</td>
<td>yea</td>
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<tr>
<td>Samuel Ross</td>
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<td>Matthew J. Cianciulli</td>
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<td>H. Joseph Hepford</td>
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<td>William K. Klingaman, Sr.</td>
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<tr>
<td>Lee C. Taddeo</td>
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<td>Stephen Freind</td>
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<td>Roosevelt I. Polite</td>
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<td>yea</td>
</tr>
<tr>
<td>Patricia Crawford</td>
<td>not voting</td>
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</table>

**YEAS—19**

**NAYS—0**

**NOT VOTING—4**

The motion passed.
Amend Sec. 1 (Sec. 5.1), page 1, line 21, by inserting after "all": reasonable.
Amend Sec. 1 (Sec. 5.1), page 2, line 2, by inserting a period after "investigators".
Amend Sec. 1 (Sec. 5.1), page 2, line 2, by striking out "and to a district attorney or his representative.".
Amend Sec. 1 (Sec. 5.1), page 2, line 10, by inserting after "information": relating to the business of a professional bondsman.
Amend Sec. 2, page 14, by striking out "and 9" and inserting: 9 and 10.
Amend Sec. 2 (Sec. 6), page 18 through 22, by striking out "and may impose" in line 18, all of lines 19 through 21, and "by the Insurance Commissioner" in line 22.
Amend Sec. 2 (Sec. 6), page 4, line 2, by inserting brackets before and after "quarter sessions" and inserting: common pleas.
Amend Sec. 2 (Sec. 7), page 4, line 23, by inserting brackets before and after "quarter sessions" and inserting: common pleas.
Amend Sec. 2 (Sec. 7), page 4, line 29, by inserting brackets before and after "quarter session" and inserting: common pleas.
Amend Sec. 2 (Sec. 7), page 5, lines 2 through 5, by striking out "and a civil penalty may be imposed of not more than one" in line 2, all of lines 3 and 4, and "licensed or not licensed by the Insurance Commissioner" in line 5.
Amend Sec. 2 (Sec. 8), page 6, line 15, by inserting brackets before and after "quarter sessions" and inserting: common pleas.
Amend Sec. 2 (Sec. 8), page 6, line 24, by inserting a period after "investigators".
Amend Sec. 2 (Sec. 8), page 6, line 24, by striking out "or a district attorney or his representative.".
Amend Sec. 2 (Sec. 8), page 7, line 11, by inserting after "information": relating to the conduct of a fidelity or surety business.
Amend Sec. 2, page 7, by inserting between lines 29 and 30: Section 10. Penalties.—(a) Upon satisfactory evidence the Insurance Commissioner may impose a civil penalty of not more than one thousand dollars ($1000) for each and every violation of this act regardless of whether or not such professional bondsman was licensed or not licensed by the Insurance Commissioner
[(a)] (b) Any person who engages in such business while his license is suspended or revoked, is guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than five hundred dollars ($500) and not more than one thousand dollars ($1000), or to undergo imprisonment not exceeding one (1) year, or both.
[(b)] (c) Any person charging or receiving directly or indirectly any greater compensation for acting as a professional bondsman than is provided by this act is guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than five hundred dollars ($500) and not more than one thousand dollars ($1000), or to undergo imprisonment not exceeding six (6) months, or both.
[(c)] (d) Any person who violates any section of this act for which no specific penalty other than suspension or revocation of license is provided is guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars ($100) and not more than five hundred dollars ($500), or to undergo imprisonment not exceeding six (6) months, or both.
[(d)] (e) Any law enforcement officer, employe of a penal institution, alderman, justice of the peace, employe of an alderman or justice of the peace, officer of any court, or employe of any public office performing duties for the courts of over and terminer and general jail delivery and the quarter sessions of the peace, who has, directly or indirectly, any pecuniary interest in or derives any profit from the bonding business or activity of a professional bondsman shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars ($100) and not more than five hundred dollars ($500), or to undergo imprisonment not exceeding six (6) months, or both.
[(e)] (f) Any professional bondsman who solicits business in any of the courts or on the premises of any of the courts of this Commonwealth, including the courts of magistrates, aldermen and justices of the peace, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars ($100) and not more than five hundred dollars ($500), or to undergo imprisonment not exceeding six (6) months, or both.

ROLL CALL

The Professional Licensure Committee met on September 27, 1976 to vote to table House Bill No. 2433 Printer's No. 3225, sponsored by Mrs. Kernick, seconded by Mr. Ravenstahl.

The yeas and nays were taken and were as follows:

Member

Vote

Ulysses Shelton
yea

William W. Rieger
not voting

Philipp Ruggiero
yea

Edward G. Williams
yea

Anita P. Kelly
yea

Robert Ravenstahl
yea

Aljia Dumas
yea

C. L. Schmitt
yea

Frank Oliver
yea

Reid Bennett
yea

Bernard Dombrowski
not voting

Samuel Ross
yea

Phyllis Kernick
yea

Matthew J. Cienciulli
yea

H. Joseph Hepford
yea

Not Voting

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea
Mr. Speaker:

The House State Government Committee did not meet during the Election Recess.

Hon. PETER E. PERRY
Chairman

Mr. BONETTO, chairman of the Transportation Committee, presented the following report:

November 8, 1976

Honorable Herbert Fineman
Speaker of the House
Harrisburg, Pennsylvania

Dear Mr. Speaker:

There were no meetings of the Transportation Committee since the recess at the end of September until the present date.

Respectfully submitted,
Rep. JOSEPH A. PETRARCA
Secretary
Transportation Committee

Mr. CAPUTO, chairman of the Urban Affairs Committee, presented the following report:

November 8, 1976

subject: Report of Committee

To: Honorable Herbert Fineman, Speaker
From: Charles N. Caputo, Chairman Committee on Urban Affairs

The Committee on Urban Affairs did not meet during the weeks of September 27, 1976 through October 25, 1976 conclusive.

Mr. PERRY, chairman of the State Government Committee, presented the following report:

November 8, 1976

The House State Government Committee did not meet during the Election Recess.

Hon. PETER E. PERRY
Chairman

Mr. BONETTO, chairman of the Transportation Committee, presented the following report:

November 8, 1976

Honorable Herbert Fineman
Speaker of the House
Harrisburg, Pennsylvania

Dear Mr. Speaker:

There were no meetings of the Transportation Committee since the recess at the end of September until the present date.

Respectfully submitted,
Rep. JOSEPH A. PETRARCA
Secretary
Transportation Committee

Mr. CAPUTO, chairman of the Urban Affairs Committee, presented the following report:

November 8, 1976

subject: Report of Committee

To: Honorable Herbert Fineman, Speaker
From: Charles N. Caputo, Chairman Committee on Urban Affairs

The Committee on Urban Affairs did not meet during the weeks of September 27, 1976 through October 25, 1976 conclusive.

Yeas—10
Nays—9
Not Voting—4

The motion passed.

Signed
PHILIP S. RUGGIERO
Secretary

RECESS

The SPEAKER. Without objection, the Chair now declares the House in recess until 2:30 p.m.

AFTER RECESS

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

THE SPEAKER (Herbert Fineman)
IN THE CHAIR

COMMITTEE REPORTS

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

The Chair hears no objection.

BILLS REREPORTED

HOUSE BILL No. 22

By Mr. PIEVSKY


Rereported from Committee on Appropriations.

HOUSE BILL No. 1833 (Amended)

By Mr. PIEVSKY

A Supplement to the act of entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing public improvement projects to be acquired or constructed by the Department of General Services together with their estimated financial cost, authorizing the incurring of debt, without the approval of the electors, for the purpose of financing the projects, stating the estimated useful life of the projects and making an appropriation.

Rereported from Committee on Appropriations.

HOUSE BILL No. 2006

By Mr. PIEVSKY

An Act amending the act of June 1, 1933 (P. L. 1172, No. 290), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth," deleting Route 06039 in Sinking Springs Borough in Berks County.

Rereported from Committee on Appropriations.

HOUSE BILL No. 2600

By Mr. PIEVSKY


Rereported from Committee on Appropriations.

SENATE BILL No. 1288

By Mr. PIEVSKY

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

Rereported from Committee on Appropriations.

**SENATE BILL No. 1307**
By Mr. PIEVSKY


Rereported from Committee on Appropriations.

**SENATE BILL No. 1318**
By Mr. PIEVSKY

An Act amending the act of May 18, 1945 (P. L. 809, No. 223), entitled "An Act removing certain roads or sections of road from the State highway system; . . . .", removing a route in Indiana County.

Rereported from Committee on Appropriations.

**SENATE BILL No. 1341 (Amended)**
By Mr. PIEVSKY


Rereported from Committee on Appropriations.

**SENATE BILL No. 1342 (Amended)**
By Mr. PIEVSKY


Rereported from Committee on Appropriations.

**SENATE BILL No. 1383**
By Mr. PIEVSKY


Rereported from Committee on Appropriations.

**BILLS REPORTED FROM COMMITTEES**

**SENATE BILL No. 903 (Amended)**
By Mr. GALLAGHER

An Act amending the act of March 10, 1941 (P. L. 30, No. 14), entitled "Public School Code of 1941," providing for alternative methods of equalizing tax levies among certain school districts; providing for certain payments on account of instruction to remain at a specified level; further providing for increased payments by the Commonwealth on account of health services; nonpublic and hazardous transportation; and for a cost-of-living increase on account of instruction.

Reported from Committee on Education.

**SENATE BILL No. 1531**
By Mr. BRUNNER

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," providing for the deposit of certain State taxes in certain interest-bearing accounts by certain officers and for the return of certain moneys to the State and imposing certain penalties, further providing for the collection of inheritance taxes and making certain repeals.

Reported from Committee on Finance.

**SENATE BILL No. 1568**
By Mr. BRUNNER


Reported from Committee on Finance.

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**ANNOUNCEMENT**

The SPEAKER. The Chair desires to note for the record that the gentleman, Mr. Scirica, has been appointed to replace the gentleman, Mr. Gallen, on the Conference Committee on House bill No. 1599.

**REPORT OF LOCAL GOVERNMENT COMMISSION**

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

Mr. DeMEDIO. Mr. Speaker, on behalf of the Local Government Commission, I wish to report that pursuant to Senate resolution No. 25 of 1975, which directed the Local Government Commission to review and study essential provisions of Act 120 of 1974 relative to the training of part-time municipal police officers, we have presented our report.

I think all the members will find a copy of it on their desks, and it warrants their analysis and study.

Thank you, Mr. Speaker.

The SPEAKER. The report will be noted in the Journal and printed in full in the Appendix.

(For report, see Appendix)

**CALENDAR**

**STATE GOVERNMENT BILL ON THIRD CONSIDERATION**

Agreeable to order, The House proceeded to third consideration of House bill No. 1250, printer’s No. 1441, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Transportation, to sell and convey to Evelyn Detwiler, widow, a certain tract of land in the Village of Oaks, Upper Providence Township, Montgomery 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?

**MASTER ROLL CALL**

The SPEAKER. The vote on House bill No. 1250 will be taken as the master roll call for the day.

**MASTER ROLL CALL**

The roll was taken and was as follows:

YEAS—190

Abraham Anderson, J. E. Gallagher Manmiller Martin
Arthur Barber Greenie McClintock Schaeffer
Bennett Bessinger Geesey McClutchy Schwerder
Bislin Bocornet Geisler McElroy Scirica
Bosin Bellomt George McGrayt Selzer
Bosin Bocornet Glengie McGrayt Sheane
Butia Bocornet Gillette McRae Shafter
Bosin Bocornet Glennie McVay Sholun
Bosin Bechetti Goodman Miller, M. E. Shuman
Brady Bradley Greco Miller, M. E., Jr. Skupnik
Brunner Brunner Greenfield Milliron Surratt
Burna Burna Greenfield Mochmann Smith, E.
Braun Bursa Greco Morris Smith, L.
Buchanan Bursa Grice Morris Spencer

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DeWeese and nays were taken and were as follows:

|--------|---------|------|-------|------|-----------|-----------|-------|-------|-------|-------|----------|---------|----------|-------|--------|---------|--------|---------|-----------|---------|----------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|---------|--------|--------|

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.

PHOTOGRAPHS TO BE TAKEN

The SPEAKER. For the information of the membership of the House, the Chair has extended permission to UPI to take pictures of the House floor today.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1776

Mr. IRVIS called up for concurrence in Senate amendments, from page 1 of today's calendar, House bill No. 1776, printer's No. 3702.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerks of the Senate, being introduced, returned

HOUSE BILL No. 1776

An Act amending the act of June 24, 1931 (P. L. 1296, No. 331), entitled "The First Class Township Code," further regulating contracts, advertisements, specifications and bids for certain contracts.

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

Amend Section 1, page 1, line 16, by striking out after the bracketed "dollars," the word "two," line 17, by striking out at the beginning of the line "thousand dollars," and inserting in lieu thereof "two thousand dollars." Amend Section 1, page 2, line 22, by striking out after the bracketed "dollars" all the remainder of said line and inserting in lieu thereof "two thousand dollars." Amend Section 1, page 1, line 39, by striking out after the bracketed "dollard" all the remainder of said line; page 3, line 1, by striking out at the beginning of the line "FIVE HUNDRED DOLLARS" and inserting "two thousand dollars" Amend Section 1, page 3, line 9, by striking out after the bracketed "dollard" all the remainder of said line; line 10, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars"; line 14, by striking out after the bracketed "dollard" all the remainder of said line and inserting "two thousand dollars".

Will the House concur in the amendments made by the Senate?
Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 1776.

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—170**

<table>
<thead>
<tr>
<th>Abrahm</th>
<th>Friend</th>
<th>McHenry</th>
<th>Schmitt</th>
</tr>
</thead>
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<tr>
<td>Anderson, J. H.</td>
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**NAVS—8**

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<tr>
<th>Geesey</th>
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**NOT VOTING—25**

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</table>

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. 1777**

Mr. IRVIS called up for concurrence in Senate amendments, from page 1 of today’s calendar, House bill No. 1777, printer’s No. 3703.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned HOUSE BILL No. 1777.

An Act amending the act of May 1, 1933 (P. L. 103, No. 89), entitled “The Second Class Township Code,” further regulating contracts as to advertising requirements.

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

Amend Section 1, page 1, line 18, by striking out after the bracketed “dollars” all the remainder of said line and inserting “two thousand dollars”; line 21, by striking out after the bracketed “dollars” all the remainder of said line; line 22, by striking out at the beginning of the line "FIVE HUNDRED DOLLARS" and inserting “two thousand dollars”.

Amend Section 1, page 1, line 8, by striking out after the bracketed “dollars” all the remainder of said line and inserting “two thousand dollars”; line 9, by striking out after the bracketed “dollars” all the remainder of said line; line 20, by striking out at the beginning of the line "DOLLARS" and inserting “two thousand dollars.”

Amend Section 2, page 6, line 7, by striking out after “effect” the word “immediately,” and inserting “in 60 days.”

On the question, Will the House concur in the amendments made by the Senate?

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 1777.

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—177**

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CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1780

Mr. IRVIS called up for concurrence in Senate amendments, from page 1 of today's calendar, House bill No. 1780, printer's No. 3704.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 1780

An Act amending the act of May 27, 1953 (P. L. 244, No. 34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties; further regulating contracts as to advertising requirements;" with the Senate.

With the Senate concurred in the same with the following amendments in which concurrence of the House of Representatives is requested:

Amend Section 1, page 1, line 15, by striking out after the bracketed "dollars" all the remainder of said line; line 16, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars."

Amend Section 1, page 2, line 17, by striking out after the bracketed "dollars" the word "two": line 18, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars.

Amend Section 1, page 3, line 1, by striking out after the bracketed "dollars" all the remainder of said line; line 2, by striking out at the beginning of the line "FIVE THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars;" line 23, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars;" line 36, by inserting at the beginning of the line "two thousand dollars."

