

Legislative Journal

WEDNESDAY, APRIL 20, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 30

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (HARRY A. ENGLEHART, JR.) IN THE CHAIR

PRAYER

REVEREND F. CHARLES McKENNA, assistant pastor of the Church of St. Patrick, Pottsville, Pennsylvania, guest chaplain and guest of the gentlemen from Schuylkill, Messrs. Goodman and W. D. Hutchinson, offered the following prayer:

Let us pray:

Almighty God, from earliest times, from the days of Moses, Joshua, Samuel, David and Jesus, You have always given mankind, Your image and likeness, a positive share in Your governance and rule of the social system. You have ever selected people not at all unlike ourselves, with honest differences of opinion and personality, varying interests and dispositions, to productively reflect Your concern for the common welfare and happiness of all Your people, whom You love. In that same spirit now be with us, we pray You; guide us and give us Your counsel and blessing as we seek earnestly the common goals for which You made us all: the fulfillment of our very human condition and the realization of Your glory in us. Let our humble efforts yield the good fruit of the holy seed You have planted in every human heart, the attainment of the good life You mean for us to enjoy, some now and totally forever. This we pray in Your Holy Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Tuesday, April 19, 1977, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 907 By Mrs. TAYLOR, Messrs. McCLATCHY, POTT, HELFRICK, BURNS, O'KEEFE, DIETZ and NOYE

An Act amending the "Adoption Act," approved July 24, 1970, (P. L. 620, No. 208), further providing for termination of parental rights; adding provisions relating to performance of parental duties, preliminary approval of proposed adopting parents and the best interest and welfare of the child; changing and adding provisions relating to illegitimate children; and changing age and residence requirements relating to consent.

Referred to Committee on Health and Welfare.

No. 908 By Messrs. McCLATCHY, LAUDADIO, ZORD, Mrs. KERNICK, Messrs. ARTHURS, VALICENTI, BITTLE, STEWART, GOEBEL, BURD, WENGER, PITTS, POLITE, YAHNER, POTT, Miss SIRIANNI, Messrs. O'CONNELL, NOYE, BRANDT, SHUMAN, KNEPPER, CESSAR, HELFRICK, DeVERTER, COWELL, ZEARFOSS, BROWN, HASKELL, R. R. FISCHER, HOPKINS, MOWERY, Mrs. TAYLOR, Messrs. MILLIRON, ABRAHAM, DORR, VROON and FREIND

An Act requiring an economic impact statement to accompany proposed legislation or regulations dealing with environmental protection or pollution control.

Referred to Committee on Conservation.

No. 909 By Messrs. ZEARFOSS, LEHR, KATZ, BURNS, VROON and McCLATCHY

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752, No. 286), providing a preference for certain unemployed persons.

Referred to Committee on State Government.

No. 910 By Messrs. ZEARFOSS, REED, KNEPPER, WAGNER, WEIDNER, MEBUS, FREIND and POLITE

An Act providing for the determination of custody of children.

Referred to Committee on Health and Welfare.

No. 911 By Messrs. GEORGE, LOGUE, BITTINGER, STEWART, ZELLER, LETTERMAN, GRAY, NOYE, RENWICK, E. H. SMITH, HASAY, THOMAS, LIVENGOOD, BELLOMINI, COWELL and Mrs. GILLETTE

An Act protecting the privacy of individuals, prohibiting the sale of certain records and providing penalties.

Referred to Committee on Transportation.

No. 912 By Messrs. GEORGE, STEWART, D. R. WRIGHT, LETTERMAN and LIVENGOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the issuance of drivers' licenses to minors.

Referred to Committee on Transportation.

- No. 913** By Messrs. BERSON, SCIRICA, O'DONNELL, COHEN, WHITE and RICHARDSON
- A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania by providing for the removal and recall of civil officers.
- Referred to Committee on State Government.
- No. 914** By Messrs. BERSON and SCIRICA
- An Act amending the "Professional Corporation Law," approved July 9, 1970 (P. L. 461, No. 160), changing certain provisions relating to corporate names.
- Referred to Committee on Judiciary.
- No. 915** By Messrs. BERSON and SCIRICA
- An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, adding and revising provisions relating to printing, distribution and construction of statutes and making repeals.
- Referred to Committee on Judiciary.
- No. 916** By Messrs. BERSON and SCIRICA
- An Act amending Title 15 (Corporations and Unincorporated Associations), of the Pennsylvania Consolidated Statutes, further providing for the incorporation and regulation of corporations, changing requirements and procedures relating to the filing of documents affecting certain corporations, ***, and making editorial changes.
- Referred to Committee on Judiciary.
- No. 917** By Messrs. BENSON and SCIRICA
- An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, providing for the construction of cross references in statutes.
- Referred to Committee on Judiciary.
- No. 918** By Messrs. BERSON and SCIRICA
- An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, providing for February 29 in computing time and repealing certain acts relating to time.
- Referred to Committee on Judiciary.
- No. 919** By Messrs. BERSON and SCIRICA
- An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to incorporated educational institutions.
- Referred to Committee on Education.
- No. 920** By Messrs. MANDERINO, GOODMAN, B. F. O'BRIEN, CAPUTO and PARKER
- An Act amending the act of May 20, 1937 (P. L. 728, No. 193), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; ***, providing for the disposition of written complaints and providing for appeals to go to the Commonwealth Court.
- Referred to Committee on State Government.
- No. 921** By Messrs. DiCARLO, D. S. HAYES, RHODES, OLIVER and LINCOLN
- An Act amending the "General Appropriation Act of 1976," approved June 4, 1976 (No. 7-A), further providing for dental services under the Medical Assistance Program.
- Referred to Committee on Health and Welfare.
- No. 922** By Mr. DiCARLO, Mrs. KELLY, Mr. DOMBROWSKI, Mrs. TAYLOR, Messrs. BARBER, BERLIN, LINCOLN, GALLAGHER, A. K. HUTCHINSON, OLIVER, D. S. HAYES, BITTINGER and BROWN
- An Act amending the act of September 9, 1965 (P. L. 497, No. 251), entitled "An act requiring physicians, hospitals and other institutions to administer or cause to be administered tests, for phenylketonuria and other metabolic diseases upon infants in certain cases," to include a test for neonatal hypothyroidism.
- Referred to Committee on Health and Welfare.
- No. 923** By Messrs. DiCARLO, D. S. HAYES, BITTINGER, RHODES, BROWN, SCHWEDER, McLANE, DOMBROWSKI and LINCOLN
- An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), authorizing the creation and providing for the functions of a special investigations unit in the Department of Public Welfare.
- Referred to Committee on Health and Welfare.
- No. 924** By Messrs. ZEARFOSS, VROON, BRANDT, WAGNER, BURNS, D. S. HAYES, MILLIRON, HOPKINS, KNEPPER, SPITZ, PRATT, FREIND, LYNCH, Miss SIRIANNI, Messrs. SCIRICA, O'DONNELL, SCHMITT and MADIGAN
- An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242, No. 428), requiring the acquisition and maintenance of bridges crossing railroads.
- Referred to Committee on Transportation.
- No. 925** By Messrs. NOYE, MILLER, GOEBEL, O'KEEFE, DIETZ and Mrs. TAYLOR
- An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for absentee ballots for certain physically disabled or ill electors and making related changes in absentee ballot procedure necessitated thereby.
- Referred to Committee on State Government.
- No. 926** By Messrs. NOYE, KLINGAMAN, MILLER, HOPKINS, BURNS, MANMILLER, GOEBEL, O'KEEFE, DIETZ, YAHNER and Mrs. TAYLOR
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for a modified schedule of subsidy payments to school districts.
- Referred to Committee on Education.
- No. 927** By Messrs. NOYE, ZELLER, HASAY, HOPKINS, O'KEEFE, DIETZ and YAHNER
- An Act amending Title 75 (Vehicles) of the Pennsylvania

Consolidated Statutes, removing the bonding requirement for messenger services.

Referred to Committee on State Government.

No. 928 By Messrs. NOYE, HALVERSON,
KLINGAMAN, HOPKINS, YAHNER and
DIETZ

An Act amending "The Clean Streams Law," approved June 22, 1937 (P. L. 1987, No. 394), prohibiting any administrative agency from requiring fencing along streams to restrain livestock.

Referred to Committee on Conservation.

No. 929 By Messrs. NOYE, KLINGAMAN, BITTLE,
DORR, MILLER, HOPKINS, R. R.
FISCHER, BURNS, GOEBEL, DIETZ,
O'KEEFE, BERLIN, YAHNER and Mrs.
TAYLOR

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

Referred to Committee on Finance.

No. 930 By Messrs. NOYE, MILLER, HOPKINS,
BURNS, D. M. FISHER, O'KEEFE, DIETZ
and Mrs. TAYLOR

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for an increase in the maximum compensation of an attorney employed by an auditor.

Referred to Committee on Local Government.

No. 931 By Messrs. NOYE, KLINGAMAN, MILLER,
HOPKINS, GOEBEL, O'KEEFE, DIETZ,
Mrs. TAYLOR and Mr. POTT

An Act amending the "Volunteer Firemen's Relief Association Act," approved June 11, 1968 (P. L. 149, No. 84), providing for coverage to paid firemen when acting as volunteer firemen during off-duty hours.

Referred to Committee on State Government.

No. 932 By Messrs. NOYE, HOPKINS, BURNS,
O'KEEFE, DIETZ and Mrs. TAYLOR

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), increasing the number of signers of a petition to appoint an accountant.

Referred to Committee on Local Government.

No. 933 By Messrs. NOYE, O'KEEFE, MILLER,
BERLIN, DIETZ and Mrs. TAYLOR

An Act amending the "Commonwealth Documents Law," approved July 31, 1968 (P. L. 769, No. 240), providing for approval or disapproval of regulations by the Legislature.

Referred to Committee on Judiciary.

No. 934 By Messrs. NOYE, MANMILLER, BURNS,
GOEBEL, O'KEEFE, DIETZ and Mrs.
TAYLOR

An Act providing for the disposal by tax collectors of their records after seven years.

Referred to Committee on State Government.

No. 935 By Messrs. NOYE, HOPKINS, GOEBEL,
O'KEEFE, BERLIN, DIETZ and Mrs.
TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the operation of emergency vehicles of the Pennsylvania Turnpike.

Referred to Committee on Transportation.

No. 936 By Messrs. NOYE, KLINGAMAN, DORR,
PITTS, DIETZ, YAHNER and Mrs.
TAYLOR

An Act prohibiting certain motion pictures to be shown only in outdoor theatres and providing penalties.

Referred to Committee on Business and Commerce.

No. 937 By Messrs. NOYE, O'KEEFE, BITTLE, MIL-
LER, HOPKINS, GOEBEL, YAHNER and
DIETZ

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for maximum sentences for certain felons.

Referred to Committee on Judiciary.

No. 938 By Messrs. PETRARCA, LAUDADIO,
GEORGE, MANDERINO and SALVATORE

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), prohibiting discrimination by reason of certain medical conditions.

Referred to Committee on State Government.

No. 939 By Messrs. RENWICK, LAUDADIO,
BENNETT, LEVI and HELFRICK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the content of drivers' licenses.

Referred to Committee on Transportation.

No. 940 By Messrs. LAUDADIO, GEORGE,
PETRARCA, DeMEDIO, DOMBROWSKI,
RENWICK, A. K. HUTCHINSON,
BENNETT, ZORD, KNEPPER,
TADDONIO, POTT, ARTHURS, GOEBEL,
CESSAR, O'KEEFE, TAYLOR,
SALVATORE, D. M. O'BRIEN, COLE, Mrs.
KERNICK, Messrs. ENGLEHART, FEE,
Mrs. GILLETTE, Messrs. MORRIS,
ABRAHAM, MISCEVICH, TRELLO,
GAMBLE, DUFFY, MRKONIC, CAPUTO,
SCHMITT, BRUNNER, SWEET, YAHNER,
MANDERINO, LINCOLN, DiCARLO and
BITTINGER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, repealing certain municipal or township ordinances or regulations with reference to firearms, rifles and shotguns.

Referred to Committee on Judiciary.

No. 941 By Messrs. MOEHLMANN, BRUNNER, MILLIRON, MEBUS, WENGER, BRANDT and MILLER

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050, No. 394), further providing for penalties.

Referred to Committee on Finance.

No. 942 By Messrs. DORR, PRATT, GEESEY, DAVIES, SCHEAFFER, W. W. FOSTER, DIETZ, LEHR, A. C. FOSTER and VROON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding the offense of victimizing the elderly.

Referred to Committee on Judiciary.

No. 943 By Messrs. LETTERMAN, RENWICK, YAHNER and ITKIN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for certain requirements for rubbish vehicles.

Referred to Committee on Transportation.

No. 944 By Messrs. VROON, GARZIA, PANCOAST, PYLES, GREENLEAF, POLITE, J. L. WRIGHT, BURNS, ZEARFOSS, SPITZ, RYAN, MEBUS, FREIND, Mrs. TAYLOR and Mr. PITTS

An Act providing for the Pennsylvania Turnpike Commission to establish and implement a uniform toll assessment system and empowering the commission to transfer toll receipts into and among various funds.

Referred to Committee on Transportation.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. CIMINI, RHODES, D. M. O'BRIEN, MANMILLER, REED, D. M. FISHER, GOEBEL, LINCOLN, GIAMMARCO, ZELLER and SCIRICA

HOUSE RESOLUTION No. 81

The subcommittee on crimes and corrections of the Judiciary Committee be directed to investigate the actions of the Pennsylvania Board of Probation and Parole in paroling of persons convicted of serious crimes.

Referred to Committee on Rules.

By Messrs. RITTER, PARKER, ZITTERMAN, WILT, SWEET, Mrs. WISE, Messrs. D. S. HAYES, ZWIKL and MELUSKEY

HOUSE RESOLUTION No. 82

The House of Representatives of the Commonwealth of Pennsylvania direct the Federal-State Relations Committee to hold hearings, collect information and other data, and report to the full House as to the necessary actions that should be undertaken by the Commonwealth of Pennsylvania to divert additional Federal funds and resources to the State; to assure effective cooperation with neighboring states of the northeast.

Referred to Committee on Rules.

By Messrs. RITTER, PARKER, SWEET, Mrs. WISE, Messrs. WILT, D. S. HAYES, ZWIKL and MELUSKEY
HOUSE RESOLUTION No. 83

The House of Representatives of the Commonwealth of Pennsylvania hereby expresses its desire to serve as a cooperating organization in the presentation of a policy forum on May 13, 1977 in Pittsburgh, Pennsylvania, in order to promote discussion among representatives from business, academic and government fields of Pennsylvania on the subject of productivity.

Referred to Committee on Rules.