Amend Section 1, page 4, line 18, by striking out after the bracketed "dollars" all the remainder of said line; line 19, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars;" line 23, by striking out after the bracketed "dollars" all the remainder of said line; line 24, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS" and inserting "two thousand dollars."
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. 1784

Mr. IRVIS called up for concurrence in Senate amendments, from page 2 of today's calendar, House bill No. 1784, printer's No. 3705.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 1784


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

Amend Section 1, page 2, line 3, by striking out after "(1500)" all the remainder of said line; line 4, by striking out at the beginning of the line "DOLLARS ($2,500)," and inserting "two thousand dollars ($2,000),"

Amend Section 1, page 3, line 2, by striking out after the bracketed "(1500)" all the remainder of said line; line 3, by striking out at the beginning of the line "THOUSAND FIVE HUNDRED DOLLARS ($2,500)," and inserting "two thousand dollars ($2,000),"

Amend Section 2, page 3, line 13, by striking out after "effect" the word "immediately" and inserting "in 60 days"

On the question, Will the House concur in the amendments made by the Senate?

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 1784.

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—189


Hill O'Brien O'Connell O'Donnell O'Keefe Oliver Pancoast Parker, H. S. Perri Petrarca Pirsky Pitts Polite Poole Prinzgast Pyles Rappaport Ravenshul Rhodes Rieger Ritter Ross Ruggero Ryan Saloom Speaker

COVINCEHCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1787

Mr. IRVIS called up for concurrence in Senate amendments, from page 2 of today's calendar, House bill No. 1787, printer's No. 3706.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 1787

An Act amending the act of August 6, 1936 (Sp. Sess. P. L. 65, No. 38½), entitled "An act to authorize and empower cities, boroughs, towns and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situated . . . , further regulating purchases and bidding on such purchases."

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

Amend Section 1, page 2, line 5, by striking out after the bracketed "($1,500)" all the remainder of said line 6, by striking out at the beginning of the line "($2,000)," TWO THOUSAND FIVE HUNDRED DOLLARS ($2,500)," and inserting "two thousand dollar ($2,000),"

Amend Section 2, page 2, line 16, by striking out after "effect" the word "immediately" and inserting "in 60 days"
On the question,
Will the House concur in the amendments made by the Senate?

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 1787.

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—181

Abraham, B. F. Foster, W. Manns, A. Schaeffer, S. McCall
Arthurs Fryer, A. McCleskey, J. McNeil, R. McCloy
Barber Galieri, A. McDonough, W. McSheehan, W. McShane
Bellmonti Gallen, C. McSheehan, W. McShane, T. Melamed
Bennett Garza, J. McKiernan, W. Melamed, A. Mebus
Boren Gregg, J. McKiernan, W. Melamed, D. Mehus
Borum Gillette, W. Milman, B. Memel, A. Menahem
Brower Gillette, W. Milman, B. Memel, A. Menahem
Butler Gillette, W. Milman, B. Memel, A. Menahem
Caputo Gillette, W. Milman, B. Memel, A. Menahem
Cesar Gillette, W. Milman, B. Memel, A. Menahem
Clanczula Hayes, D. S. Noye, J. McNally, W. McWatters
Climo Hayes, S. E. Noye, J. McNally, W. McWatters
Cohen Hegedus, S. Noye, J. McNally, W. McWatters
Cole Hill, B. O'Brien, J. McNally, W. McWatters
Cowell Hopkins, J. O'Brien, J. McNally, W. McWatters
Crawford Hutchinson, A. O'Donnell, M. O'Keefe, J. O'Brien
Cambell Hutchinson, W. O'Keefe, J. O'Brien, J. O'Brien
Davis Ike, B. O'Keefe, J. O'Brien, J. O'Brien
Dilullo Kelly, A. P. Oliva, B. O'Brien, J. O'Brien
DiDonato Kelly, J. B. Oliva, B. O'Brien, J. O'Brien
Dietz Kissell, N. Oliva, B. O'Brien, J. O'Brien
Dorf Koraliksyn, A. Pyles, W. O'Connell, J. O'Brien
Duffy Kusac, P. Reapport, W. O'Connell, J. O'Brien
Eyeballs Laughlin, J. Reapport, W. O'Connell, J. O'Brien
Eyeballus Laughlin, J. Reapport, W. O'Connell, J. O'Brien
Fehre Lederer, G. Rappaport, W. O'Connell, J. O'Brien
Fayfay Lenderman, S. Rappaport, W. O'Connell, J. O'Brien
Fischer Kline, B. Rappaport, W. O'Connell, J. O'Brien
Fishman Logue, J. Razz, W. O'Connell, J. O'Brien
Flaherty Lynch, J. Razz, W. O'Connell, J. O'Brien
Foster, A. Mandernagel, B. Salamon, W. Salamon
Fineman, P. M. Mandernagel, B. Salamon, W. Salamon

NAWS—8

Geesey Halverson, P. Knepper, R. Renwick, R. Renwick
George Kernick, R. Reed, R. Shuman

NOT VOTING—14

Aisenon McCue, J. Kenningar, J. Ustynoewski, J.
Brinne McCraw, A. Richardson, W. Walsh, T. P.
Rannock Miller, M. E. Nick, W. Weidjaf
SanMarco Perry, J.

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.

CONCURRENCY IN SENATE AMENDMENTS TO HOUSE BILL No. 1789

Mr. IRVIS called up for concurrence in Senate amend-ments, from page 2 of today's calendar, House bill No. 1789, printer's No. 3707.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate, being introduced, returned

HOUSE BILL No. 1789

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), entitled, as amended, "Parking Authority Law," increasing the minimum amount for which an Authority may contract or purchase without bids.

Amend Section 1, page 2, line 6, by striking out after the bracketed "($1,500.00)" all the remainder of said line; line 7, by striking out at the beginning of the line "HUNDRED DOLLARS ($2,500.00)," and inserting "two thousand dollars ($2,000.00),"

Amend Section 1, page 3, line 5, by striking out after the bracketed "($1,500.00)" all the remainder of said line; line 6, by striking out at the beginning of the line "TWO THOUSAND FIVE HUNDRED DOLLARS ($2,500.00)" and inserting "two thousand dollars ($2,000.00),"

Amend Section 2, page 3, line 16, by striking out after "effect" the word "immediately" and inserting in 60 days"

On the question,
Will the House concur in the amendments made by the Senate?

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 1789.

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—176

Abraham, B. Foster, W. Mandernagel, B. Mandernagel, B.
Arthurs Fryer, A. McCleskey, J. McCleskey, J.
Barber Galieri, A. McKiernan, W. McKiernan, W.
Bellmonti Gallen, C. McSheehan, W. McSheehan, W.
Bennett Garza, J. McKiernan, W. McSheehan, W.
Boren Gregg, J. McKiernan, W. McSheehan, W.
Borow Gillette, W. Milman, B. Memel, A. Menahem
Brower Gillette, W. Milman, B. Memel, A. Menahem
Butler Gillette, W. Milman, B. Memel, A. Menahem
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Climo Hayes, S. E. Noye, J. McNally, W. McWatters
Cohen Hegedus, S. Noye, J. McNally, W. McWatters
Cole Hill, B. O'Brien, J. McNally, W. McWatters
Cowell Hopkins, J. O'Brien, J. McNally, W. McWatters
Crawford Hutchinson, A. O'Donnell, M. O'Keefe, J. O'Brien
Cambell Hutchinson, W. O'Keefe, J. O'Brien, J. O'Brien
Davis Ike, B. O'Keefe, J. O'Brien, J. O'Brien
Dilullo Kelly, A. P. Oliva, B. O'Brien, J. O'Brien
DiDonato Kelly, J. B. Oliva, B. O'Brien, J. O'Brien
DiDonato Kelly, J. B. Oliva, B. O'Brien, J. O'Brien

Saloom, W. Schaeffer, S. Schaeffer, S.

The House having concurred in the amendments made by the Senate, the bill is now passed to the Governor.
CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1932

Mr. IRVIS called up for concurrence in Senate amendments, from page 2 of today's calendar, House bill No. 1932, printer's No. 3629.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned HOUSE BILL No. 1932


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

Amend Title, page 1, line 22, by inserting at the beginning of the line "further providing for exemptions from taxation and"

Amend Bill, page 1, by inserting after line 25 the following:

Section 1. The introductory paragraph and clause (3) of Section 2, Act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," the introductory paragraph amended December 13, 1974 (P. L. 941, No. 310) and clause (3) amended December 21, 1967 (P. L. 978, No. 701), are amended and the section is amended by adding a clause to read:

Section 2. Delegation of Taxing Powers and Restrictions Thereon.—The duly constituted authorities of the following political subdivisions, cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class, and school districts of the fourth class, in all cases including independent school districts, may, in their discretion, by ordinance or resolution, for general revenue purposes, levy, assess and collect or provide for the levying, assessment and collection of such taxes as they shall determine on persons, transactions, occupations, privileges, subjects and personal property within the limits of such political subdivisions, and upon the transfer of real property, or of any interest in real property, situate within the political subdivision levying and assessing the tax, regardless of where the instruments making the transactions are made, executed or delivered or where the actual settlements of such transfers take place. The taxing authority may provide that the transferee shall remain liable for any unpaid real estate transfer taxes imposed by virtue of this act. Each local taxing authority may, by ordinance or resolution, exempt any person whose total income from all sources is less than three thousand two hundred dollars ($3,200) per annum from the personal head tax, occupation tax and occupational privilege tax, or any portion thereof, and may adopt regulations for the processing of claims for exemptions. In no event shall such social security income or any pension benefits be included in determining total income from all sources. Such local authorities shall not have authority by virtue of this act:

(3) Except on sales of admission to places of amusement or on sales or other transfers of title or possession of property, to levy, assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a state tax; and for the purposes of this clause, real property rented for camping purposes or the operation of bowling alleys shall not be considered a place of amusement.

(11) To levy, assess, or collect any occupation tax or occupational privilege tax on any person who holds a status, job or position which is noncompensated and which person does not engage in any part or full-time status, job or position.

Amend Bill, page 3, line 17, by striking out after "Section" the number "1" and inserting "2" and by striking out after "act" all the remainder of said line; line 18, by striking out at the beginning of the line "No. 511, known as "The Local Tax Enabling Act''; line 22, by striking out after "a" the word "monthly" and inserting "quarterly".

Amend Bill, page 3, line 30, by striking out after "Section" the number "2" and inserting "3"

On the question, Will the House concur in the amendments made by the Senate?

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

Mr. RAPPAPORT. Mr. Speaker, because of a possible conflict of interest, I ask leave of the Chair to be permitted not to vote on this House bill No. 1932.

The SPEAKER. The gentleman is excused from voting on the bill.

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, I would like to move for the suspension of the rules for the purpose of offering amendments to House bill No. 1932, please.

The SPEAKER. The gentleman, Mr. DeVerter, moves that the rules of the House be temporarily suspended so that the gentleman may offer an amendment to the Senate amendment.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I object to the waiving of the rules and I ask that the vote be in the negative.

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

The yeas and nays were required by Messrs. DeVERTER and IRVIS and were as follows:
YEAS—33

| Anderson, J. | Galien | Maxmiller | Smith, L. |
| Biren | Greasy | McClatchy | Spencer |
| Buttle | Griffo | McGinnis | Stahl |
| Brandt | Halverson | Molls | Tidwell |
| Burns | Hamilton, J. H. | Miller, M. E., Jr. | Turner |
| Butera | Hay | Mohsman | Utgmezaki |
| Cossar | Haskell | O'Connell | Vroon |
| Crimi | Hayes, D. S. | Pancoast | Wagner |
| Crawford | Hayes, S. E. | Parker, H. S. | Welcher |
| Cumberland | Hopkins | Paul | Westerberg |
| Davies | Hutchinson, W. | Pyle | Whelan |
| Deverter | Katz | Ryan | Wilson |
| Diets | Key, J. B. | Klauber | Wilt, R. W. |
| Dorr | Kingman | Salvo | Wilt, W. |
| Everett | Krueger | Scheaffer | Wright |
| Fischer | Kruse | Selica | Yohn |
| Fisher | Kropp | Sellars | Zeetos |
| Foster, A. | Levi | Strain | Zord |
| Freind | Lynch | Smith, E. | |

NAYS—104

| Abraham | Gallagher | McCall | Heiger |
| Arthurs | Garza | McIntyre | Hitter |
| Barber | Gelzer | McKinley | Hooe |
| Bellmrm | George | Menhorn | Hugi |
| Bennett | Cianmarr | Milam | Hugger |
| Berlin | Gill | Milner | Schmitt |
| Berson | Gillette | Munich | Schoder |
| Bonetto | Gleason | Morris | Selhoen |
| Brunner | Goodman | Mulle | Shummin |
| Caputo | Greenfield | Mulen, M. P. | Stapleton |
| Clancuffi | Guttman | Munlo | Stout |
| Cohen | He | Myer | Taylor |
| Cole | Hancock | Nother | Toll |
| Cowell | Johnson, J. | O'Brien | Trape |
| DeWeese | Kelly, A. P. | O'Donnell | Valenti |
| DiBattista | Kernek | O'Keefe | Warswan |
| DiBiase | Kistler | Oliver | Wargo |
| Dinnon | Koller | Paret | Wiggins |
| Dombrowicki | Koyles | Pievey | Williams |
| Doyle | Kowalski | Poth | Yelner |
| Drewel | Landolfe | Prendergast | Zeller |
| Dunns | Laughlin | Prentice | Zwikl |
| Evans | Lederer | Rhubarb | | |
| Elglshart | Leitman | Reed | | |
| Fee | Lincoln | Renwick | | |
| Fishnbry | Logue | Rhodes | | |
| Fryer | Manderino | | | |

NOT VOTING—16

| Bradley | LaMarca | Perry | | |
| Gleason | McCue | Ranaport | | |
| Gring | McGraw | Renninger | | |
| Hammock | Miller, M. E. | Richardson | | |

I think that this bill should be voted down. It should go to a conference committee and I think that the provision for the bowling tax exemption should be taken out. I spoke to people from the Bowling Alleys Association and they have no intention of lowering their cost of bowling per game. It will still be the same. The bowling alley in my hometown pays close to $23,000 a year in amusement tax.

The SPEAKER. Will the gentleman yield?

It should be apparent to the membership of the House that there is some sort of malfunction in the loudspeaker system. It is very difficult to hear distinctly what the members are saying and that difficulty is only compounded by the conversation on the floor. The Chair would ask the membership, in view of the fact that the microphones are malfunctioning, that you please refrain from conversing with your neighbor while the debate is proceeding. The Chair would ask the cooperation of the membership in this regard.

The gentleman may proceed.

Mr. GARZIA. Once again, if this becomes law, it will be the little persons, the little homeowners, in the boroughs and townships who will have to pick up the $23,000 in their own borough to make up for what the bowling alleys, in extra profits, makes a year. I hope that the membership will concur in the amendments so that we can send it to a conference committee and take that amendment out. Thank you.

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Thank you, Mr. Speaker.

Let me say that this is taxpayers' legislation. So often up here we pass legislation which hogs people money. I am saying that this will save people money. It benefits the senior citizens, who will no longer have to include their social security or pension benefits if there is an exemption from per capita occupation or occupational privilege taxes.

In addition, housewives will no longer have to pay an occupation tax. The Act 511 tax collector will have to file reports quarterly which will give the taxpayers a better break on their tax collections. For instance, in Penn Hills last year, our tax collector turned in $2,3 million in wage tax collections. It was in a lump sum with no breakdown of current, delinquent, interest, or penalty collections.

This will also give families a break; that is, families who like to bowl, families with three, four or five children who no longer will have to pay the tax.

Now there are those in this House who say that they are not going to remove the tax if it is eliminated; that the cost of bowling will not go down. Perhaps that is true, but maybe it will not go up because they do not have the tax on there.