SENATE MESSAGE SENATE BILLS FOR CONCURRENCE

The clerk of the Senate presented the following bills for concurrence:

SENATE BILL No. 76

An Act amending the act of June 3 1937 (P L 1333 No 320) entitled "Pennsylvania Election Code" further providing for the creation division realignment and consolidation of wards in cities of the first class.

Referred to Committee on Urban Affairs.

SENATE BILL No. 234

An Act relating to the qualifications of former or retired justices or judges to be recalled for temporary assignment to perform judicial service.

Referred to Committee on Judiciary.

SENATE BILL No. 275

An Act amending the act of August 14 1951 (P L 1232 No 282) entitled "Pennsylvania Turnpike System Financing Act" increasing salaries.

Referred to Committee on Transportation.

SENATE BILL No. 431

An Act amending the act of July 28 1953 (P L 723 No 230) entitled as amended "Second Class County Code" providing for the appointment of a solicitor by the coroner only in counties of the second class.

Referred to Committee on Local Government.

SENATE BILL No. 480

An Act amending the act of April 9 1929 (P L 177 No 175) entitled "The Administrative Code of 1929" limiting the time during which certain actions relating to transportation programs may be brought.

Referred to Committee on Transportation.

LEAVE OF ABSENCE GRANTED

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

Mr. MANDERINO. Mr. Speaker, I request leave of absence for Mr. FINEMAN for today's session.

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

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

The SPEAKER pro tempore. Without objection, leave is granted.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

YEAS—195

Abraham	Fryer	Lynch	Ryan
Anderson	Gallagher	Mackowski	Salvatore
Armstrong	Gallen	Madigan	Scanlon
Arthurs	Gamble	Manderino	Scheaffer
Barber	Garzia	Manmiller	Schmitt
Bellomini	Gatski	McCall	Schweder
Beloff	Geesey	McClatchy	Scirica
Bennett	Geisler	McGinnis	Seltzer
Berlin	George, C.	McIntyre	Shuman
Berson	George, M.	McLane	Shupnik
Bittinger	Giammarco	Mebus	Sirianni
Bittle	Gillette	Meluskey	Smith, E.
Borski	Goebel	Milanovich	Smith, L.
Brandt	Goodman	Miller	Spencer
Brown	Gray	Milliron	Spitz
Brunner	Greenfield	Miscevich	Stairs
Burd	Greenleaf	Moehlmann	Stapleton
Burns	Grieco	Morris	Stewart
Butera	Halverson	Mowery	Stuban
Caltagirone	Hamilton	Mrkonic	Sweet
Caputo	Harper	Mullen, M. P.	Taddonio
Cassidy	Hasay	Mullen, M. M.	Taylor, E.
Cessar	Haskell	Musto	Taylor, F.
Cianciulli	Hayes, D. S.	Noye	Tenaglio
Cimini	Hayes, S. E.	O'Brien, B.	Thomas
Cohen	Helfrick	O'Brien, D.	Trello
Cole	Hoeffel	O'Connell	Vroon
Cowell	Honaman	O'Donnell	Wagner
Davies	Hopkins	O'Keefe	Wansacz
DeMedio	Hutchinson, A.	Oliver	Wargo
DeVerte	Hutchinson, W.	Pancoast	Wass
DeWeese	Itkin	Parker	Weidner
DiCarlo	Johnson	Petrarca	Wenger
Dietz	Jones	Piccola	White
Dininni	Katz	Pievsky	Wiggins
Dombrowski	Kelly	Pitts	Williams
Donatucci	Kernick	Polite	Wilson
Dorr	Klingaman	Pott	Wilt
Doyle	Knepper	Pratt	Wise
Duffy	Kolter	Prendergast	Wright, D. R.
Dumas	Kowalyszyn	Pyles	Wright, J. L.
Engelhart	Laudadio	Rappaport	Yahner
Fee	Laughlin	Ravenstahl	Yohn
Fischer, R. R.	Lehr	Reed	Zearfoss
Fisher, D. M.	Letterman	Renwick	Zeller
Flaherty	Levi	Richardson	Zitterman
Foster, A.	Lincoln	Rieger	Zord
Foster, W.	Livengood	Ritter	Zwinkl
Freind	Logue	Ruggiero	

NAYS—0

NOT VOTING—8

Gleeson	Novak	Shelton	Fineman,
Irvis	Rhodes	Valicenti	Speaker
Kusse			

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

CALENDAR

APPROPRIATIONS BILLS ON SECOND CONSIDERATION

Agreeable to order,
The House proceeded to second consideration of **House bill No. 141, printer's No. 1039**, entitled:

An Act relating to Commonwealth budget procedures. And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

Agreeable to order,
The House proceeded to second consideration of **House bill No. 408, printer's No. 447**, entitled:

An Act amending "The Library Code" approved June 14, 1961 (P. L. 324 No. 188), authorizing additional State aid. And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

Agreeable to order,
The House proceeded to second consideration of **House bill No. 880, printer's No. 1041**, entitled:

An Act amending the "Supplemental Appropriation Act of 1976" approved November 26, 1976 (No. 55-A), changing and adding appropriations and making editorial changes. And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

Agreeable to order,
The House proceeded to second consideration of **House bill No. 881, printer's No. 1042**, entitled:

An Act amending the "Federal Augmentation Appropriation Act of 1976" approved July 1, 1976 (No. 17-A), changing and adding appropriations reenacting an appropriation for a judicial information system and making editorial changes. And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

HEALTH AND WELFARE BILL ON SECOND CONSIDERATION

Agreeable to order,
The House proceeded to second consideration of **House bill No. 274, printer's No. 1012**, entitled:

An Act requiring advice of the need of a cytology (Pap-nicolaou) test for uterine cancer detection of certain women receiving hospital care for the purpose of detecting uterine cancer early and reducing the morbidity and mortality therefrom. And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

CAUCUS CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Hayes.

Mr. S. E. HAYES. Thank you, Mr. Speaker.

I would like to call to the attention of the Republican members that yesterday I indicated that we may need to caucus today, but I do not think there is any necessity to do that. I have placed on your desks a special voting calendar which I prepared last evening and I think if there is no change in what the gentleman, Mr. Manderino, and I discussed yesterday, you will be able to follow all of today's legislative activities by using that special voting calendar. It is on your desks.

REQUEST TO CALL UP HB 172

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. McGinnis.

Mr. McGINNIS. Mr. Speaker, may I ask for a reconsideration of the vote by which HB 172 was passed over? I would like that called up today.

The SPEAKER pro tempore. Does the gentleman wish the bill moved to third consideration?

Mr. McGINNIS. Yes, sir.

The SPEAKER pro tempore. Does the majority whip have any objections to moving HB 172 on page 1 to third consideration?

The SPEAKER pro tempore. The Chair reconsiders its decision on HB 172, PN 185, on page 1.

Without objection, this bill is called up by the gentleman from Philadelphia, Mr. Rappaport.

TRANSPORTATION BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 172, printer's No. 185**, entitled:

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

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

Ordered, to be transcribed for third consideration.

MINES AND ENERGY MANAGEMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 539, printer's No. 583**, entitled:

An Act amending the "Anthracite Standards Law" approved May 31, 1947 (P. L. 368 No. 168), changing and adding definitions imposing administrative and enforcement powers on the Department of Environmental Resources and its mine inspectors in lieu of the Anthracite Committee and Commonwealth agents including record preservation.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

Abraham	Gallagher	Lynch	Ruggiero
Anderson	Gallen	Mackowski	Salvatore
Armstrong	Gamble	Madigan	Scanlon
Arthurs	Garzia	Manderino	Scheaffer
Bellomini	Gatski	Manmiller	Schmitt
Beloff	Geesey	McCall	Schweder
Bennett	Geisler	McClatchy	Scirica
Berlin	George, C.	McGinnis	Seltzer
Berson	George, M.	McIntyre	Shuman
Bittinger	Giammarco	McLane	Shupnik
Bittle	Gillette	Mebus	Sirianni
Borski	Goebel	Meluskey	Smith, E.
Brandt	Goodman	Milanovich	Smith, L.
Brown	Gray	Miller	Spencer
Brunner	Greenfield	Milliron	Spitz
Burd	Greenleaf	Miscevich	Stairs
Burns	Grieco	Moehlmann	Stapleton
Butera	Halverson	Morris	Stewart
Caltagirone	Hamilton	Mowery	Stuban
Caputo	Harper	Mrkonic	Sweet
Cassidy	Hasay	Mullen, M. P.	Taddonio
Cessar	Haskell	Musto	Taylor, E.
Cianciulli	Hayes, D. S.	Noye	Taylor, F.
Cimini	Hayes, S. E.	O'Brien, B.	Tenaglio
Cohen	Helfrick	O'Brien, D.	Thomas
Cole	Hoeffel	O'Connell	Trello
Cowell	Honaman	O'Donnell	Vroon
Davies	Hopkins	O'Keefe	Wagner
DeMedio	Hutchinson, A.	Oliver	Wansacz
DeVerter	Hutchinson, W.	Pancoast	Wargo
DeWeese	Itkin	Parker	Wass
DiCarlo	Johnson	Petrarca	Weidner
Dietz	Jones	Piccola	Wenger
Dininni	Katz	Pievsky	White
Dombrowski	Kelly	Pitts	Wiggins
Donatucci	Kernick	Polite	Williams
Dorr	Klingaman	Pott	Wilson
Doyle	Knepper	Pratt	Wilt
Duffy	Kolter	Prendergast	Wright, D.
Englehart	Kowalshyn	Pyles	Wright, J. L.
Fee	Laudadio	Rappaport	Yahner
Fischer, R. R.	Laughlin	Ravenstahl	Yohn
Fisher, D. M.	Lehr	Reed	Zearfoss
Flaherty	Letterman	Renwick	Zeller
Foster, A.	Levi	Richardson	Zitterman
Foster, W.	Lincoln	Rieger	Zord
Freind	Livengood	Ritter	Zwinkl
Fryer	Logue		

NAYS—0

NOT VOTING—13

Barber	Kusse	Ryan	Fineman,
Dumas	Mullen, M. M.	Shelton	Speaker
Gleeson	Novak	Valicenti	
Irvis	Rhodes	Wise	

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

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

**LOCAL GOVERNMENT BILLS ON
THIRD CONSIDERATION**

Agreeable to order,
The House proceeded to third consideration of **House bill No. 185, printer's No. 997**, entitled:

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

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

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

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

YEAS—180

Anderson	Fryer	Livengood	Rieger
Armstrong	Gallagher	Logue	Ritter
Arthurs	Gamble	Lynch	Ruggiero
Bellomini	Garzia	Mackowski	Salvatore
Bennett	Gatski	Madigan	Scanlon
Berlin	Geesey	Manderino	Scheaffer
Berson	Geisler	Manmiller	Schmitt
Bittinger	George, C.	McCall	Schweder
Bittle	George, M.	McClatchy	Scirica
Borski	Giammarco	McGinnis	Seltzer
Brandt	Gillette	McIntyre	Shuman
Brown	Goodman	Mebus	Shupnik
Brunner	Gray	Meluskey	Sirianni
Burd	Greenfield	Milanovich	Smith, E.
Burns	Greenleaf	Miller	Spencer
Butera	Grieco	Milliron	Stairs
Caltagirone	Halverson	Moehlmann	Stapleton
Caputo	Hamilton	Morris	Stewart
Cassidy	Harper	Mowery	Stuban
Cessar	Hasay	Mrkonic	Sweet
Cianciulli	Haskell	Mullen, M. P.	Taddonio
Cimini	Hayes, D. S.	Musto	Taylor, E.
Cohen	Hayes, S. E.	Noye	Taylor, F.
Cole	Helfrick	O'Brien, B.	Tenaglio
Cowell	Hoeffel	O'Brien, D.	Thomas
Davies	Honaman	O'Connell	Trello
DeMedio	Hopkins	O'Donnell	Vroon
DeVerter	Hutchinson, A.	O'Keefe	Wagner
DeWeese	Hutchinson, W.	Oliver	Wansacz
DiCarlo	Itkin	Pancoast	Wargo
Dietz	Johnson	Parker	Wass
Dininni	Jones	Petrarca	Weidner
Dombrowski	Katz	Piccola	Wenger
Donatucci	Kelly	Pievsky	White
Dorr	Kernick	Pitts	Wiggins
Doyle	Klingaman	Polite	Wilson
Duffy	Knepper	Pott	Wilt
Englehart	Kolter	Pratt	Wright, D.
Fee	Kowalyszyn	Prendergast	Wright, J. L.
Fischer, R. R.	Laudadio	Pyles	Yahner
Fisher, D. M.	Laughlin	Rappaport	Yohn
Flaherty	Lehr	Ravenstahl	Zearfoss
Foster, A.	Letterman	Reed	Zeller
Foster, W.	Levi	Renwick	Zitterman
Freind	Lincoln	Richardson	Zwilk

NAYS—6

Abraham	Goebel	Spitz	Zord
Gallen	Miscevich		

NOT VOTING—17

Barber	Kusse	Ryan	Wise
Beloff	McLane	Shelton	
Dumas	Mullen, M. M.	Smith, L.	Fineman,
Gleeson	Novak	Valicenti	Speaker
Irvis	Rhodes	Williams	

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

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

Agreeable to order,
The House proceeded to third consideration of **House bill No. 568, printer's No. 898**, entitled:

An Act amending "The Borough Code" approved February 1, 1966 (1965 P. L. 1656 No. 581), authorizing certain fire companies rescue companies and ambulance companies to purchase petroleum products by way of purchase contracts for same by the borough.

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

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

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

YEAS—189

Abraham	Gallen	Lynch	Ruggiero
Anderson	Gamble	Mackowski	Ryan
Armstrong	Garzia	Madigan	Salvatore
Arthurs	Gatski	Manderino	Scanlon
Bellomini	Geesey	Manmiller	Scheaffer
Bennett	Geisler	McCall	Schmitt
Berlin	George, C.	McClatchy	Schweder
Berson	George, M.	McGinnis	Scirica
Bittinger	Giammarco	McIntyre	Seltzer
Bittle	Gillette	McLane	Shuman
Borski	Goebel	Mebus	Shupnik
Brandt	Goodman	Meluskey	Sirianni
Brown	Gray	Milanovich	Smith, E.
Brunner	Greenfield	Miller	Smith, L.
Burd	Greenleaf	Milliron	Spencer
Burns	Grieco	Miscevich	Spitz
Butera	Halverson	Moehlmann	Stairs
Caltagirone	Hamilton	Morris	Stapleton
Caputo	Harper	Mowery	Stewart
Cassidy	Hasay	Mrkonic	Stuban
Cessar	Haskell	Mullen, M. P.	Sweet
Cianciulli	Hayes, D. S.	Musto	Taddonio
Cimini	Hayes, S. E.	Noye	Taylor, E.
Cohen	Helfrick	O'Brien, B.	Taylor, F.
Cole	Hoeffel	O'Brien, D.	Tenaglio
Cowell	Honaman	O'Connell	Thomas
Davies	Hopkins	O'Donnell	Trello
DeMedio	Hutchinson, A.	O'Keefe	Vroon
DeVerter	Hutchinson, W.	Oliver	Wagner
DeWeese	Itkin	Pancoast	Wansacz
DiCarlo	Johnson	Parker	Wargo
Dietz	Jones	Petrarca	Wass
Dininni	Katz	Piccola	Weidner
Dombrowski	Kelly	Pievsky	Wenger
Donatucci	Kernick	Pitts	White
Dorr	Klingaman	Polite	Wiggins