It has been 200 years since we had a revolt over taxation. In 1776 let us celebrate this anniversary, this bicentennial, by giving the taxpayers a break.

Thank you.

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

Mr. MISCEVICH. Mr. Speaker, I rise to oppose this bill on the grounds that a 2-mill increase would have to be added to the taxes of people such as the senior citizens and to people on fixed incomes.

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

On the question recurring, will the House concur in the amendments made by the Senate?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House do concur in amendments inserted by the Senate to House bill No. 1932, printer's No. 3628.

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

Mr. GARZIA. Mr. Speaker, I hope my colleagues would not concur in amendments to House bill No. 1932. This is the bill, as most of you know, which has the bowling alley tax.

I know in my district alone, in my own borough, that if this becomes law, the tax will go up 2 mills. That is just in my own municipality. That is without the other municipalities in my district.

On the question recurring, will the House concur in amendments by the Senate?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House do concur in amendments inserted by the Senate to House bill No. 1932. This is the bill, as most of you know, which has the bowling alley tax.

I know in my district alone, in my own borough, that if this becomes law, the tax will go up 2 mills. That is just in my own municipality. That is without the other municipalities in my district.
Some of that bill has merit, and I think it should be reintroduced next year, but I am asking everybody in here to try and help the senior citizens. If you are really for the tax break for the senior citizens and the fixed-income people, you will knock this bill down because it will increase their millage by 2 mills.

Now I do not know who could better afford to pay this a lot easier, the bowler or a senior citizen or a person on a fixed income, so I am asking everybody in this House to vote this bill down, and the parts of the bill that have merit I would like to see reintroduced next year.

Thank you.

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

Mr. THOMAS. Thank you, Mr. Speaker.

I feel this is a most important piece of legislation we are discussing here today. I like to keep a real open mind on this particular measure because it is tax reform. We have been dealing with this particular subject for longer than I have served this body, and I am now finishing my 8th year. I feel this is really piecemeal legislation toward approaching the whole problem.

I can agree with Mrs. Kernick on part of her remarks. I can particularly agree with her that it is taxpayers legislation. But I would like to ask her: For all of those taxpayers whom she purports to aid in this particular legislation, what is she doing to the remaining taxpayers for the deficits created in the individual districts?

Then I would like to further ask: Is there a fiscal note attached to this bill for the deficits that are created in all of the districts across the Commonwealth which are now using this tax which will not be taxed if we pass this bill.

The SPEAKER. Does the lady, Mrs. Kernick, desire to respond to interrogation?

Mrs. KERNICK. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Thomas, pose his questions directly to the lady?

Mr. THOMAS. What is the fiscal impact of the bill as it relates to loss in revenue to each of the districts should we delete the taxes that are spoken to in this bill?

Mrs. KERNICK. If the tax is not on, there is not any. But I think this is a bill that is to be voted on for concurrence in Senate amendments and that we in the House do not have to concern ourselves with a fiscal note.

Mr. THOMAS. I did not clearly understand the lady because of the confusion.

Mrs. KERNICK. Are you asking me whether or not it needs a fiscal note?

Mr. THOMAS. That is right, I am.

Mrs. KERNICK. Well, I am suggesting to you that it is my understanding that because it came back from the Senate as amended, we do not need a fiscal note in the House.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Well, then I raise a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Is it a matter of fact that this body can enact legislation which the Senate sends to us, that will drastically affect revenue collections of individual municipalities or taxing districts throughout the Commonwealth, without a fiscal note?

The SPEAKER. The rules of the House are quite clear. The Chair would refer to the rules.

The pertinent portion of rule 19(a) reads as follows:

No bill, except a General Appropriation bill or any amendments thereto, which may require an expenditure of Commonwealth funds or funds of any political subdivision or which may entail a loss of revenues shall be reported from committee until the committee chairman has requested a fiscal note from the Appropriations Committee, and the fiscal note has been attached thereto which shall be provided by the Appropriations Committee and no bill as reported shall be given second consideration reading on the calendar until it has first been referred to the Appropriations Committee.

The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Mr. Speaker, this is a bill on concurrence in Senate amendments. Therefore, I do not think it requires a fiscal note.

The SPEAKER. In response to the inquiry that has been posed to the desk, the Chair would advise the membership that the matter solely before the House for determination is the matter of concurrence or nonconcurrence in Senate amendments to a House bill, and in accordance with the rules of the House, there is no way that this bill can now be recommitted for the purpose of obtaining a fiscal note.

The question recurs, Will the House concur in the amendments inserted by the Senate?

On that point, the Chair recognizes the gentleman from Snyder, Mr. Thomas.

Mr. THOMAS. Mr. Speaker, I do not think we have the proper rule in this House to take care of this particular matter.

I have one big problem with this bill. I have no problem at all with abolishing the parts of the occupation assessment tax that are called for in the bill.

Mr. Speaker, I have no problem with the intent of the lady, Mrs. Kernick, as to what she wants to do with this particular bill, but I have a big problem since my whole legislative area employs this method of taxation. Both Snyder County and Union County and their school districts, et cetera, use this particular form of revenue collection.

Now there are hundreds of taxing bodies across this Commonwealth—and each of you should know whether you are affected or not—that are going to be losing revenue if this bill passes here today. There are literally dozens, perhaps hundreds again, of school districts that have just had to levy increased taxes at the local level to meet the particular financial struggles of the day. Now it seems folly to me that we here in this body would invoke such a measure upon the people of the local districts.

Furthermore, we have a Finance Committee which has dealt with this problem of tax reform and abolition of the occupation assessment and privilege and millage taxes. We have a Local Government Committee which has done the same thing. Only a couple of months ago—I do not have the exact date here—there was a joint public hearing between the Finance Committee and the Local Government Committee encompassing 46 members of this
body and various government agencies as well as other persons who wished to testify to this particular subject, and I had representatives of my own area—from our two county commissioners' organizations in my legislative area—present to witness the proceedings of that day because of the grave concern in my legislative area. We do not have a tax base in my legislative area to just throw something away and go out and pick it up somewhere else. The assessed valuation is not there. The assessed valuation in not lost by the enactment of this particular legislation.

I would urge all of you to give this some serious consideration. Vote "no" on this bill today and let us take up the matter again in the next session of the General Assembly where we left off this year and benefit from all the testimony that is on record from the public hearings that were taken not only in this particular year but in past years in working with the Local Government Commission, the arm of this particular body, as well as the committees of this body and do the job right.

Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I, too, would like to say ditto to what Mr. Thomas has said but add the fact that presently these Committees on Local Government and Finance are considering—and I understand and I think that Mr. Ritter had brought this out earlier in the year—a whole new form of taxation that they are talking about, and which I believe is most necessary, for example, property tax versus income and so forth.

I would like to mention that when the theater tax, as I am sure Mr. Fryer will deal with, was brought out years ago, no one received a reduction in entrance fee to a theater, and I am sure no one is going to be charged any less a fee for bowling. The profits are going to go in the pockets of those people who are running the show. So, actually, the taxpayers are going to have to pick up the difference, the loss, in their particular communities.

Now we are talking about allowing our local governments to run the show, elected by local people; in other words, let our local government run the show. This is really, in effect, not our problem here, if they have opposed the tax, that is their problem. It is their problem to set up their procedures of what they need in taxes. If we are going to tax it away, then we had better have something to replace it.

To give you an example, Mr. Speaker, we went into Act 319 in the land use. What has happened? We have given them nothing to replace it. One district alone in my county, out of a $560,000-a-year revenue in the school tax and land assessment, has lost $300,000 because of Act 319. The school district is hurting. I am sure Mr. Gallagher can tell you the same as to in his area. Many areas are hurt because of our here taking action in something that we have allowed to happen and not replace, and that same thing is going to happen with the bowling alleys, and next you are going to have every other organization coming into the picture. It is only a foot in the door.

I say what we should do is vote this down and let these committees come in with something that is going to work. A cross section, a taxation problem has got to be faced by the entire House next session.

Thank you.

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

Mr. WESTERBERG. Thank you, Mr. Speaker.

I have been hearing for several years about a complete tax package that was going to be presented and passed in this House at some date, but I have been hearing this for several years. I think today we do have a chance to correct some bad legislation or to make corrections in tax procedures here today.

If we only passed legislation that was good for 100 percent of the people every time, there would be very few bills passed in this House. It is true that while somebody may be hurt a little bit, maybe somebody else may benefit. But I think we have to weigh those things, and I think in this particular bill there are many more advantages to it than there are disadvantages.

For that reason, I am asking every member of the House to follow the majority leader's advice and Mrs. Kornick's advice and vote for concurrence in this bill.

Thank you, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, I would ask the members of the House to carefully consider this bill and then vote "no," and I say "no" for several reasons: One, there is no member of this House here who can tell what the loss of revenue will be for our local governments. Mention has been made that this is for the taxpayers, it is a bill for the taxpayers. Well, you pass this and the only thing it tells me is that Christmas has come early to the House of Representatives, because that is what it is.

It is irresponsible. It does not meet the needs of the day, because when you take a source of revenue away from local government, then you should have the courage or what is more commonly known as guts to give the opportunity for additional revenue, because the costs of government do not go down merely by taking a tax away. We are all familiar with what happens. A shift takes place. Now in this case we have a certain group who would advocate that the bowlers should not have to pay this tax. All right, do you want to shift it onto the other taxpayers, let us say our elderly taxpayers, people in the low-income groups? I say not. I think you should give local government that flexibility which they have under the law, and I think if you carefully review this, you will vote "no."

I would further say to the critics who have said that they have heard talk of tax reform in the House for many years, I would agree. I believe that many of us are frustrated and we are frustrated because there is no easy answer. We hope to develop a partial answer next year. But I say this to anyone who has those answers: Please come forth. We are looking for you and we have been looking for you for a long time, but in the meantime vote "no."

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I would urge the members to vote "no" on this bill. This bill looks as if it is a good bill for the taxpayers, but I would like you
to pay attention. Some of this has been said by some of
the other speakers.
This loss of revenue will have to be made up some-
where, and, frankly, under the presently existing tax
structure in this Commonwealth, as far as the financing
of local government and the local schools are concerned,
there is only one place that it can be made up, and that
is with the local property tax.
Now I would like to point out something that startled
me when reading over the past summer. There is a book
which is used in some places as a college textbook called
"The Politics of Taxing and Spending." That book shows
certain statistics with respect to the regressive nature of
taxes, and the most regressive tax, the tax that hits the
people with the least income the most, is the property
tax. That only makes good common sense because, if you
think about it, those people, whether they own or rent,
are required to pay a much greater proportion of their
income for shelter than those with the higher incomes.
Now if you want to help the people with higher in-
comes, vote for this bill. If you want to help the people
in a county like mine where the median income is $6,000,
vote against it. If you want to help the people who have
not saved during their lifetime to buy a home, if you want
to help the ones who have not saved and produced and
purchased a home, then you should vote for this bill.
But if you want to help those people who form the back-
bone of our society—the homeowner group—then you
should vote against this bill.
Let me say one other thing that I think is absolutely
furious. It is said that this bill will take the occupation
tax away from the housewife, among other things, as it
stands. Now let me tell you what it really does. It
means that the family where the lady works in the fact-
ory because she and her husband both have to work to
make ends meet is going to pay two occupation taxes,
double what the family who can afford to let the wife sit
at home has to pay. The doctor's wife, the lawyer's wife,
the professional man's wife will not be paying, but the
woman who has to go out and work—and in my county
that represents a large part of the people—will be paying
because these revenues will have to be obtained some-
where.
I am frankly shocked that something such as this with
the regressive nature of the property tax could be seriously
considered at this time by this House. Yes, we need re-
form of taxes at the local government level, but we do
not need to add more to the property tax.
Thank you very much.
The SPEAKER. The Chair recognizes the gentleman
from Allegheny, Mr. O'Keefe.
Mr. O'KEEFE. Mr. Speaker, I take great exception
with people who claim this to be a consumer type of bill.
I find it not to be that. The bowling tax in my one school
district would lose $60,000. That is 2 mills in a school
district.
We received a great deal of form letters from bowling
people. I happened to call up a couple of the people who
live in the district. If their house is assessed at $5,000,
it means they are going to be paying $10 more in taxes.
They did not understand that. A lot of people do not
understand that.
Local government is having a tough time right now.
We should defeat this bill, and then next session, possibly,
revise the tax structure for local government under Act
511, but it is not the time to do it now with the dead
legislatures.
Thank you.
The SPEAKER. The Chair recognizes the gentleman
from Mifflin, Mr. DeVerter.
Mr. DeVERTER. Thank you, Mr. Speaker.
Mr. Speaker, coming from a district that has a school
district that recently enacted the occupational assess-
ment tax, I can assure you that it is a very unpopular
tax. It is inequitable. It cannot be justified in any
sense of the word.
Had the school district not placed this tax on the people,
it would have translated into a 20-mill tax on property.
In that regard, many of the people would have got off a
lot better than had they been assessed an occupational
tax. However, neither of those are becoming acceptable
anymore to the tax-paying public, and I guess what I am
really saying is that next to taxes, period, the people are
becoming fed up with those that are completely inequi-
table and cannot be justified in any manner, shape or
form.
Now I have heard it said many times on the floor to-
day, and I trust Mr. Fryer will be as good as his word in
attacking the problem, but it is also as Mr. Thomas has
pointed out, we have, over the past few years, attempted
to reform this area with no assistance whatsoever in the
way of the majority helping us get a bill through this
legislature. Now until such time that we sit down and
truly work towards an equitable tax package for local
government, we are going to continue to have these kinds
of dialogues and debates on this floor, and we will have
resolved nothing.
I urge a negative vote on the concurrence in the Senate
amendments so that we can get down to the real meat of
this problem and resolve it in the coming session.
Thank you, Mr. Speaker.
The SPEAKER. The Chair recognizes the lady from
Allegheny, Mrs. Kernick.
Mrs. KERNICK. Thank you, Mr. Speaker.
I think it has been about 10 or 12 years that I have
heard stories that we are going to have tax reform; that
we put a state income tax in and we are going to abolish
all the nuisance taxes. Well, we have not abolished any
nuisance taxes. And I would like to say that it is no
fairer for the bowlers to subsidize public recreation than
it is for the public to subsidize the bowlers.
This legislature gives much money, millions of dollars,
to local government to buy land and develop it for recre-
tional purposes and the taxpayers pay for it, including
the bowlers who are charged an admission tax. I ask you
to support this bill and vote "yes" for concurrence.
Thank you.
The SPEAKER. The Chair recognizes the gentleman
from Allegheny, Mr. Itkin.
Mr. ITKIN. Mr. Speaker, listening to the comments
made on the floor of the House today, one would assume
that the entire structure of municipal government financ-
ing is reformed by the bowlers of Pennsylvania through
this tax assessment. I do not accept that; I do not be-
lieve it and I do not think anyone of us here today be-
lieves it.
If it is that in certain classes of municipalities this tax
has been opposed on this particular type of sport, it is
because the local governing body chose to use this vehicle in place of something else—perhaps a mercantile tax, perhaps a business privilege tax, perhaps some other type of Act 511 tax. Perhaps they chose to use this tax because in their community there might only be one or two or three bowling alley establishments and it was something that could be accomplished with the least amount of political resistance.

I wonder if this type of use tax were applied like our sales tax is applied, nonuniformly, as this particular tax is now being applied, how the people of the Commonwealth would react to it. For example, let us suppose we decided that we were not going to pay a subsidy to education that we were just going to give the 6-percent sales tax authorization to the local communities, to the local school districts and let them raise those school taxes themselves with this type of authority. Can you imagine what would be created? You would have one district imposing a 6-percent sales tax and another district imposing no sales tax whatsoever. Can you imagine what that effect would be on the businesses of one community relative to another? It is for this very reason that the provision in this bill calling for an exemption of the tax has been promoted. It is principally due to the fact that one community will impose the tax on a bowling establishment in its community and another bowling establishment located a mile down the road would not have that tax imposed. In so doing, what you would do is produce an inequity in the manner of taxation upon the same class of business establishments. It does not seem to me in the best interest of the Commonwealth that we should allow this inequity to continue. If we do, I am convinced that there are other modes within Act 511 to provide a more uniform assessment of the municipal services in a given community.