Doyle	Knepper	Pott	Wilson
Duffy	Kolter	Pratt	Wilt
Englehart	Kowalyszyn	Prendergast	Wright, D.
Fee	Laudadio	Pyles	Wright, J. L.
Fischer, R. R.	Laughlin	Rappaport	Yahner
Fisher, D. M.	Lehr	Ravenstahl	Yohn
Flaherty	Letterman	Reed	Zearfoss
Poster, A.	Levi	Renwick	Zeller
Foster, W.	Lincoln	Richardson	Zitterman
Freind	Livengood	Rieger	Zord
Fryer	Logue	Ritter	Zwikl
Gallagher			

NAYS—0

NOT VOTING—14

Barber	Irvis	Rhodes	Wise
Beloff	Kusse	Shelton	
Dumas	Mullen, M. M.	Valicenti	Fineman,
Gleeson	Novak	Williams	Speaker

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 569, printer's No. 899**, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103 No. 69), authorizing certain fire companies rescue companies and ambulance companies to purchase petroleum products by way of purchase contracts for same by the township.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

Abraham	Gallen	Lynch	Ruggiero
Anderson	Gamble	Mackowski	Ryan
Armstrong	Garzia	Madigan	Salvatore
Arthurs	Gatski	Manderino	Scanlon
Bellomini	Geesey	Manmiller	Scheaffer
Bennett	Geisler	McCall	Schmitt
Berlin	George, C.	McClatchy	Schweder
Berson	George, M.	McGinnis	Scirica
Bittinger	Giammarco	McIntyre	Seltzer
Bittle	Gillette	McLane	Shuman
Borski	Goebel	Mebus	Shupnik
Brandt	Goodman	Meluskey	Sirianni
Brown	Gray	Milanovich	Smith, E.
Brunner	Greenfield	Miller	Smith, L.
Burd	Greenleaf	Milliron	Spencer
Burns	Grieco	Miscevich	Spitz
Butera	Halverson	Moehlmann	Stairs
Caltagirone	Hamilton	Morris	Stapleton
Caputo	Harper	Mowery	Stewart
Cassidy	Hasay	Mrkonic	Stuban
Cessar	Haskell	Mullen, M. P.	Sweet
Cianciulli	Hayes, D. S.	Mullen, M. M.	Taddonio

Cimini	Hayes, S. E.	Musto	Taylor, E.
Cohen	Helfrick	Noye	Taylor, F.
Cole	Hoeffel	O'Brien, B.	Tenaglio
Cowell	Honaman	O'Brien, D.	Thomas
Davies	Hopkins	O'Connell	Trello
DeMedio	Hutchinson, A.	O'Donnell	Vron
DeVerter	Hutchinson, W.	O'Keefe	Wagner
DeWeese	Itkin	Oliver	Wansacz
DiCarlo	Johnson	Pancoast	Wargo
Dietz	Jones	Parker	Wass
Dininni	Katz	Petrarca	Weidner
Dombrowski	Kelly	Piccola	Wenger
Donatucci	Kernick	Pitts	White
Dorr	Klingaman	Polite	Wiggins
Doyle	Knepper	Pott	Wilson
Duffy	Kolter	Pratt	Wilt
Englehart	Kowalyszyn	Prendergast	Wright, D.
Fee	Laudadio	Pyles	Wright, J. L.
Fischer, R. R.	Laughlin	Rappaport	Yahner
Fisher, D. M.	Lehr	Ravenstahl	Yohn
Flaherty	Letterman	Reed	Zearfoss
Foster, A.	Levi	Renwick	Zeller
Foster, W.	Lincoln	Richardson	Zitterman
Freind	Livengood	Rieger	Zord
Fryer	Logue	Ritter	Zwikl
Gallagher			

NAYS—0

NOT VOTING—14

Barber	Irvis	Rhodes	Wise
Beloff	Kusse	Shelton	
Dumas	Novak	Valicenti	Fineman,
Gleeson	Pievsky	Williams	Speaker

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 571, printer's No. 900**, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206 No. 331), authorizing certain fire companies rescue companies and ambulance companies to purchase petroleum products by way of purchase contracts for same by the township.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

Abraham	Gallen	Lynch	Ritter
Anderson	Gamble	Mackowski	Ruggiero
Armstrong	Garzia	Madigan	Ryan
Arthurs	Gatski	Manderino	Salvatore
Bellomini	Geesey	Manmiller	Scanlon
Bennett	Geisler	McCall	Scheaffer
Berlin	George, C.	McClatchy	Schmitt
Berson	George, M.	McGinnis	Schweder

Bittinger	Giammarco	McIntyre	Scirica
Bittle	Gillette	McLane	Shuman
Borski	Goebel	Mebus	Shupnik
Brandt	Goodman	Meluskey	Sirianni
Brown	Gray	Milanovich	Smith, E.
Brunner	Greenfield	Miller	Smith, L.
Burd	Greenleaf	Milliron	Spencer
Burns	Grieco	Miscevich	Spitz
Butera	Halverson	Moehlmann	Stairs
Caltagirone	Hamilton	Morris	Stapleton
Caputo	Harper	Mowery	Stewart
Cassidy	Hasay	Mrkonic	Stuban
Cessar	Haskell	Mullen, M. P.	Sweet
Cianciulli	Hayes, D. S.	Mullen, M. M.	Taddonio
Cimini	Hayes, S. E.	Musto	Taylor, E.
Cohen	Helfrick	Noye	Taylor, F.
Cole	Hoeffel	O'Brien, B.	Tenaglio
Cowell	Honaman	O'Brien, D.	Thomas
Davies	Hopkins	O'Connell	Trello
DeMedio	Hutchinson, A.	O'Donnell	Vroon
DeVerter	Hutchinson, W.	O'Keefe	Wagner
DeWeese	Itkin	Oliver	Wansacz
DiCarlo	Johnson	Pancoast	Wargo
Dietz	Jones	Parker	Wass
Dininni	Katz	Petrarca	Weidner
Dombrowski	Kelly	Piccola	Wenger
Donatucci	Kernick	Pievsky	White
Dorr	Klingaman	Pitts	Wiggins
Doyle	Knepper	Polite	Wilson
Duffy	Kolter	Pott	Wilt
Englehart	Kowalyszyn	Pratt	Wright, D.
Fee	Laudadio	Prendergast	Wright, J. L.
Fischer, R. R.	Laughlin	Pyles	Yahner
Fisher, D. M.	Lehr	Rappaport	Yohn
Flaherty	Letterman	Ravenstahl	Zearfoss
Foster, A.	Levi	Reed	Zeller
Foster, W.	Lincoln	Renwick	Zitterman
Freind	Livengood	Richardson	Zord
Fryer	Logue	Rieger	Zwikl
Gallagher			

NAYS—0

NOT VOTING—14

Barber	Irvis	Seltzer	Wise
Beloff	Kusse	Shelton	
Dumas	Novak	Valicenti	Fineman,
Gleeson	Rhodes	Williams	Speaker

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 595, printer's No. 650**, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103 No. 69), increasing millage of annual tax for road bridge and general township purposes.