The argument that this particular exemption is going to cause a 2-cent increase in the property tax in my community is not totally correct. It is only one avenue of many that can be pursued. The question is whether this particular avenue to tax bowlers in order to provide essential municipal services to all members of the community, I think, is an unfair burden placed upon this particular class of user.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Milanovich.

Mr. MILANOVICH. Mr. Speaker, I rise in opposition to this legislation. Like many of our members, I, too, received numerous letters. The letters that I received were about 99 percent form letters signed by bowlers who attended a particular evening. I found that a number of people—and I visited a lot of bowling alleys as I do throughout the year—had no idea what they were signing.

Our local governments are the ones that are going to be hurt the most, the municipalities. Our school districts are being raised millage like wildfire. Our municipalities have been struggling to hold the line. We must give them our support.

The form letters in one instance that I checked on were assed around by suppliers of bowling supplies to the individual bowling alleys. They have a particular vested interest here. I urge all of the members to vote against this bill.

Thank you.

MOTION TO TABLE

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

Mr. GARZIA. May I make a motion to table the bill?

Mr. Speaker, I move that House bill No. 1932, which is before the House on the matter of concurrence in Senate amendments, be placed upon the table.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick. For what purpose does the lady rise?

Mrs. KERNICK. I rise to a parliamentary inquiry.

The SPEAKER. The lady will state it.

Mrs. KERNICK. I do not recall if this has come up before. But can we table a bill which is on concurrence in Senate amendments?

The SPEAKER. I think the motion is properly in order.

Mrs. KERNICK. I urge my fellow Representatives to vote "no" on the motion to table.

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

The yeas and nays were required by Mr. GARZIA and Mrs. KERNICK and were as follows:

YEAS—66

Abraham
Arthurs
Bendoni
Bradley
Chin
Cohen
Davies
DeWeese
Dicarlo
Dietz
Duffy
Dreibelbis
Dripps
Fried
Fryer
Gallien

Garzia
Gillepsie
Gilette
Goodman
Greenfield
Halverson
Hamilton, J. H.
Hannock
Haskell
Hayes, D. S.
Hayes, E. L.
Hopford
Hopkins
Hopkins, A.
Hopkins, W.

Laughlin
Letterman
Levi
Lincoln
Mandorino
McLane
Menhorn
Mischewich
Mooheim
Morris
Mullen
Novek
O'Donnell
O'Keefe
Perr
Perri

Peterson
Pitts
Pyle
Salcom
Sennett
Smith, L.
Spencer
Stapleton
Treblo
Turner
Ustynski
Valerenti
Zerfoos
Zeller

NAYS—122

Anderson, J. H.
Barber
Beilomini
Bennett
Berlin
Birke
Brandt
Brunner
Bum
Butera
DiCapo
Cinader
Clanciulli
Clancy
Crawford
Cumberland
DeMedio
DiPietro
Dini
Dombrowski
Dorn
Dugan
Engelhart
Foxworth
Frye
Fisher
Flaherty
Foster, A.
Foster, W.
Gallagher
Gemcy
Getler
Giammarco
Gleeson
Green
Haas
Hill
Irvis
Izick
Johnson, J.
Kelly, A. P.
Kelly, J. H.
Kenn
Kenn
Kistler
Knightman
Knappper
Kolber
Kowalzyk
Kusse
LaRid
Lederer
Lehr
Logue
Lynch
Mannuller
McColl
McGuinn
McIntyre
McKnight

Mebus
Miller
Milkiron
Mkomic
Muller, M. P.
Myers
Nave
O'Brien
O'Connell
O'Leary
Panace
Parker, H. S.
Perrey
Pieovsky
Poli
Pratt
Prendergast
Ravenstahl
Reed
Renwick
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Selzer
Shehama
Shelton
Shipman
Shumway
Smith, E.
Stahl
Stout
Taddeo
Taylor
Vroman
Wagner
Weber
Weber
Weller
Whalin
Wiggins
Williams
Wilson
Witt, B. W.
Witt, W. W.
Worlton
Wright
Yahnner
Yost
Zord
Zwif

FINIS.
The motion was not

6256

time will move to have the rules of the House suspended? The SPEAKER. The gentleman's remarks will be noted

request to the majority leader, who at the appropriate
time will move to have the rules of the House suspended?
Mr. ARTHURS. Thank you.

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:

YES—111


NAYS—75


NOT VOTING—17

Giese, Charles C. C. Gling, John C. C. Hammock, Peter C. C. Lachman, Charles C. C. McCue, John C. C.

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

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. LETTERMAN. On the vote on House bill No. 1932, I would like to be recorded in the affirmative.

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

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 2359

Mr. IRVIS called up for concurrence in Senate amendments, from page 3 of today's calendar, House bill No. 2359, printer's No. 3719.

SENIOR MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 2359

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

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

Amendment Section 2, page 5, line 13, by striking out after “alternative” all the remainder of said line; line 13, by striking out all of said line; line 14, by striking out at the beginning of the line “Representatives” and inserting “Representatives” and inserting “when authorized by concurrent resolution of the General Assembly”;

Amendment Bill, page 7, by inserting after line 1 the following:

Section 4. Notwithstanding the provisions of 1 Pa.C.S., § 1107 (relating to distribution of statutes), the members of the General Assembly shall be entitled to the same numbers of copies of the volumes of the laws of Pennsylvania as now provided by law until a change is made or authorized by concurrent resolution of the General Assembly.

Amendment Bill, page 7, line 8, by striking out after “Section” the number “4,” and inserting “3,”

Amendment Bill, page 7, line 9, by striking out after “Section” the number “5,” and inserting “6,”

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 concur, or nonconcurring in the amendments inserted by the Senate to House bill No. 2359, I ask that the vote be taken 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—2

NAYS—186

Abraham  Fryer  Lynch  Ryan
Anderson, J. H.  Gallagher  Mandarino  Salamon
Arthurs  Galien  Mannheimer  Salvatore
Bellomini  Garcia  Mclnnes  Schepker
Bennett  Geesey  McClatchy  Schmitt
Beren  Geier  McGiannis  Schwerder
Bertrn  Geier  McKiintyre  Scircia
Berson  Giannarco  Mclean  Selzer
Bittle  Gillette  Mehus  Shelhamer
Bonetto  Gillette  Meshorn  Shelton
Bradley  Gleason  Milamovich  Smith, E.
Brandt  Goodman  Miller, M. E., Jr.  Siriani
Bruner  Green  Miller, M. E., Jr.  Siriani
Burns  Greenfield  Miller  Smith, L.
Butera  Grillo  Misovich  Spencer
Caputo  Hlavac  Novak  Stapleton
Casse  Ciaiucuelli  Hammock  Stahl
Cresci  M. E.  Miller  Staton
Crimi  Hunsicker  Mullin  Stout
Cohen  Hunsicker  Mullin, M. P.  Taylor
Coles  Hayes, D. S.  Musto  Thomas
Cowell  Hayes, S. E.  Myres  Tolle
Crawford  Hopford  Novak  Trello
Cumberland  Hill  Noyes  Turner
Darvis  Hopkins  O'Brien  Vaillancourt
DeMedio  Hutcshinson, A.  O'Connell  Vaillancourt
Deverter  Hutcshinson, W.  O'Donnell  Varnum
DeWeese  Irvis  O'Keefe  Wagner
Discepoli  Itkin  Olber  Wargo
DiDonato  Johnson, J.  Pancost  Weidner
Dresdner  Kelly, A. P.  Parker, H. S.  Weniger
Drombowski  Kelly, J. B.  Bergh  Weniger
Droge  Kiefer  Petry  Whelan
Driscoll  Knapp  Polite  Williams
Dumas  Kinneman  Pits  Wilson
Dreibelbis  Kowalshyn  Pyles  Wilkins
Engelhart  Kushe  Prendergast  Wroblewski
Fawcett  LaRatta  Rapaport  Wright
Fray  Lahm  Ravestal  Yahnke
Fischer  Leder  Reed  Zeller
Fisher  Letterman  Pizer  Zwindler
Foster, A.  Levit  Bitter  Zwindler
Foster, W.  Lincoln  Koss  Fienerman
Freind  Logue  Ruggiero  Speaker

NOT VOTING—15

Barber  McCue  Rhodes  Walsh, T. P.
Cleason  McGraw  Richardson  Waldak
Ging  Perri  Shone  Yohn
LeMarca  Rentlinger  Utzvogel

Less than the majority required by the constitution saving 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.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 2406

Mr. IRVIS called up for concurrence in Senate amendments, from page 3 of today's calendar, House bill No. 406, printer's No. 3805.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned

HOUSE BILL No. 2406


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

Amend Section 1, page 2, line 2, by striking out at the beginning of the line "department" and inserting "Environmental Quality Board"

On the question,

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

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 2406.

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  Fryer  Gallagher  Mannheimer  Schaefer
Anderson, J. H.  Gallagher  McCall  Schmitt
Arthurs  Galien  McClatchy  Schwerder
Bellomini  Geesey  McGiannis  Scircia
Bennett  Geier  McKiintyre  Selzer
Beren  Geier  Mclean  Selzer
Bertrn  Geier  McKiintyre  Scircia
Berson  Giannarco  Mclean  Selzer
Bittle  Gillette  Mehus  Shelhamer
Bonetto  Gillette  Meshorn  Shelton
Bradley  Gleason  Milamovich  Smith, E.
Brandt  Goodman  Miller, M. E., Jr.  Siriani
Bruner  Green  Miller, M. E., Jr.  Siriani
Burns  Greenfield  Miller  Smith, L.
Butera  Grillo  Misovich  Spencer
Caputo  Hlavac  Novak  Stapleton
Casse  Ciaiucuelli  Hammock  Stahl
Cresci  M. E.  Miller  Staton
Crimi  Hunsicker  Mullin  Stout
Cohen  Hunsicker  Mullin, M. P.  Taylor
Coles  Hayes, D. S.  Musto  Thomas
Cowell  Hayes, S. E.  Myres  Tolle
Crawford  Hopford  Novak  Trello
Cumberland  Hill  Noyes  Turner
Darvis  Hopkins  O'Brien  Vaillancourt
DeMedio  Hutcshinson, A.  O'Connell  Vaillancourt
Deverter  Hutcshinson, W.  O'Donnell  Varnum
DeWeese  Irvis  O'Keefe  Wagner
Discepoli  Itkin  Olber  Wargo
DiDonato  Johnson, J.  Pancost  Weidner
Dresdner  Kelly, A. P.  Parker, H. S.  Weniger
Drombowski  Kelly, J. B.  Bergh  Weniger
Droge  Kiefer  Petry  Whelan
Driscoll  Knapp  Polite  Williams
Dumas  Kinneman  Pits  Wilson
Dreibelbis  Kowalshyn  Pyles  Wilkins
Engelhart  Kushe  Prendergast  Wroblewski
Fawcett  LaRatta  Rapaport  Wright
Fray  Lahm  Ravestal  Yahnke
Fischer  Leder  Reed  Zeller
Fisher  Letterman  Pizer  Zwindler
Foster, A.  Levit  Bitter  Zwindler
Foster, W.  Lincoln  Koss  Fienerman
Freind  Logue  Ruggiero  Speaker

NOT VOTING—15

Barber  McCue  Rhodes  Walsh, T. P.
Cleason  McGraw  Richardson  Waldak
Ging  Perri  Shone  Yohn
LeMarca  Rentlinger  Utzvogel

NAYS—3

Irkin  O'Donnell  Rapaport

NOT VOTING—12

Cleason  LaMarca  Rentlinger  Shane
Ging  McGraw  Richardson  Walsh, T. P.
Hannock  McCue  Rhodes  Waldak
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.

HOUSE BILL No. 1833 CALLED UP

The SPEAKER. Does the majority leader desire to proceed with House bill No. 1833?

Mr. IRVIS. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, House bill No. 1833, printer's No. 3801, the capital budget bill, contains a number of very important capital projects, especially those projects in the various colleges across this Commonwealth.

The bill as amended was reported from the Appropriations Committee today. There are two amendments. On page 10, following line 27, an appropriation of $1,215,000 has been added for Indiantown Gap Air National Guard Armory. That is at the request of the military. There is now a helicopter landing pad there. That is for the elevation of the buildings to house the members of the National Guard who will be operating from that helicopter pad.

On page 12, following line 21, line 22, item 15 has been deleted. This item was for a boiler plant at Hollidaysburg State Hospital. It was deleted because there is a series of bills handling the peculiar problems at Hollidaysburg State Hospital.

There are no other changes in this printer's number. There have been no additions. We have been asked whether or not the Pocono project had been added back in. That is not so. There have been no additions. The only changes are those two which I have read to you.

RULES SUSPENDED

Mr. IRVIS. Now, because it will take 3 hours for the printer to reprint this bill and because of those two minor changes which I have now explained, I am moving, Mr. Speaker, to waive the rules of the House which require that the bill be in print before it is acted upon so that we may act upon House bill No. 1833 today. I so move, Mr. Speaker.

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

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

Mr. Zeller. Mr. Speaker, I would like to interrogate the floor leader.

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

Mr. IRVIS. Certainly.

The SPEAKER. The gentleman may proceed.

Mr. ZELLER. Mr. Speaker, what is the total cost of this turkey?

Mr. IRVIS. I am informed that the cost is $128 million plus.

Mr. ZELLER. Thank you.

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

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

YEAS—181

Abraham   Galen       Manderino       Ryan
Anderson, J. B. Garzia       Mauk       Saloom
Ayersea  Gessey       McGall     Scepano
Barber     Gelster      McClatchey  Scheffer
Bellomini George       McGinnis     Schmitt
Benn       Glammarco   McIntyre     Schneider
Beris      Gillespie    McLane      Scirica
Beris      Gillette      Mehany     Selzer
Bettie     Gleeson       Menhorn     Shaefer
Bonetto    Goodman      Milanovich  Shelhamer
Bradley    Green        Miller, M. E. Toomey
Brewster   Greco        Miller, M. E., Jr. Trump
Brunner    Halverson    Milliron     Shupnik
Burns      Hamilton, J. H. Mitchell    Smith, E.
Butler     Hasay        Morris       Smith, L.
Cassar     Raskell      Mrosek       Spenser
Cencinelll Hayes, D.      Mullen       Stapleton
Cimini     Hayes, S. R.  Mullen, M. P. Stout
Cohen      Henford      Musto        Taylor
Cole       Hill         Myers       Thomas
Cowell     Hopkins      Novak       Tresse
Crawford   Hutchinson, A. O'Brien      Turner
Cumberland Hutchinson, W.   O'Connor    Valicenti
Davies     Irvis        O'Keefe     Vreeland
DeMedico   Ithken       Panaceit    Vroom
DeWeese    Katz         Pancoast    Wagner
Dicoirio   Kelly, A. P.  Parker, H. S. Wansle
Dincus     Kelly, J. P.  Perry       Warnack
Dietz      Kernick      Perry       Weidner
Dinizel    Kistler      Petrasen    Westberg
Dombrowski Kingaman     Pfeiffer      Wheelan
Doyle      Knepper      Pitts        Wiggins
Dreidelius Knott        Pluhle       Will, E. W.
Duwe       Kolter       Pratt         Will, W. T.
Dunnam     Kowalewsky   Pratte       Wojdak
Eckensberger Kusie       Prendergast Wojdak
Englhardt  LaRue       Pyke        Worrell
Erevs      Lauther      Rappaport  Wright
Fischer    Leader       Ravenstein  Yahn
Fisher     Lehr         Reed        Yoxa
Fisherty   Letterman   Rieger       Zwick
Forster, W. Levi         Ritter       Fineman
Fryer      Lincoln      Rose        Speaker
Gallagher  Lynch       Rustler       Zoller

NAYS—6

Dorr       Wilson      Zeller
Forster, A. Zerfoss      Zord

NOT VOTING—18

Bennett    Hammock      O'Donnell    Stahl
Buechert   LaRue       Blonner      Unczynski
Ciaocco    McCune      Rhodes       Walsh, T. P.
Gring      McGaw        Richardson  Williams

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

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order, the House proceeded to third consideration of House bill No. 1833, printer's No. 3801, entitled:

A Supplement to the act of entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing public improvement projects to be acquired or constructed by the Department of General Services, together with their estimated financial cost; authorizing the incurring of debt, without the approval of the electors, for the purpose of financing the project stating the estimated useful life of the projects and making an appropriation.

On the question, Will the House agree to the bill on third consideration
The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there are amendments to be offered to this bill by the gentleman, Mr. Hayes. His amendments were drafted to the wrong printer’s number; and, of course, it was obvious that he could not know the printer’s number before it was announced. With the Chair’s permission, we would entertain those amendments. They must be to the correct printer’s number. Then I will yield the floor to the gentleman, Mr. Hayes, because it is really his argument.

The SPEAKER. The difficulty with the amendments is that while we can easily enough change the printer’s number on top of the sheet of the gentleman’s amendments, the amendments themselves may not fit into the right lines now.

The Chair recognizes the gentleman from Erie, Mr. D. S. Hayes.

Mr. D. S. HAYES. That might be true, but when the reference bureau drafted this they did not know what printer’s number you would have on this, so how would you draft an amendment to something that you do not know the printer’s number of?

The SPEAKER. Quite true, the gentleman has a dilemma. The Chair would suggest to the gentleman that if he desires to, he may make a motion that this bill go over in order or that the bill be placed upon the table.

Mr. D. S. HAYES. I do not want to inconvenience the House with that, but I do want to offer these amendments. With the Chair’s permission, I would appreciate offering these amendments.

The SPEAKER. The gentleman may proceed to offer his amendments.

Mr. D. S. HAYES. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. ZEARFOSS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. A motion to suspend the rules does not cure a problem with the constitution, as I understand it, is that correct?

The SPEAKER. That is correct.

Mr. ZEARFOSS. I would like to refer, Mr. Speaker, to Article III, section 4, of the constitution which says:

All amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill.

I just wonder if that has been cured by the affirmative action on Mr. Irvis’s motion to suspend the rules?

The SPEAKER. The Chair understands that the amendments themselves have been reproduced. The entire bill has not been reproduced, but the amendments themselves have been reproduced, and the members have been furnished with copies of the old bill. That substantially complies with the spirit of the constitutional mandate.

Mr. ZEARFOSS. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. D. S. Hayes.

Mr. D. S. HAYES. I would like to offer the first amendment.

Amend Sec. 1, page 2, by inserting between lines 18 and 19:

(11.1) Wheel Chair Campus Modifications: Edinboro State College .................... 500,000

Amend Sec. 2, page 17, line 15, by striking out “$127,842,000” and inserting: $128,342,000

Amend Sec. 5, page 18, line 4, by striking out “$127,842,000” and inserting: $128,342,000

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

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. D. S. Hayes, who offers the amendments which have been read by the clerk.

Mr. D. S. HAYES. Basically, this amendment would add $500,000 dollars for the Wheelchair Campus Modification Program at Edinboro State College.

Presently, Edinboro is the major campus in the State of Pennsylvania that works with the handicapped, particularly with the Wheelchair Program, and this money is vitally needed for this program at this time. I would appreciate your support on the amendment.

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

The yeas and nays were required by Messrs. D. S. HAYES and IRVIS and were as follows:

YEAS—87

Abraham
Anderson, J. H.
Barber
Bollom
Bittle
Burns
Burrer
Cassar
Cimino
Cowell
Cumberland
Dake
Dietz
Dinnal
Hambrook
Dorr
Peacott
Pare
Fisher, A.
Foster, W.
Geist
Grecco
Green
Haileverson
Hamilton, J. H.
Hasey
Haskell
Hayes, D. S.
Hayes, R. Z.
Hepford
Hill
Hopkins
Hutchinson, W.
Kaye
Kelly, J. B.
Kistler
Kimzynas
Knepper
Koase

Lehr
Levi
Gevzia
Gesan
Gillette
Green
Haileverson
Hamilton, J. H.
Hasey
Haskell
Hayes, D. S.
Hayes, R. Z.
Hepford
Hill
Hopkins
Hutchinson, W.
Kaye
Kelly, J. B.
Kistler
Kimzynas
Knepper
Koase

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

The gentleman understands that these amendments may be entirely incorrect but the Chair is allowing the gentleman the opportunity to go over them.

Mr. D. S. HAYES. I understand that, Mr. Speaker. That is why I will explain them in depth.

On the question recurring,

Will the House agree to the amendments?

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

Amend Sec. 1, page 1, line 20 by striking out all of said line and inserting: $128,342,000

Amend Sec. 1, page 2, line 3 by striking out “37,087,000” and inserting: $7,387,000

Amend Sec. 1, page 3, by inserting between lines 18 and 19:

Amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill.

All amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill.

I just wonder if that has been cured by the affirmative action on Mr. Irvis’s motion to suspend the rules?

The SPEAKER. The Chair understands that the amendments themselves have been reproduced. The entire bill has not been reproduced, but the amendments themselves have been reproduced, and the members have been furnished with copies of the old bill. That substantially complies with the spirit of the constitutional mandate.

Mr. ZEARFOSS. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. D. S. Hayes.

Mr. D. S. HAYES. I would like to offer the first amendment.

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Amend Sec. 1, page 2, line 3 by striking out “37,087,000” and inserting: $7,387,000

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Amend Sec. 5, page 18, line 4, by striking out “$127,842,000” and inserting: $128,342,000

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

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. D. S. Hayes, who offers the amendments which have been read by the clerk.

Mr. D. S. HAYES. Basically, this amendment would add $500,000 dollars for the Wheelchair Campus Modification Program at Edinboro State College.

Presently, Edinboro is the major campus in the State of Pennsylvania that works with the handicapped, particularly with the Wheelchair Program, and this money is vitally needed for this program at this time. I would appreciate your support on the amendment.

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

The yeas and nays were required by Messrs. D. S. HAYES and IRVIS and were as follows:

YEAS—87

Abraham
Anderson, J. H.
Barber
Bollom
Bittle
Burns
Burrer
Cassar
Cimino
Cowell
Cumberland
Dake
Dietz
Dinnal
Hambrook
Dorr
Peacott
Pare
Fisher, A.
Foster, W.
Geist
Grecco
Green
Haileverson
Hamilton, J. H.
Hasey
Haskell
Hayes, D. S.
Hayes, R. Z.
Hepford
Hill
Hopkins
Hutchinson, W.
Kaye
Kelly, J. B.
Kistler
Kimzynas
Knepper
Koase

Lehr
Levi
Gevzia
Gesan
Gillette
Green
Haileverson
Hamilton, J. H.
Hasey
Haskell
Hayes, D. S.
Hayes, R. Z.
Hepford
Hill
Hopkins
Hutchinson, W.
Kaye
Kelly, J. B.
Kistler
Kimzynas
Knepper
Koase

Sircia
Selzer
Sirtandum
Smith, E.
Smith, L.
Smith, L.
Smith, R.
Sneddell
Thomas
Trovell
Turner
Vallecetti
Vroom
Wagner
Wagner
Witt, W.
Witt, W.
Worrough
Wrigat
Yohn
Zearfoss

NAYS—99

Arthurs
Bennett
Bennett
Berson
Bonetlo

Geisler
George
Giannamarco
Gillespie
Glennon

McLane
Mianovich
Miller, M. E., Jr.
Milliton
Morris

Squirrelo
Saloam
Schmutt
Schneid
Shane

Schweider
Shane
amendments were not agreed to.

Mr. BENNETT. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. BENNETT. Mr. Speaker, I would like to be voted in the affirmative on Mr. D. S. Hayes' amendments to House bill No. 1932.

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

Mr. BENNETT. Mr. Speaker, I am quite concerned.

Mr. IRVIS. I am trying to locate it now. I am told that it is item (2) on page 15. Yes; line 3, item (2): District Office Building—Woodville, Allegheny County . . . 6,507,000

Mr. KNEPPER. Incidentally, I am quite concerned. I know that you are too, as probably all of us are in Allegheny County, about the fact that our bridges are literally falling into the rivers.

We have an office. The present district office is up in Greentree. I like to think that it is probably adequate and that that money could be better used to repair bridges or fix roads, but I am concerned about how this money will be paid. Will this be paid out of the general fund or will it come out of the highway users' taxes?

Mr. IRVIS. I am informed that bonds will be floated and that the repayment of the bonds will go from the general fund.

Mr. KNEPPER. So that this, in effect, would not be taking any money directly away from whatever allocations we might receive in Allegheny County?

Mr. IRVIS. From the highway fund? No. No, it will not.

Mr. KNEPPER. I thank you.

Mr. IRVIS. Incidentally, for the peripheral benefit of the Allegheny Countians, there was an attempt made to insert a particular bridge in Allegheny County. It is giving us a lot of trouble as an amendment and it failed as an amendment in the committee.

Mr. KNEPPER. Thank you, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, maybe the majority leader and I should have a conference for the benefit of the members because I was informed by the Budget Office that the three projects that will be built—two in Allegheny County and one in Forest County—will be paid from the motor license fund, just the opposite of what the majority leader had indicated the fund that they would be paid from.

I would suggest that we be at ease for 5 seconds or a little longer until we resolve the differences in the information that we have received.

Mr. IRVIS. I would agree. Our experts gave us one piece of information and maybe yours gave you different information.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. For the information of the members, we are going to call for a vote on this particular bill despite the fact that there is an honest disagreement of opinion between the experts on this side and the experts on the Republican side.

Note that Mr. Seltzer says that these three buildings. We were informed that that is not so. Because of this discrepancy and because of the importance of passing this bill, we are having this matter checked. And if the House passes the bill in its present form, as I trust it will, we would inform the Senate of the possible need to amend that section, if indeed it requires amendment.

We ask, however, at this time—and I believe Mr. Seltzer joins with me in this—that the House do accept this bill. It is a very important bill. We do not wish
to delay it by even 1 day. We ask that you vote in the affirmative.

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—193

Abraham Abraham Arizona A. Geesey McCall Mammiller Sallcom Salstrom Saltatore
Arthurs Barber B. Geisey McClatchy McIntyre Schmitz Schmeller
Badonmini Bennett C. George McMinns McIntyre Schenck
Berlin Berson C. Glismarco McLane McPherson McPherson
Cottile Bradley Branch Brunner Burns Butera Butler Caputo Caruso Cassin
Cimador Cumbernd Cowell D'and Caputo Dime Dime Dime Dime

NAYS—7

Andrews. J. H. Merkonie Shuman Zord
Dorr Mullin Zeller

NOT VOTING—13

Beren Bonetto. "J. DeMarco Renninger Stohl Wahl, T. P.
Jeason McCue Richardson Wojdak

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 VOT ON CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1932

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

Mr. GARZIA. Mr. Speaker, I move that the vote by which the House concurred in Senate amendments to House bill No. 1932, printer’s No. 3629, be reconsidered.

Mr. MANDERINO seconded the motion.

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

Motion was agreed to.

The SPEAKER. The clerk has read the extracts from the Journal of the Senate. The clerk has read the Senate amendments.

On the question recurring,
Will the House concur in the amendments made by the Senate?

The SPEAKER. This was on House bill No. 1932. This was the bill that had been debated extensively. The debate in favor of concurrence was headed up by the lady, Mrs. Kernick. The opponents of the bill were numerous—Mr. Garzia, et cetera.

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

Mr. GARZIA. Can we hold that over until tomorrow, Mr. Speaker?

The SPEAKER. The Chair would not be so disposed unless the House insisted, by a motion appropriately made, on passing this bill over.

MOTION TO PASS OVER HOUSE BILL No. 1932

Mr. GARZIA. Mr. Speaker, I move to pass over House bill No. 1932 until tomorrow.

The SPEAKER. The gentleman, Mr. Garzia, moves that the bill in question be passed over until tomorrow’s calendar.

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

The yeas and nays were required by Messrs. GARZIA and IRVISE and were as follows:

YEAS—40

Anderson. J. H. Glismarco McLane Seltzer Stapleton Stenger
Arthurs Gilspie Milanovich Wagner Wanlass Wargo
Badonmini Geisey Menhorn Whelan Zeller
Beren George Mebus Wargo
Berson Gillette Menhorn Wargo
Berson George Menhorn Wargo
Benson Goodman Menhorn Whelan
Bradley Gleeson McPherson Zeller
Branch Grecco Miller, M. E. Jr. Whelan
Bruntner Griflina Miltonovich Zeller
Burns Hayes, D. E. Myers Zeller
Butera Hayes, S. E. Noe Zeller
Cassar Hill Musto Zeller
Cimador Hopkins Novak Zeller
Cimador Johnson, J. O’Donnell Zeller
Cimador Kellin P.Dircover Zeller
Cimador Kelly, A. P. O’Donnell Zeller
Cimador Kelly, J. B. O’Donnell Zeller

NAVS—147

Abraham Abraham A. Geesey McCall Sallcom Salstrom Saltatore
Belomini Bennett B. Geisey McIntyre Schmitz Schmeller
Berlin Berson C. George McMinns McIntyre Schenck
Berson Berson C. Glismarco McLane McPherson McPherson
Brooke Bradley Branch Brunner Burns Butera Butler Caputo Caruso Cassin
Cimador Cumbernd Cowell Crawford Cumberland Davies DeMedio Deporter DeWeese Dielie Dilando Dietz Donal Dembrowski Doyle Drebelski Durrer Eckenberger Englehart Fawcetti Favetti Fee Fischer Fisher Fisher Fishely Foster, A. Foster, W. Freind Freind Fryer Gallagher Gallen

NAVS—7

Anderson, J. H. Merkonie Shuman Zord
Dorr Mullin Zeller

NOT VOTING—13

Beren Bonetto. "J. DeMarco Renninger Stohl Wahl, T. P.
Jeason McCue Richardson Wojdak

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

Mr. GARZIA. Mr. Speaker, I move that the vote by
The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman from 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, on the most recent vote on House bill No. 1932, I inadvertently voted against that bill and I would like to be recorded as favoring that bill.

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

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 995

The clerk of the Senate, being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate bill No. 995, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, regulating the sale, use and possession of laser guns and prescribing penalties, further defining deadly weapon and adding the offense of theft of leased property and providing for the crime of theft by government officials and employees.

And has appointed Messrs. HILL, COPPERSMITH and DWYER a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

HOUSE INSISTS ON AMENDMENTS NONCONCURRED IN BY SENATE

Mr. IRVIS moved that the House insist upon its amendments nonconcurred in by the Senate on SENATE BILL No. 995, printer's No. 2135, and that a Committee of Conference be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 995

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House Messrs. BERSON CAPUTO and GALLEN.

Ordered, That the clerk inform the Senate accordingly.

CONFERENCE REPORT TAKEN FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. IRVIS. Mr. Speaker, I move to take from the table the Conference Report on Senate bill No. 21, printer's No. 2180. I ask that the report be called for a vote.

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

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 21

Mr. IRVIS called up the following Report of the Committee of Conference on Senate bill No. 21, which was read:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 21, entitled:

"An act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; *** changing the confirmation requirements for certain gubernatorial appointments, EXEMPTING THE PRODUCTION OF AGRICULTURAL COMMODITIES IN THEIR UNMANUFACTURED STATE FROM RULES OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES,'"

respectfully submit the following bill as our report:

FRANKLIN L. KURY
HENRY C. MESSINGER

(Committee on the part of the Senate)

JAMES J. MANDERINO
NORMAN BERSON

(Committee on the part of the House of Representatives)

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined, changing the confirmation requirements for certain gubernatorial appointments."