On the question,

Will the House agree to the bill on third consideration?

MOTION TO RECOMMIT HB 595

The SPEAKER pro tempore. The Chair in error had neglected to recognize the gentleman from Clarion, Mr. Wright, on this bill.

The Chair recognizes the gentleman.

Mr. D. R. WRIGHT. Mr. Speaker, I move that House bills Nos. 595, 596 and 597 be recommitted to the Rules Committee.

The SPEAKER pro tempore. The Chair would remind the gentleman that we can only act on one motion at a time.

The gentleman has moved that HB 595, PN 650, be recommitted to the Committee on Rules.

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

Mr. FRYER. Mr. Speaker, the bill before us has been in the Local Government Committee. It has been requested by our Local Government Associations.

We do not impose an increase but we permit our local government, in this case the boroughs, to raise their maximum figure. I think this is a responsibility that we must meet. We must not be permitted to place our local governments in a straitjacket. I would urge that the motion—

The SPEAKER pro tempore. Will the gentleman yield for a moment?

Mr. FRYER. Yes.

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON. Is a motion to recommit debatable, Mr. Speaker?

The SPEAKER pro tempore. The question before the House is a motion by the gentleman from Clarion, Mr. Wright, to recommit to the Committee on Rules. That is correct.

Mr. RICHARDSON. Is that debatable?

The SPEAKER pro tempore. It is debatable but the debate must be limited to the question of recommitment and not to the merits of the bill.

The Chair recognizes the gentleman from Berks, Mr. Fryer, who may proceed.

Mr. FRYER. Thank you, Mr. Speaker.

In regard to the question of recommitment of HB 595, I wish to strongly oppose the motion and remind the members of this House that we have a definite responsibility in our codes to the various municipalities of this Commonwealth. I would strongly urge that you defeat this motion.

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

Mr. MEBUS. I support Mr. Fryer's observations.

We in this General Assembly mandate a lot of things that these local municipalities must do. Now we sit here and try to curtail their ability to do them.

There is nothing to be gained by further study of these bills. Therefore, let us vote them one way or the other and let us do it today.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Hayes.

Mr. S. E. HAYES. Mr. Speaker, I wonder if the gentleman,

Mr. Wright, would explain why he wants these bills to be re-committed to the Committee on Rules.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, it seems to me that the whole budget process right now is in a state of flux. We are trying to indicate what local municipalities can do when we do not know what the state budget will be.

We really do not know what the needs of the local municipalities will be. It seems to me that nothing will be lost by simply waiting a little while until we know more definitely what our financial situation is.

The SPEAKER pro tempore. I believe the gentleman had asked why the recommittal motion was to the Rules Committee rather than to the committee from which the bill originated. Will the gentleman respond to that? The question of the gentleman was why you had chosen to recommit it to the Committee on Rules rather than the committee where the bill originated.

Mr. D. R. WRIGHT. I am not committed, Mr. Speaker, to what committee it is referred to. It seemed to me to be an appropriate place.

Mr. Speaker, I defer to the distinguished gentleman, Mr. Hayes. He says the more appropriate place would be the Local Government Committee. I am willing to concur in that. So, therefore, I would move that we recommit to the Local Government Committee.

The SPEAKER pro tempore. The gentleman, without objection, has amended his motion to have HB 595 recommitted to the Committee on Local Government.

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

Mr. FRYER. Mr. Speaker, I would continue to oppose the motion. This is an issue that we must meet. I would remind my learned colleague on the other side, Representative Wright, that this has not a thing to do with our state budget.

The SPEAKER pro tempore. The Chair reminds the gentleman that he is on this side.

Mr. FRYER. I was taken away by the force of the argument. Now, Mr. Speaker, you can sense with what strong feelings I oppose this. But it does not have a thing to do with the State budget, with our inability or our ability to tackle the State budget, and I say to you that we do have a responsibility to permit those local governments to function as they see fit.

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

The following roll call was recorded:

YEAS—51

Armstrong	George, C.	Manmiller	Scirica
Bittle	Greenleaf	McCall	Shuman
Caltagirone	Grieco	McGinnis	Sirianni
Cassidy	Hamilton	Milliron	Stairs
DeWeese	Hasay	Mrkonic	Stuban
DiCarlo	Hayes, S. E.	O'Brien, D.	Sweet
Dietz	Hutchinson, W.	O'Donnell	Taddonio
Dininni	Jones	Pancoast	Tenaglio
Doyle	Katz	Piccola	Wright, D.

Englehart	Kelly	Polite	Yohn
Flaherty	Klingaman	Reed	Zeller
Foster, W.	Laudadio	Renwick	Zord
Geesey	Levi	Scheaffer	

NAYS—138

Abraham	Gallen	Madigan	Ruggiero
Anderson	Gamble	Manderino	Ryan
Arthurs	Garzia	McClatchy	Salvatore
Bellomini	Gatski	McIntyre	Scanlon
Bennett	Geisler	McLane	Schmitt
Berson	George, M.	Mebus	Schweder
Bittinger	Giammarco	Meluskey	Seltzer
Borski	Gillette	Milanovich	Shupnik
Brandt	Goebel	Miller	Smith, E.
Brown	Goodman	Miscevich	Smith, L.
Brunner	Gray	Moehlmann	Spencer
Burd	Greenfield	Morris	Spitz
Burns	Halverson	Mowery	Stapleton
Butera	Harper	Mullen, M. P.	Stewart
Caputo	Haskell	Mullen, M. M.	Taylor, E.
Cessar	Hayes, D. S.	Musto	Taylor, F.
Cianciulli	Helfrick	Noye	Thomas
Cimini	Hoeffel	O'Brien, B.	Trello
Cohen	Honaman	O'Connell	Vroon
Cole	Hopkins	O'Keefe	Wagner
Cowell	Hutchinson, A.	Oliver	Wansacz
Davies	Itkin	Parker	Wargo
DeMedio	Johnson	Petrarca	Wass
DeVertter	Kernick	Pievsky	Weidner
Dombrowski	Knepper	Pitts	Wenger
Donatucci	Kolter	Pott	White
Dorr	Kowalshyn	Pratt	Wiggins
Duffy	Laughlin	Prendergast	Wilson
Fee	Lehr	Pyles	Wilt
Fischer, R. R.	Letterman	Rappaport	Wright, J. L.
Fisher, D. M.	Lincoln	Ravenstahl	Yahner
Foster, A.	Livengood	Richardson	Zearfoss
Freind	Logue	Rieger	Zitterman
Fryer	Lynch	Ritter	Zwilk
Gallagher	Mackowski		

NOT VOTING—14

Barber	Gleeson	Rhodes	Wise
Beloff	Irvis	Shelton	
Berlin	Kusse	Valicenti	Fineman,
Dumas	Novak	Williams	Speaker

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

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

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

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

Mr. ZELLER. Mr. Speaker, now that we have had the oratory in regard to the comical side of the issue, let us get down to the serious part of it.

The serious part of it is this: During the debates in the committee—we are not going to get into the personality end of it, but we are going to get into the reasons why these bills should be given a decent burial—we always talk about this home-rule bit. They beat it to death, especially the proponents who want

to so-call aid that local government group. They talk about home rule. The phrase used just a few minutes ago was, "local governments to function as they see fit." That sounds very good; it is beautiful.