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 207, act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," is repealed.

Section 2. The act is amended by adding a section to read:

Section 207.1. Gubernatorial Appointments.—(a) Except as hereinafter provided in this section, the Governor may appoint without obtaining the advice and consent of the Senate such public officers which he is authorized by law to appoint including, without limitation, members of independent administrative boards and commissions, members of departmental administrative bodies, boards and commissions and departmental administrative officers, and members of advisory boards and commissions.

(b) The Governor shall nominate in accordance with the provisions of the Constitution of the Commonwealth of Pennsylvania and by and with the advice and consent of two-thirds of the members elected to the Senate, appointed by the Senate, to fill a new office in the Unified Judicial System and a justice or judge to fill a vacancy in the office of justice or judge.

(c) The Governor shall nominate in accordance with the provisions of the Constitution of the Commonwealth of Pennsylvania and, by and with the advice and consent of two-thirds of the members elected to the Senate, appoint persons to fill the following positions:

1. Vacancies in the offices of Auditor General and State Treasurer and in any other elective office which he is authorized by law to fill when such law requires confirmation.

2. Those members which he is authorized to appoint to the Pennsylvania Marketing Board, the Pennsylvania Game Commission, the Pennsylvania Liquor Control Board, the Pennsylvania Public Utility Commission and the Pennsylvania Turnpike Commission.

3. The Governor shall nominate in accordance with the provisions of the Constitution of the Commonwealth of Pennsylvania and, by and with the advice and consent of a majority of the members elected to the Senate, appoint persons to fill the following positions:

(a) The Attorney General, the Secretary of Education, the Secretary of the Commonwealth, the Adjutant General, the Insurance Commissioner, the Secretary of Banking, the Secretary of Agriculture, the Secretary of Transportation, the Secretary of Health, the Commissioner of the State Police, the Secretary of Labor and Industry, the Secretary of Public Welfare, the Secretary of General Services, the Secretary of Revenue, the Secretary of Commerce, the Secretary of Community Affairs and the Secretary of Environmental Resources.

(b) Those members which he is authorized to appoint to the Board of Pardons, the Board of Probation and Parole, the State Civil Service Commission, the State Horse Racing Commission, the State Horse Racing Commission, the Board of Arbitration of Claims, the Pennsylvania Securities Commission, the Pennsylvania Industrial Development Authority, the State Council, the Board of State College, and University Directors, the Board of Trustees of Pennsylvania State University, the Board of Trustees of the University of Pittsburgh, the Board of Trustees of Temple University, the Board of Trustees of Lincoln University, the Governor's Board of Education, the Pennsylvania Crime Commission, the Pennsylvania Labor Relations Board, the Industrial Board, the Unemployment Compensation Board of Review, the Workmen's Compensation Appeals Board, the State Art Commission, the State Lottery Commission, the State Transportation Commission and the Pennsylvania Human Relations Commission.

4. Those members which he is authorized to appoint to the Delaware Valley Regional Planning Commission, the Pennsylvania Public Television Network Commission, the State Council of Civil Defense, the Farm Products Commission, the Pennsylvania Housing Finance Agency, the Board of Trustees of each State College and University, the Board of Trustees of Kenneth School for Visually Impaired, the Board of Trustees of The Albert Stevens Trade School, the State Conservation Commission, the Commonwealth of Pennsylvania Council on the Arts, the State Planning Board, the Pennsylvania Drug Abuse Council, the Environmental Quality Board and the County Board of Assistance in each county, the State Board of Public Welfare, the Boards of Trustees of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, the Board...
of Trustees of each Restoration Center, the Board of Trustees of each State General Hospital, the Board of Trustees of each State School and Hospital, the Board of Trustees of each State Hospital, the State Dental Council and Examining Board, the State Real Estate Commission, the State Registration Board for Professional Engineers, the State Boards of Examiners of Architects, Auctioneers, Nursing Home Administrators and Public Accountants, the State Boards of Barber Examiners, Chiropractic Examiners, Cosmetology, Funeral Directors, Medical Education and Licencure, Nurse Examiners, Optometrical Examiners, Osteopathic Physicians, Podiatry Examiners, Veterinary Medical Examiners, Landscape Architects and Motor Vehicle Manufacturers, Dealers and Salesmen, the Pennsylvania Board of Psychologist Examiners, the State Athletic Board, the Pennsylvania Higher Education Assistance Agency, the Pennsylvania Historical and Museum Commission, the State Tax Equalization Board, the Public School Employees' Retirement Board, the State Employees' Retirement Board, the State Employees' Retirement Board, the State Real Estate Commission.

Section 5. All provisions of this act and other acts inconsistent with this amendatory act are hereby repealed.

Section 6. This act shall take effect immediately and shall be applied as follows:

Notwithstanding the provisions of existing law requiring the Governor to fill vacancies in those positions hereinafter created for which Senate confirmation is not required by section 207.1.

On the question, Will the House adopt the Report of the Committee of Conference?

PARLIAMENTARY INQUIRY

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

Mr. RYAN. Mr. Speaker, I would like to interrogate Mr. Manderino. Prior to that, however, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, at the conclusion of my interrogation of Mr. Manderino and after the opportunity to make a few brief remarks, I am wondering if it would be appropriate to move that this conference report be referred back to the conference committee for further consideration?

The SPEAKER. A motion to refer back to committee would be in order at that time.

Mr. RYAN. Thank you, Mr. Speaker.

Would the gentleman, Mr. Manderino, consent to interrogation?

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

PARLIAMENTARY INQUIRY

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

Mr. RITTER. I rise to a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. If the gentleman does as he suggests, at the moment he then makes a motion to refer it back to the conference committee, does that preclude any of us from engaging in any further debate?

The SPEAKER. No. I do not believe that is the gentleman's intention. The Chair would not so rule in that event.

Mr. RYAN. No, it is not. It would be my intention, Mr. Speaker, that the matter be held open prior to my making a motion.

Mr. RITTER. Thank you, Mr. Speaker.
PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, would the effect of the Senate having already adopted the conference report affect the decision as to whether or not we could send it back to conference committee?

The SPEAKER. Indeed it would.

Mr. MANDERINO. They have already adopted the report.

The SPEAKER. Then the Chair would have to advise the gentleman, Mr. Ryan, that the matter is not available for return to the committee if the other chamber has already acted on that report.

Mr. RYAN. Mr. Speaker, could you refer me to a rule on that?

The SPEAKER. The committee has gone out of existence once it has reported to the floor and the chamber in question has acted upon it.

Mr. RYAN. How could that be, Mr. Speaker, when the members of the conference committee representing the House have not concluded with their business? How could the committee be partially out of existence and partially in existence?

The SPEAKER. Because the House of origination is required to act first. This is a Senate bill and that chamber has acted.

Mr. RYAN. Is the Chair advising me that the Senate committee has been discharged, the Senate conferees?

The SPEAKER. Not by a motion to that effect but that is the consequence of the action of the Senate in having adopted the conference committee report.

Mr. RYAN. Mr. Speaker, I am reminded that Senate bill No. 1 was referred back to the conference committee and I believe—I am not sure of this—that that took place at a time after the Senate had adopted it.

The SPEAKER. The Chair is not able to state whether that fact is correct or not, and neither is the gentleman, Mr. Ryan.

Mr. RYAN. Would the Chair refer to the House History?

The SPEAKER. The Chair will endeavor to find a rule that governs the situation for the gentleman.

For the benefit of the gentleman, Mr. Ryan, would not an effort on the gentleman’s part to defeat the bill by a vote in this House amount to the same end result?

Mr. RYAN. No, I do not believe it would, Mr. Speaker, for this reason: I am of the opinion that there are many members of this body, including myself, who are satisfied with the bulk of this report, and if it were amended further by the conferees that it probably would pass unanimously. If it is defeated, however, by nonconcurrence, then the good that could be accomplished by this conference committee report and its becoming law would prevail. We do not want to defeat entirely the modernization of the confirmation system but rather would ask the conferees to consider further the subject matter of majority vote versus two-thirds vote on some of the various agencies of the government?

The SPEAKER. Will the gentleman proceed with the debate on the merits pending the Speaker and Parliamentarian being able to nail down a specific rule or reference point for Mr. Ryan’s point of order?

The Chair is advised by the gentleman, Mr. Manderino, that in Senate bill No. 1 it was the Senate itself that moved to recommit the conference report to committee. In any event, the Chair will endeavor to get a specific parliamentary citation for the gentleman. He may proceed in the interim.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Manderino, advise the House as to the number of persons today under existing law who require a two-thirds confirmation vote of the Senate prior to their being appointed, under present law?

Mr. MANDERINO. I do not understand your question. Are you asking how many appointees of the Governor—

Mr. RYAN. —require a two-thirds vote?

Mr. MANDERINO. Presently it is probably 2,000 or so.

Mr. RYAN. Two thousand?

Mr. MANDERINO. I do not know the actual figures, but it is a large number.

Mr. RYAN. That is my understanding, that there are approximately today 2,000 persons requiring a two-thirds vote of the Senate prior to their appointment being effective.

Under the bill before us today, how many persons would require a two-thirds confirmation vote?

Mr. MANDERINO. Again, I do not have the exact number. I believe it is less than 200.

Mr. RYAN. Would 62 sound right?

Mr. MANDERINO. That is possible.

Mr. RYAN. New, I am not referring to a majority vote for confirmation.

Mr. MANDERINO. Two-thirds confirmation.

Mr. RYAN. I am referring to two-thirds.

Mr. MANDERINO. Yes.

Mr. RYAN. It is my understanding, Mr. Speaker, that the bill, as it has passed both chambers and prior to its going into the conference committee, eliminated some 1,500 or 1,600 persons from a two-thirds confirmation proceeding?

Mr. MANDERINO. That is correct.

The only boards and commissions now requiring a two-thirds vote are five: the Turnpike Commission, the Public Utility Commission, the Liquor Control Commission . . .

Mr. RYAN. And the Fish Commission.

Mr. MANDERINO. . . . the Fish and Game Commission.

Mr. RYAN. Right.

All right. Thank you, Mr. Speaker.

MOTION TO RECOMMITT TO CONFERENCE COMMITTEE

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, on the assumption that I have the right to move that Senate bill No. 21 be recommitted to the conferees, I am making that motion for this reason.

Mr. Speaker, there are almost 2,000 individuals who no longer will require two-thirds confirmation by the Senate if this bill is passed. However, in addition to those persons enumerated by Mr. Manderino who will still require a two-thirds confirmation vote, that is the Milk Marketing Board, the Fish Commission, the Game Commission, the Liquor Control Board, the PUC and the Turnpike Commission, it seems to me that the bill should be
further amended so that certain other persons are included within the two-thirds requirement of confirmation by the Senate. I am going to enumerate those boards or agencies that I believe should be required to have a two-thirds confirmation.

I believe, Mr. Speaker, and I am referring to page 3 of the bill, that the State Civil Service Commission should require two thirds, that the State Horse Racing Commission should require a two-thirds vote of the Senate, and I think that is for obvious reasons, as should the State Harness Racing Commission require a two-thirds vote of the Senate. I believe that the Board of Arbitration of Claims, which in effect is a quasi-judicial agency in that it can award Commonwealth money to claimants, should be looked over carefully by the Senate and require a two-thirds majority of the Senate prior to their being appointed. I believe the Pennsylvania Industrial Development Authority for the same reason, should require a two-thirds vote of the Senate prior to the approval of these people. I believe that the Environmental Hearing Board and particularly the Pennsylvania Crime Commission, two sensitive agencies, should have a close look by the Senate and require a two-thirds majority of the Senate prior to the appointment. I believe the Pennsylvania Labor Relations Board should have a two-thirds majority. I believe the Unemployment Compensation Board of Review and the Workmen’s Compensation Appeal Board should be required to have a two-thirds majority, because these again are in the nature of quasi-judicial board. I believe the State Lottery Commission, for the same reason that I believe the Harness and Flat Track Commission, should be required to undergo the scrutiny and the approval of two-thirds of the Senate. I believe the State Transportation Commission should also have a two-thirds vote.

In addition to this, Mr. Speaker, I believe the Pennsylvania Housing Finance Agency should be looked at by two-thirds of the Senate. And perhaps with two-thirds of the Senate looking over their shoulder, we will not have the problems that we had earlier this year with that agency.

There are two more. I believe that the Public School Employees Retirement Board and the State Employees Retirement Board members should be subjected to the scrutiny and to the approval of two-thirds of the membership of the Senate. These 2 boards, of course, handle billions of dollars of our money as state employees, billions of dollars of the moneys of retired teachers. I think that these groups, particularly together with the Crime Commission, Lottery, Harness, the Board of Claims, demand almost, that the Senate look at them carefully and require that two-thirds of the members of that body approve of any appointments to these sensitive agencies.

Other than that, Mr. Speaker, I agree that the changes that are set forth in Senate bill No. 21 and as shown in this conference report are acceptable. I disagree with some of them but not enough so that I would ask for noncurrence on the basis of the others.

I would ask, however, that the members consider these agencies and boards that I have just made reference to and join with me in moving affirmatively to recommit Senate bill No. 21 to the conference committee. And those conferees, if you agree with my motion, in effect are being told at that point that if they would make further amendments to Senate bill No. 21, this House would accept and approve their report with the agencies that I have just mentioned being put into the two-thirds category.

The bill with those amendments would be a major improvement, a major step forward, in the now archaic confirmation system.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the suggestion made by Mr. Ryan, I think, is not well taken. The conference committee considered whether the agencies listed by Mr. Ryan should require a two-thirds or a majority vote.

When Senate bill No. 21 left the House, every gubernatorial appointment aside from the judges, who are in the constitution, required only a majority vote. That was the manner in which the bill passed the House. None of the other appointments would take a two-thirds vote.

The House version was substantially different from the Senate version which required a two-thirds vote for almost all of the agencies that Mr. Ryan has alluded to; in fact all of them. The conference committee considered in its negotiations each one of the agencies and decided on a majority vote for those agencies which Mr. Ryan would now like to place in a two-thirds vote. I do not know what new or persuasive arguments could be presented to the conference committee to make those gentlemen change their minds. I was a member of that conference committee. I have not changed my mind.

Although we have eliminated a number of positions from a two-thirds confirmation process, those that we have eliminated, if we would take Mr. Ryan’s version of the bill, were those that were advisory in nature, those that really no one did much of an investigation of, and they really just asked the Senate from that district, Is it okay with you? and they were approved. That is the reason they were removed from the confirmation process.

It seems to me that the mandate we received from the people of Pennsylvania, who passed a constitutional amendment, can amount to their telling us to reform that process, and they were asking for a real reform.

The Attorney General of the United States of America and the Vice President, when he becomes President, does not take the kind of a vote that Mr. Ryan would want these agencies to have. I think we have in Senate bill No. 21, which the Senate has already adopted, achieved the reform that the people have asked us to make. We have achieved that reform. There are now only the commissions that are enumerated in the bill . . .

Mr. RYAN. Page 2, line 14.

Mr. MANDERINO. “... the Milk Marketing Board, the Pennsylvania Fish Commission, the Pennsylvania Game Commission, the Liquor Control Board, the Pennsylvania Public Utility Commission and the Pennsylvania Turnpike Commission.” The Senate felt that these were the most important commissions and that they should maintain their two-thirds vote.

It is a compromise to the members of the House who signed the report, compromise in that manner, but I think we have achieved substantial reform. I would oppose an motion to send it back to committee, especially since th
Senate has already adopted it, in the event that such a motion is even in order, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, what Mr. Manderino said is very true. The Senate of Pennsylvania, heretofore, probably only did give a cursory examination to the prospective appointees. And that may very well be because there were 2,000 of them, and maybe the easiest thing to do was to check with the Senator in that senatorial district that the appointee resided in. However, now that we are down to 62 or 65 people, I think the senators can look more carefully at the prospective appointees.