Right now, if we want to let local government function as they see fit, that local government body, if they had a sound case, can take their case to the court of local jurisdiction and they can get 5 mills if they want to. We are giving them 3 mills. Big deal. These bills are giving them 3 mills. Now they can go to court in local government in the local area where the local taxpayer has the chance to go in and complain. But do you know what they are going to do? You pass it right now and you are not helping what you call your local people, because those political birds back there are going to blame you for the increase. They are going to tell you that the legislature demanded that we do it. And I have heard it all along the line. Every time they say Harrisburg mandated it. They do not say Harrisburg said you may do it; they say Harrisburg mandated this. They do not accept their responsibility the way they are supposed to. It sounds so good. The taxpayer has no place to go then. But if you leave it as it is, they can go to the court of local jurisdiction and they can complain if they think they are being ripped off. So I say, let us give them a decent burial and vote them down.

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

Mr. FRYER. Mr. Speaker, I would ask the members of the House to remember that you are merely raising to a maximum. It is the local taxing municipality that passes upon their budget and decides what services they shall render and what taxes there shall be.

Now if you recognize the brilliant argument of Representative Zeller, you will impose a straitjacket. You are saying, no, you are not going to go beyond that limit. And I say that is wrong. It is wrong because we are not permitting that municipality to act as it has been elected to do and as it sees the responsibility that it faces. I think that the local governments are entitled to this and they should practice it. I urge the passage of this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Bittinger.

Mr. BITTINGER. Mr. Speaker, would the gentleman, Mr. Fryer, consent to a bit of interrogation?

The SPEAKER pro tempore. Will the gentleman, Mr. Fryer, consent to interrogation?

Mr. FRYER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BITTINGER. A question: If we do raise the limit as House bills Nos. 595, 596 and 597 proposes, would then the local municipalities, the borough and the township be permitted to go into court to go above this limit as they can now go above the current limit?

Mr. FRYER. Yes, they would, sir.

Mr. BITTINGER. Okay, thank you.

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

Mr. MEBUS. Mr. Speaker, one of the problems that the local

government people are faced with at the present time is that many of them have already added that 5 mills which they are permitted to get from the court. They cannot go anywhere else. You are really hamstringing them if you do not give them this opportunity.

We are not mandating any tax increases for any municipality in this state. Only their own borough council or, in this case, the board of supervisors or the board of commissioners can do that. But if you are going to mandate additional things, additional requirements on these local governments as we have been prone to do over the last several years, then by gosh we must absolutely give them the wherewithal to do it. If we had not done some of the things we have done in the recent past, there would not be a need for it. Now we cannot play both ends of the spectrum in this body. If we are going to do one thing, we must be consistent and go with it and do the other thing. If we are going to mandate some of these things, then we have got to give those local governments an opportunity to finance those mandates.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I do not wish to take exception to Mr. Fryer's remarks, except to say that this ability for local municipalities is going to enable them to put an additional tax on the millage of our senior citizens and others who cannot afford increased taxes in the area of property tax. For that reason, I would ask the gentleman from the Local Government Committee to look into the possibility of changing our tax base to where it belongs on income, industry and business, rather than on senior citizens who can ill afford to pay for additional taxes on real estate. For that purpose and for that reason, I rise to oppose the bill.

Thank you.

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

Mr. ZELLER. Mr. Speaker, during the questioning by Representative Bittinger, I think that it should be cleared that you may not have—I do not say intentionally, but you may not have—received the information in regard to the going to court bit that is proper. For instance, right now they have a 14-mill limit. These bills would allow a 3-mill increase, which would be 17 mills. Now say we give this to them. Now it is 17. Yes, they can go to court and get 5 more, which would be 22 mills, if they need that much. They can go for 1 mill, 2 mills, 3 mills, up to 5. But say we keep it at 14, then they can go to court and be responsible and receive 5 mills, all the way to 19, if they show cause in court.

But what you are doing is, you are allowing the local people to have input with their elected officials. What you are doing here, if you pass this, is circumventing the right of the public to be heard on the issue, except by going to counsel and objecting to them going into an increase in millage. This way you have a chance to go into that court and show cause why it should not be increased. If you give them this—and you know how it works—they do not have a chance.

So just so you understand that part, and I am sure you do, as

a reminder of it, with all respect to the gentleman that just spoke on the other side of the aisle, he knows and I know why they would like to have this very simple down here. As a matter of fact, there is interest there in regard to services. Think it over. It is much easier to get borough council to go along with the millage increase to take their services than it is to have to go to court. Think it over a little bit.

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

Mr. ZEARFOSS. Mr. Speaker, I was going to raise a point of order, but since Mr. Zeller is finished with his discussion of the bill, I will not. I think there has been a lot of discussion on the bill. I think we are voting on the motion to recommit and I think we are ready to do that.

The SPEAKER pro tempore. The motion for recommitment has failed. We are on the merits of the bill.

The Chair recognizes the gentleman from Cambria, Mr. Bittinger.

Mr. BITTINGER. Yes, Mr. Speaker. I rise to oppose the bill.

I would suggest possibly considering raising the maximum that they can get by going to court rather than simply raising the limit as these bills do. What I think we are doing at this point is giving the local municipality a license to go into the real estate business, because I think that is what is going to happen with the people on fixed income who cannot pay their property taxes, who cannot afford the property taxes any more. We are more and more going to get into the real estate business. I oppose the bill.

On the question recurring,
Shall the bill pass finally?

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

YEAS—63

Abraham	Gallagher	Mebus	Schweder
Bellomini	Gallen	Miscevich	Shupnik
Berlin	Gamble	Moehlmann	Smith, E.
Brandt	Geisler	Mullen, M. M.	Spencer
Butera	Hoeffel	Musto	Spitz
Caputo	Hutchinson, A.	O'Brien, B.	Stapleton
Cianciulli	Itkin	Parker	Trello
Cole	Knepper	Petrarca	Vroon
Cowell	Lincoln	Pitts	Wagner
DeMedio	Livengood	Prendergast	Wansacz
Duffy	Logue	Pyles	Wargo
Fischer, R. R.	Lynch	Rappaport	Weidner
Flaherty	Manderino	Ravenstahl	Wenger
Foster, A.	McClatchy	Rieger	Zearfoss
Freind	McIntyre	Ritter	Zwinkl
Fryer	McLane	Ryan	

NAYS—128

Anderson	Foster, W.	Laudadio	Richardson
Armstrong	Garzia	Laughlin	Ruggiero
Arthurs	Gatski	Lehr	Salvatore
Barber	Geesey	Letterman	Scanlon
Bennett	George, C.	Levi	Scheaffer
Berson	George, M.	Mackowski	Schmitt
Bittinger	Giammarco	Madigan	Scirica
Bittle	Gillette	Manmiller	Seltzer
Borski	Goebel	McCall	Shuman