I do not think we are placing a huge burden on them and I think the public trust requires that they would look closely at the person appointed to handle the funds and to handle the licensing of the Harness Commission or the flat tracks or the Lottery Commission. I do not think that is an undue burden on the Senate and I think it is something that should be done. And I think recent history shows that maybe the Senate should look more carefully at some of the appointees, and perhaps the Pennsylvania Housing Finance Agency would have been more carefully looked at and we would not have had the problems that we had with 12 months ago. As I recall, last December they went into default or were about to go into default on their bonds because of the way they had conducted their business. The Unemployment Compensation Board and the Workmen's Compensation Board are quasi-judicial. There is nothing wrong with a two-thirds vote on that.

I think, Mr. Speaker, that the members of the Senate, if they are entrusted with the examination of these prospective appointees, would take that job seriously, whereas before, with 2,000 potential persons to examine, they could not. They did not have the staff and probably did not have the mind to go through these numerous people. But here with 60 or 70, they can do it and they can do it properly. I would urge that the motion to recommit to the committee be adopted.

The SPEAKER. The Chair, based on the limited research that has been done up here thus far, which the Chair will read to the gentleman, is of the belief that the motion to recommit, in light of the action by the other chamber, would not be appropriate. I refer the gentleman to Jefferson's Manual, page 266, section 550. It says, among other things: "It is in order on motion to recommit a conference report if the other body, by action on the report, have not discharged their managers . . . ."

Now the other body has acted on the report and has, therefore, implicitly discharged their committees and therefore there is no committee in existence to which this could be referred.

Now the gentleman would be free to move to place this conference report back on the table once again; the gentleman would be free to move to pass it over on the calendar in place; or the gentleman would be free, of course, to ask the membership of the House to vote in the negative on the report itself.

The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, if the purpose of my being on the floor is not to kill Senate bill No. 21 but rather to improve it, to my way of thinking, the only way that that can be accomplished is by having the conferees meet again.

Now if we fail to concur, if we vote and we nonconcur, based on what you have just said, I can only assume that the Senate conferees are already discharged and that Senate bill No. 21 cannot be considered by the conference committee.

Mr. SPEAKER. That is correct. That particular committee could not consider it, but both Houses are free to ask for the appointment of a new select committee to consider it. It may very well be that the same conferees could wind up on the new select committee.

Mr. RYAN. If my motion were to lay on the table, the practical effect of that, I assume, would be to kill the bill because there would be no reason to reappoint conferees.

The SPEAKER. That is correct, unless the Senate would be of a mind, in view of the time extended to them, to reconsider the vote by which they had adopted their conference report. And then if they adopted a motion to recommit, in the House you could take the conference report from the table and then also move to recommit it to a new conference committee.

Mr. RYAN. I do not have many options, do I?

The SPEAKER. But the Chair would have to rule that the motion to recommit to a new conference committee would not be appropriate.

Mr. RYAN. All right.

Mr. Speaker, then I am going to move that we nonconcur in this report, and I am going to reserve, if you deem it proper, the right, depending upon the outcome of the vote of the House, to move that this House—now you advise me, Mr. Speaker, if this is proper under the parliamentary rules—request of the Senate that they open their conference committee. Is there such a parliamentary move?

The SPEAKER. The Chair knows of no parliamentary procedure to effectuate the gentleman's intent.

Mr. RYAN. All right.

Well, my intent is on the record, that I do not want and I would not want the negative vote of any of our members to be construed as intending to kill the entire bill but rather ask that it be nonconcurrred in with the thought that the matter can be revived by both the House and the Senate conferees.

MOTION WITHDRAWN

The SPEAKER. The gentleman, Mr. Ryan, has withdrawn the motion to recommit and has asked for the non-adoption of the conference committee report.

Mr. RYAN. Yes, nonadoption. I am sorry, I said nonconcur.

The SPEAKER. The Chair would bring to the attention of the membership of the House that this conference committee report has been defeated one time. This is the second time on the consideration of the adoption.

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

Mr. A. C. FOSTER. Mr. Speaker, I have been in the past and am still a firm believer in the majority confirmation process. I have supported this particular concept on each occasion. But like other members of my caucus, there are a few boards and commissions on which I would like to reconsider. I believe they were all enum-
erated by Mr. Ryan, but I have just six on my list: Basi-
cally, the Horse Racing Commission, the Harness Racing
Commission, the Transportation Commission, the State
Employees' Retirement Board, the Labor Relations Board,
and the Civil Service Commission.

Now I very much dislike being put in the position of
having to vote just on concurrence or nonconcurrence
because the only effective way I have of trying to effect
the changes that I am interested in here would be to vote
on nonconcur, and I do not want to do that because I am
firmly in favor of this bill. I strongly support it. With
that in mind, I would say this: We cannot formally take
any parliamentary move which would ask the Senate to
rescind their action, but perhaps by my mere statement
here and the subsequent motion that I will make, they
will see what we want to do over here and will take the
necessary steps to effectuate this change.

MOTION TO TABLE CONFERENCE REPORT

Mr. A. C. FOSTER. That being the case, I move to lay
the Conference Committee Report on Senate bill No. 21
on the table.

The SPEAKER. The gentleman, Mr. Foster, has moved
that the Conference Committee Report on Senate bill No.
21 be placed upon the table. The Chair recognizes the
majority whip.

Mr. MANDERINO. Mr. Speaker, I rise to oppose the
motion. We are in the last days of the session. I think
that this bill has been considered adequately by the
conference committee. We have considered it in the House.
We have fully debated it. I do not think laying it on
the table is going to solve the problem that Mr. Foster
and Mr. Ryan both have.

The SPEAKER. The Chair recognizes the minority
whip.

Mr. RYAN. Mr. Speaker, I would withdraw my motion,
not that it is necessary, and support the motion of Mr.
Foster.

I would also caution that only those members in their
seats be permitted to vote on this and any subsequent
votes.

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

Mr. A. C. FOSTER. Mr. Speaker, I would just like
to make this further note for my colleagues: I have sup-
ported this measure on each occasion and what I do here
is sincerely for constructive purposes. I would urge that
we take this opportunity to make these necessary changes
in the bill.

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

The yeas and nays were required by Messrs. A. C. Fos-
ter and Ryan and were as follows:

YEAS—80

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<tr>
<th>Anderson, J. H.</th>
<th>Butts</th>
<th>Cushman</th>
<th>Damato</th>
<th>Dombrowski</th>
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<th>Eckengerberger</th>
<th>Englehart</th>
<th>Fisher</th>
<th>Fischetti</th>
<th>Foye</th>
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<td>Freid</td>
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<td>Hamilton, J. H.</td>
<td>Greenfield</td>
<td>Hambrook</td>
<td>McNaughton, A.</td>
<td>MacArthur</td>
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NAYS—100

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<th>Abraham</th>
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NOT VOTING—23

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

The SPEAKER. The Chair recognizes the minority
whip.

Mr. RYAN. Mr. Speaker, prior to taking this vote, I
would appreciate a copy of the last roll call and an oppor-
tunity for a slow roll call.

On the question recurring,
Will the House adopt the Report of the Committee of
Conference?

VOTES CHALLENGED

The SPEAKER. The Chair recognizes the minority
whip.

Mr. RYAN. Mr. Speaker, number one, my switch does
not appear to be working. It is dimly blinking up on the
board. I want to be recorded in the negative.

Mr. Dombrowski? Yes. I see Mr. Caputo on the floor of the
House.

Mr. Dombrowski? No. I see Mr. Ryan.

Mr. LAUDADIO. I am right here, Mr. Ryan.

Mr. RYAN. Thank you.
Mr. Lederer? Mr. Lederer, Mr. Speaker?
The SPEAKER. Is the gentleman, Mr. Lederer, in the hall of the House, Mr. Greenfield?
Mr. GREENFIELD. He went to the back of the room and he should be down shortly.

The SPEAKER. The gentleman is present, Mr. Ryan.
Mr. RYAN. Mr. Lederer is present?

The SPEAKER. The gentleman is present. The Chair has seen the gentleman.

Mr. RYAN. Mr. Menhorn? Mr. Menhorn?

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

Mr. VALICENTI. Yes, he was here, sir. You know he has to go on that dialysis machine. He was getting sick, so he left.

Mr. RYAN. Is Mr. Bradley on the floor?

The SPEAKER. The gentleman is present.

Mr. RYAN. Pardon me?

The SPEAKER. The gentleman is present.

Mr. RYAN. Michael Mullen? The SPEAKER. Is the gentleman, Mr. Michael Mullen, present, Mr. Valicenti?

Mr. VALICENTI. Yes, he was here, sir. You know he has to go on that dialysis machine. He was getting sick, so he left.

Mr. RYAN. Is the gentleman vouching for his presence at the time of the roll call?

The SPEAKER. The gentleman is vouching for his presence.

Mr. RYAN. I do not think that is what Mr. Valicenti said. I do not think he vouched for his presence at the time of the roll call. Is that right or wrong?

Mr. VALICENTI. I said he was here, Matt.

Mr. RYAN. Was he here at the time of the roll call, Mr. Speaker? Mr. Valicenti, are you vouching for his presence at the time of the roll call?

Mr. VALICENTI. Mike Mullen was here, Mr. Ryan.

Mr. RYAN. At the time of the roll call, Mr. Valicenti?

Mr. VALICENTI. What else do you want me to say?

Mr. RYAN. I want you to say “yes” or “no” he was here when the roll call was taken.

Mr. Speaker, do I understand Mr. Valicenti to attest to the presence of Mr. Mullen at the time of the roll call? Would the Speaker advise me of that?

The SPEAKER. Was the gentleman Mr. —

Mr. RYAN. I am advised that Mr. Mullen has not been on the floor today. Now I want someone to attest to the fact that he was here when the roll was taken on this vote.

The SPEAKER. Can anyone attest as to whether or not Mr. Mullen was present on the floor of the House when the vote was taken?

Mr. RYAN. I ask that it be stricken then, Mr. Speaker. The SPEAKER. Can anyone attest as to whether or not Mr. Mullen was present at the time the vote was taken? The gentleman’s vote will be stricken from the board.

Have all the members voted?

Mr. RYAN. Mr. Saloom? I am sorry, he has not voted. Mr. Shelton?

The SPEAKER. Mr. Shelton was present. His vote is not even recorded.

Mr. RYAN. Mr. Bradley?

The SPEAKER. Have all the members voted?

Mr. RYAN. Could you tell me if Mr. Bradley was here at the time the roll call was taken?

On the question recurring, Will the House adopt the Report of the Committee of Conference?

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

YEAS—102

Abraham, E. Flaherty, Lincoln
Arthurs, Fr. Friedland, Logue
Barber, E. Gallagher, Manderino
Bernard, Gallant, McGee
Bennett, Garza, McHale
Berenson, George, McLeane
Bonetto, Gimianando, Milliron
Browdy, Gillette, Millert, J.
Brunner, Gleeson, Morris
Caputo, Goodman, Mrkonic
Cianciulli, Green, Muso
Cohen, Greenfield, Novak
Cole, Hutchinson, O’Brien
Day, Ikin, O’Keefe
DeMedio, Irvin, Oliver
DeWeese, Johnon, Jr., O’Donnell
Doyle, Kelley, A. P., Perry
D’Onofrio, Kernick, Petrcanca
Dombrowski, Kister, Piekosky
Doyte, Kolter, Pratt
Dreihein, Kowalsky, Prendergast
Dumas, Laudadio, Rappoport
Ecksteinberger, Laughlin, Revesenthal
Englehart, Lederer, Reed
Fene, Letterman, Henricks

NAYS—74

Anderson, J. E., Foster, W., Lehr
Berens, Gallen, Levi
Bette, Geesey, Lyne
Bradd, Grceo, Mankowski
Burns, Halverson, McClatchy
Butera, Hamilton, J. H., McGrane
Cassar, Haney, Miller, M. E.,
Cimini, Haskell, Miller, M. E., Jr.
Cumberland, Hayes, S. E., Noye
Davie, Hengford, O’Connell
Dietz, Hill, Penrose
Dinsmoor, Hopkins, Parker, H. S.
DiNunzio, Kats, Pitts
Doe, Kelly, J. B., Fyles
Dunfer, Klingman, Salvatore
Dwyer, Knepper, Schauffler
Foster, A., Kuske

NOT VOTING—27

Gillespie, Mebus, Richardson
Giovan, Menhorn, Bigger
Gring, Mullen, M. P., Ryan
Hammond, Mullen, Saloom
LaMarca, Myers, Sheldon
McCue, Perri, Shuman
McGraw, Remlinger, Stahl

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

Ordered, That the clerk inform the Senate accordingly.

RESOLUTION PRESENTED

The SPEAKER. The Chair recognizes, for the purpose of presenting a privileged resolution, the gentleman from Fayette County, Mr. DeWeese.

This concerns a recent member of this House. As a matter of fact, there are two privileged resolutions to be presented at this time concerning former members of the General Assembly. The Chair would hope that the membership would pay attention to the resolution being presented.
Mr. DeWEES. Mr. Speaker, I am here for the purpose of offering a privileged resolution concerning the death of Don Davis and offering condolences to his family.

On October 23, Don passed away. I am seated in the same place where Don served. He served for 7 years as a colleague. He was active; he was aggressive; he was dynamic. There were moments of disharmony and disagreement and disenchantment, but, nevertheless, he was a fighter; he was strong willed; he was good and he was decent. I hope we can collectively offer condolences to Mrs. Davis, to his family, to his friends and to the constituents of the 58th district who will miss Don. I hope that all of us will remember Don as a good man, as a straightforward man, as a substantive man and as an effective public servant.

I move for the adoption of this privileged resolution, Mr. Speaker:

**HOUSE OF REPRESENTATIVES**

**RESOLUTION**

WHEREAS, The death of Donald Davis on October 23, 1976, saddens every Pennsylvanian; and
WHEREAS, Donald Davis served admirably as a member of the House of Representatives of the Commonwealth of Pennsylvania, beginning in 1958 when he was first elected, serving a total of four consecutive terms; and
WHEREAS, Donald Davis was a World War II veteran and was associated with a variety of worthwhile civic and professional organizations, including the National Retail Credit Association, the National Retail Furniture Association, the American Legion and the Optimist Club; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the death of Donald Davis, a man whose dignified presence will be missed by his colleagues and constituents alike; and be it further

RESOLVED, That a copy of this resolution be delivered to his widow, Mrs. Donald Davis, R. D. 2, Box 415A, Uniontown, Pennsylvania 15461.

FRED TAYLOR
H. WILLIAM DEWEES
J. WILLIAM LINCOLN
HERBERT FINEMAN

On the question,
Will the House adopt the resolution?
(Members stood in silence.)

The SPEAKER. The resolution is unanimously adopted.

**REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2073**

Mr. BONETTO presented the Report of the Committee of Conference on House bill No. 2073.

The SPEAKER. The report will be laid over for printing under the rules.

**LABOR RELATIONS COMMITTEE MEETING**

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

Mr. VALICENTI. Mr. Speaker, I would like to have a short meeting of the Labor Relations Committee in the back.

The SPEAKER. Will the gentleman yield?

Please do not leave the chamber. We have additional votes to be taken. The Chair has just been presented with a reconsideration motion on the conference report on Senate bill No. 21.

The Chair recognizes the gentleman from Allegheny, Mr. Valicenti.
Mr. VALICENTI. Mr. Speaker, I request a short meeting with the Labor Relations Committee in the back here just for 5 minutes.

The SPEAKER. The Chair will not permit a meeting at this time until the business of the House is disposed of. At the conclusion of the session, at the conclusion of voting, the Chair will permit the gentleman to hold a meeting of the Labor Relations Committee at the rear of the House.

MOTION TO TAKE HOUSE BILL No. 314 FROM TABLE

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

Mr. ANDERSON. Mr. Speaker, I would like to move that House bill No. 314 be removed from the table and a vote be taken to override the Governor's veto at this time. May I make a few remarks?

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

Mr. ANDERSON. Surely.

The SPEAKER. Is that bill on the calendar?

Mr. ANDERSON. No, sir. The bill is not on the calendar; it is on the table.

The SPEAKER. The bill is on the table?

Mr. ANDERSON. The bill is on the table.

The SPEAKER. Does it appear on a list of tabled bills on the calendar?

Mr. ANDERSON. It is the bill that the Governor vetoed so it would not be on the calendar or the—

The SPEAKER. Have you advised the respective floor leaders of your intention to so move, Mr. Anderson?

Mr. ANDERSON. I believe that the respective floor leaders have been advised. The gentleman on the other side was to advise the majority leader. I assume that he did.

The SPEAKER. The Chair will recognize the gentleman again. Will the gentleman in the interim please make it a point to visit with the majority leader at this time to discuss this action?

RECONSIDERATION OF VOTE ON REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 21

Mr. RYAN moved that the vote by which the Report of the Committee of Conference on SENATE BILL No. 21 was adopted on this day be reconsidered.

Mr. SELTZER seconded the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, the reason for my motion to reconsider is that the vote was 102 when Senate bill No. 21 was just adopted. The Speaker instructed, as I recall, that Mr. Lederer's name be removed from the board, yet on final passage Mr. Lederer—

Mr. LEDERER. Mr. Speaker, I know I have not been here long, but I am here.

The SPEAKER. The Chair does not believe that the Speaker ordered anyone to remove Mr. Lederer's name. Of course, the gentleman, Mr. Greenfield, rose and vouched for the presence of Mr. Lederer.

Mr. RYAN. I stand corrected then, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Lederer, is on the floor of the House at this time.

Mr. RYAN. I did not wait until your members left, Mr. Speaker. I waited until privileged resolutions were introduced and as soon as those resolutions were completed, I gave the motion to the Speaker. I could not move any faster.

The SPEAKER. The Chair understands that the gentleman now wants to withdraw his reconsideration?

Mr. RYAN. No, I do not. Mr. Manderino advised me that he is going to formally oppose it because I delayed asking for reconsideration. I simply was explaining to Mr. Manderino that the only way I could have moved any faster would have been to interrupt a privileged resolution for a deceased member and I would not do that.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, would I be in order to ask for a roll-call vote on the reconsideration motion?

The SPEAKER. The gentleman is in order.

Mr. MANDERINO. I so move.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, prior to your taking that vote, I would like to remind the Speaker and the members of the House that normally, as a matter of course and courtesy, a reconsideration resolution is approved.

Now, I understand that the adoption of this report was defeated once, so I do not believe that I am caught by the parliamentary rule that requires no further vote on something twice defeated. I believe that I am in order, that no suspension of the rules is required and that this House, as a matter of course, has permitted what I am requesting to be done now.

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

Mr. RITTER. Mr. Speaker, I beg to differ with the gentleman, Mr. Ryan.

I recall several years ago when Mr. Lee was in the Chair—and Mr. Geesey remembers—that I made a motion to have a bill reconsidered. That request was denied. I do not think that it is a matter of course. I have waited a long time, Mr. Speaker, but, frankly, I intend to invoke that privilege today as I said to Mr. Ryan some 4 or 5 years ago, that I would come back some day and do the same thing. I ask also for a roll-call vote on that reconsideration.

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

Mr. FREIND. Mr. Speaker, there were only three members of my caucus to vote for that bill, and it is no fun voting against my caucus. I will tell you one thing, they had better count damn good and hard because if Matt Ryan is not afforded the courtesy, you lose my vote.

The SPEAKER. Mr. Freind, this is no chamber for exposing threats or trying to intimidate. You are free to cast your vote in any manner you decide.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Caputo. For what purpose does the gentleman rise?
Mr. CAPUTO. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. CAPUTO. Is there a motion before the Chair?
The SPEAKER. There is a motion made by the gentleman, Mr. Ryan, to reconsider the vote by which this conference report was adopted.
Mr. CAPUTO. Thank you.
The SPEAKER. Does the gentleman, Mr. Mandernino, desire to still insist on a roll call? All right. There is a motion made to reconsider the vote on the motion.

The yeas and nays were required by Messrs. Mandernino and Ryan and were as follows:

**YEAS—79**

Anderson, J. H.  
Beren  
Bittel  
Brandt  
Burns  
Butera  
C easan  
Cline  
Crawford  
Cumberland  
Davis  
DeWeesa  
Dumas  
Foster, A.  
Foster, W.  
Freind  
Galien  
Geesey  
Grifco  
Halverton  
Hamilton, J. H.  
Hankel  
Hayes, D. S.  
Hayes, S. E.  
Hepford  
Hill  
Hutchinson, W.  
Kelly, J. B.  
Kessler  
Klingaman  
Knepper  
Koons  
Levi  
Lynch  
Millar  
McKinzie  
McBus  
Miller, M. E.  
Miller, M. E., J.  
Moenheim  
Mose  
O'Connell  
Pancost  
Parker, H. S.  
Pitts  
Poliie  
Pojes  
Schaefer  
Seizer  
Sintard  
Smith, E.  
Smith, L.  
Sperner  
Toddoco  
Turner  
Wagner  
Welker  
Westberig  
Whean  
Wilson  
Wilt, R. W.  
Wilt, W. W.  
Wright  
Zareflos  
Zord  

**NAYS—98**

Abram  
Arburt  
Bellomi  
Bennett  
Berlin  
Berson  
Benuto  
Bradley  
Brann  
Cianciulli  
Cohen  
Cote  
Cowell  
DeMedio  
DeDonato  
Dominiswki  
Doyle  
Dreibelbis  
Dumes  
Eckensburger  
Engelhardt  
Fee  
Fisherty  
Gallagher  
Gardia  
Geisler  
George  
Gilmarco  
Gillespie  
Gilliette  
Glar  
Goodman  
Greenfield  
Hutchinson, A.  
Irvis  
Ivin  
Johnson, J.  
Kelly, A. P.  
Kernick  
Kotler  
Kovach  
Laughlin  
Lederer  
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-Manderino  
-McCull  
-McNulty  
-McLane  
-Miliron  
-Misovich  
-Minnen  
-Mullen  
-Musto  
-O'Brien  
-O'Halloran  
-O'Keefe  
-Oliver  
-Peters  
-Petrarca  
-Plevsky  
-Prendergast  
-Prendergast  
-Reed  
-Renwick  
-Remnug  
-Renneider  
-Richardson  
-Rieger  
-Saion  
-Salvatore  
-Sapot  
-Shane  
-Sheehan  
-Shelton  
-Stahl  
-Walsh, T. P.  
-Wojdak  
-Yohn  
-Specker  

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

**QUESTION OF PERSONAL PRIVILEGE**

The SPEAKER. The Chair recognizes the minority leader. For what purpose does the gentleman rise?
Mr. RYAN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.
Mr. RYAN. Mr. Speaker, this is redundant, but my switch apparently is locked in a negative position. I would hope that—

The SPEAKER. The gentleman's vote will be recorded in the affirmative and the Journal will so reflect.

**CONDOLENCE RESOLUTION INTRODUCED**

The SPEAKER. The Chair recognizes the gentlemen, Mr. Pitts and Mr. Morris, who desire to present a further privileged resolution.

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

Mr. PITTS. Mr. David Hayes is also included in this privileged resolution.

The SPEAKER. The Chair thanks the gentleman.

Mr. PITTS. We are offering a resolution in memory of Benjamin Reynolds, whose seat I was elected to a few years ago. Ben was a close friend of mine. We are very saddened by his death, and those of you who knew Ben know that he was an outstanding gentleman, a man unique in many ways, a pioneer, a conservationist, outstanding in the field of agriculture. At this time we offer the following citation in his behalf:

**HOUSE OF REPRESENTATIVES**

**RESOLUTION**

WHEREAS, The death of Benjamin J. Reynolds saddens every Pennsylvanian; and
WHEREAS, Benjamin Reynolds served admirably as a state representative from the 15th District from 1964 to 1972, and was especially well-known for his interest in environmental and health matters of public concern; and
WHEREAS, He was not only an environmentalist, but a dairy farmer and milk producer as well; and
WHEREAS, In 1970, Mr. Reynolds was honored by the National Environmental Health Association for his tireless and worthwhile efforts on behalf of the environment and public health; now therefore be it
RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania passes in its deliberations to mourn the passing of Benjamin J. Reynolds; and be it further
RESOLVED, That a copy of this document be transmitted to his widow, Mrs. Eleanor Reynolds, R. D. 1, Avondale, Pennsylvania 19311.

**D. A. D. WAYS**

JOSEPH R. PITTS  
SAMUEL W. MORRIS  
CHARLES F. MEBUS  
BENJAMIN H. WILSON

On the question, Will the House adopt the resolution? (Members stood in silence.)

The SPEAKER. The resolution is unanimously adopted.

The Chair recognizes the majority leader.
Mr. IRVIS. Mr. Speaker, before the members depart, there is a motion which I have to make which is routine.

**LABOR RELATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Valicenti.
Mr. VALICENTI. Mr. Speaker, I just want to remind the Labor Relations Committee about the meeting after the gentlemen get through. Thank you.
HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there are a number of members who have advised me that they intend to leave Harrisburg tonight. They are being misled. There will be votes tomorrow. There will probably be a motion to waive the rules, which will be an extremely important motion affecting the purse strings and the purses of your own constituents. And despite the way that you might feel about the motion and the subject matter of the motion, I would advise all within hearing of my voice to be here tomorrow to meet that particular challenge one way or the other.

SENATE BILL No. 1248 REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on page 10, I have been instructed by the Rules Committee to remove from the table, Senate bill No. 1248, printer's No. 2170, and I so move.

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

RULES SUSPENDED TO ADD AND DELETE SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

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

Additions:
House resolution No. 292—Mr. Reed;
House resolution No. 294—Mr. Reed;
House resolution No. 298—Messrs. Vroom, Bradley, Jr., and Zeller;
House bill No. 634—Mr. Letterman;
House bill No. 1682—Mr. Valicenti;
House bill No. 1747—Mr. Reed;
House bill No. 2223—Mr. Reed;
House bill No. 2418—Mr. Reed;
House bill No. 2467—Mr. Reed;
House bill No. 2652—Mr. Dietz;
House bill No. 2665—Mr. Cimini; and
House bill No. 2673—Mr. Valicenti.

Deletions:
House resolution No. 262—Mrs. Toll;
House bill No. 1832—Mr. Arthurs.

On the question,
Will the House agree to the motion?
The yeas and nays were required by Messrs. IRVIS and ANDERSON and were as follows:

YEAS—171

NAYS—2

Wilson
NOT VOTING—30

RESOLUTION TO BE INTRODUCED

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I have some remarks that I would like to put on the record.

The SPEAKER. The gentleman will submit his remarks to the desk.

Mr. W. D. HUTCHINSON. Mr. Speaker, I would like to state them since I do not have them written. It came to my attention today.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, there is perhaps no issue today that is more sensitive or more important to the people of this Commonwealth than the issue of unemployment. That issue was a major issue in the past political campaign. The amount and percentage rate of unemployment is an issue which vitally affects the areas of this Commonwealth with respect to funding of many Federal programs with respect to the Emergency Public Works Act and other matters.

The County of Schuylkill, which is in my district, beginning in January of 1976, said to have an unemployment rate of 12.7 percent, which was reported to have increased to 15.5 percent for the month of September. Two days after the election of November 2, 1976, the
Bureau of Employment Security in reporting its statistics made a public announcement that there had been a computer error and that in fact the actual rate of unemployment in Schuylkill County for September of 1976 was 7.6 percent.

Mr. Speaker, whether or not this was a computer error which doubled the figures for unemployment, or whether or not it was just found the day after election is unimportant. What is important is that the true and correct figure for unemployment in Schuylkill County be determined. The consequences of errors of this type are far too serious to permit, whether deliberate or negligent, to pass without investigation. The availability of Federal programs depends on the unemployment rate. Schuylkill County communities may be deprived of Federal funding under the Emergency Employment Act of 1976 unless correct figures are ascertained.

I have, therefore, asked the Legislative Reference Bureau to prepare a resolution asking the appointment of a select committee to investigate the statistical reporting of unemployment figures by the Pennsylvania Bureau of Employment Security. I realize that it is late in this session. I realize that probably such a committee cannot make and finish a report by the time of the close of the session on November 30. However, if that is impossible I will again reintroduce the resolution in the next session of the General Assembly.

The plight of all our communities and the despair of the unemployed are much too important to triffl with. We must learn the truth in this vital area, and that calls for a full investigation. Consequently, I would ask any interested members and particularly the other members of the Schuylkill County delegation, without regard to party, to join in this resolution. The resolution will be made available and circulated for signatures.

Thank you very much, Mr. Speaker.

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

SENATE BILL SIGNED BY SPEAKER

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

SENATE BILL No. 21


Whereupon,

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

COMMUNICATION FROM GOVERNOR

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

REORGANIZATION PLAN PRESENTED

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
November 8, 1976

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

Under Section 1771, Title 38, U. S. Code, the chief executive of each State is requested to create or designate a State department or agency, as the "State Approving Agency" for his State for the purpose of approving courses of education and training to be offered to veterans and other eligible persons. The State Approving Agency is responsible for insuring the educational quality of these programs in accordance with the laws of the particular State and Federal Laws dealing with veterans' education.

In this Commonwealth the State Approving Agency is the Division of Veterans Education in the Department of Education. This Division is composed of twenty-three professional and eight clerical employees. It is completely funded with Federal monies currently amounting to $638,000. Under Title 51 of the Pennsylvania Consolidated Statutes, all matters relating to the military are consolidated in the Department of Military Affairs. These powers and duties relate as well to veterans affairs.

Because the powers and duties of the Division of Veterans Education are not directly related to the powers and duties of the Department of Education, the administration of the program by the Division has not received the administrative supervision and attention it deserves to serve fifty-seven thousand Pennsylvania veterans participating in this program.

Therefore, I submit for your consideration Reorganization Plan No. 1 of 1976 to transfer the powers and duties of the Division of Veterans Education of the Department of Education to the Department of Military Affairs.

MILTON J. SHAPP
Governor

REORGANIZATION PLAN No. 1 OF 1976

Section 1. The powers, functions and duties of the Veterans Education Division of the Department of Education are transferred from the Department of Education to the Department of Military Affairs.

Section 2. There are hereby transferred to the Department of Military Affairs, to be used, employed, and expended in connection with the functions, powers and duties transferred by section 1 of this Reorganization Plan, the files, records, property, contract obligations, personnel, and the unexpended balances of appropriations, deductions, and other funds available or to be made available for use in connection with such functions, powers and duties.

Section 3. This Reorganization Plan shall take effect immediately.

WELCOMES

The SPEAKER pro tempore. The Chair is pleased to welcome Mr. and Mrs. Matthew Buterl, the district magistrate, who are here as the guests of the gentleman from Allegheny, Mr. Trello.

The Chair is also pleased to welcome Mr. George Pott, Jr., who is a member-elect from the 28th district in Allegheny County.

The Chair is pleased to welcome Lorin Mock, president of the Lock Haven State Student Cooperative Council, and Brian Stoppe, president of the Lock Haven State College Players.

These folks are here as the guests of the gentleman from Centre, Mr. Letterman.

ADJOURNMENT

Mr. WILLIAMS moved that this House do now adjourn until Tuesday, November 8, 1978, at 9:30 a.m., e.s.t.

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

Motion was agreed to, and (at 5:12 p.m., e.s.t.) the House adjourned.