Brown	Gray	McGinnis	Sirianni
Brunner	Greenfield	Meluskey	Smith, L.
Burd	Greenleaf	Milanovich	Stairs
Burns	Grieco	Miller	Stewart
Caltagirone	Halverson	Milliron	Stuban
Cassidy	Hamilton	Morris	Sweet
Cessar	Harper	Mowery	Taddonio
Cimini	Hasay	Mrkonic	Taylor, E.
Cohen	Haskell	Mullen, M. P.	Taylor, F.
Davies	Hayes, D. S.	Noye	Tenaglio
DeVerter	Hayes, S. E.	O'Brien, D.	Thomas
DeWeese	Helfrick	O'Connell	Wass
DiCarlo	Honaman	O'Donnell	White
Dietz	Hopkins	O'Keefe	Wiggins
Diminni	Hutchinson, W.	Oliver	Wilson
Dombrowski	Johnson	Pancoast	Wilt
Donatucci	Jones	Piccola	Wright, D.
Dorr	Katz	Pievskey	Wright, J. L.
Doyle	Kelly	Polite	Yahner
Dumas	Kernick	Pott	Yohn
Englehart	Klingaman	Pratt	Zeller
Fee	Kolter	Reed	Zitterman
Fisher, D. M.	Kowalshyn	Renwick	Zord

NOT VOTING—12

Beloff	Kusse	Valicenti	Fineman,
Gleeson	Novak	Williams	Speaker
Goodman	Rhodes	Wise	
Irvis	Shelton		

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

HB 596 AND HB 597 PASSED OVER

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

Mr. FRYER. In line with certain events, Mr. Speaker, I request that HB 596 and HB 597 be held over.

The SPEAKER pro tempore. Pursuant to the gentleman's request, HB 596, PN 651, HB 597, PN 652, will go over in order.

HB 751 REREFERRED

The SPEAKER pro tempore. The Chair briefly recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I move that HB 751, PN 1017, now on the table, be rereferred to the Committee on Appropriations for a fiscal note.

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

H. SCOT ROBISON PRESENTED

The SPEAKER pro tempore. It is my privilege now to introduce to the members of the House H. Scot Robison.

Scot Robison is a 19-year-old young man from Hollidaysburg, Blair County, Pennsylvania, who was selected to represent the Commonwealth as an official Bicentennial Courier to the Philippines during our nation's Bicentennial year. He also was appointed by His Excellency, Governor Milton Shapp, as an honorary Pennsylvanian Ambassador to represent the Commonwealth in London, Paris, Salzburg and Vienna from

December 1, 1976 to January 12, 1977.

Today, for a few moments he will report to us the results of his missions of goodwill. Scot.

MR. ROBISON. Acting Speaker Englehart, members of the Pennsylvania State House of Representatives, members of the Press, ladies and gentlemen, I thank you for this opportunity to bring to you a final report on two missions of goodwill to promote international goodwill and understanding which I had the opportunity and privilege of undertaking as a representative of our state.

On both of these trips I received your support and a designation through resolutions introduced by former Representative W. William Wilt of Blair County and Representative John Milliron. In each resolution this body requested me to extend its greetings and best wishes to the peoples, countries and governments I would have meetings and dealings with. Ladies and gentlemen, this has been done.

This body asked me to express its wishes for peace and progress in international relations. This too has been done.

I bring to you today a report, not only on the completion of these tasks, but also on the return of feeling and sentiment from those countries which I visited. The many nations I had a chance to visit and the many representatives and diplomatic corps members I had a chance to speak with all acknowledged a fundamental need to keep our relations vital and continuously reaffirmed. These nations acknowledged the fact that relations must be kept open through cultural exchange and constant updating of knowledge.

To stop the exchanges or to stop the communication of the true state of affairs in one country can lead to misrepresentation. The resulting lack of information causes misunderstanding and oftentimes the ignorance leads to prejudice. Therefore, there must be a constant struggle against stagnation in cultural exchange, against misunderstanding and above all against prejudice.

The prejudices that we hold within ourselves about other countries are like all prejudices, usually unfounded. Our lack of knowledge about our neighbors' cultures causes prejudices to be formed. Prejudices have been formed against dozens of minority groups in America because they were "different." The reason they were different was because they were from different cultures whose customs we did not understand. Thus, this trip tries to bring knowledge where there was none and to eradicate misconceptions and prejudices whenever possible.

For these reasons the promotion of international goodwill and understanding should be a matter of major import, but unfortunately it isn't. I believe that it is necessary to recognize this area as a problem area and to do everything in our power to solve it. If fighting prejudice is being too idealistic, then by God make us all idealists. Some people see things as they are and ask why. Let's see things that could be and ask why not?

Members of the House and guests, you have recognized this area as a problem through your interest in these trips and by your designation of me as your representative. The following nations appreciated your interest and your gestures toward international goodwill and understanding: France, Israel, Thailand, Egypt, Malaysia, Australia, Chile, Canada, Brazil,

West Germany, the Philippines, Austria, Peru, Colombia, Honduras, Costa Rica, Bolivia, the Dominican Republic, Finland, Greece, Argentina, Japan and England. I present to you their return compliments and wishes for peace among nations and their appreciation for our efforts. Thus, I report to you that the trips were decisive, conclusive efforts to do positive work in this area. I conclude that these countries who received this body's greetings and true intentions deeply appreciated our efforts to dispel misconceptions and prejudices.

I therefore thank you for your interest and indeed I think we can all be proud of what has occurred on these trips.

In conclusion, the duties and responsibilities you have charged me with have been fulfilled and my work has been done. I thank you for your help.

The SPEAKER pro tempore. Thank you, Scot.

REPORT SUBMITTED FOR THE RECORD

Mr. ROBISON presented the following report for the Legislative Journal:

A MISSION FOR GOODWILL

by

H. Scot Robison

AMERICAN YOUTH AMBASSADOR

Bicentennial Courier

AND NOW HONORARY PENNSYLVANIA AMBASSADOR

From December 1, 1976, through January 12, 1977, I was involved in a trip to London, Paris, Salzburg and Vienna. This report will outline and describe my activities, duties and the reasoning behind the trip and the reactions of the people of these cities to it. In short, I hope to analyze the problems and difficulties, as well as the successes that are inherent in a trip of this size and magnitude. This report will seek to explain and justify this trip and to give a reasonably accurate accounting of the aspects, goals and purposes of meetings and their results.

THE TRIP AND SOME BACKGROUND

On November 24, 1976 at a two-purpose ceremony held in the Governor's reception room in the Capital Building in Harrisburg, I presented ten letters from several Ambassadors and Consuls General stationed in Manila, Philippines, who were among the officials I had made diplomatic courtesy calls on while there as a Bicentennial Courier. I met Ambassadors from the following countries: The Federal Republic of Germany, Malaysia, France, Israel, Egypt, the United States, Australia, Chile, Canada, and Brazil; and the Consuls General from the following countries: Peru, Costa Rica, Greece, Finland, Colombia, Austria, Bolivia, Honduras, the Dominican Republic, and the Charge d' Affairs of Argentina. Of these Diplomatic Corps officials who I met in their embassies or consulates I asked that they write a letter to Governor Shapp and the people of Pennsylvania and America describing their sentiments on our visits to their embassies, their greetings to the Governor and people and on their wishes on our nation's Bicentennial. Of all these Diplomatic Corps members some wrote letters. Those Corps members included: Egyptian, Malaysian, Brazilian and West German ambassadors; the Consuls General of Peru, Colombia, Austria, Finland and Greece and the Charge

d' Affairs of Argentina. Each of these Corps members received greetings from the following government agencies and men who I was designated to represent: The Governor of Pennsylvania, Milton J. Shapp (who addressed a letter to the people of the Philippines which I adapted into an official greeting to all these officials and which was read over two TV stations, Radio Philippines and two other radio shows), the Pennsylvania State House of Representatives, the Blair County Board of Commissioners and Mayor Charles Harclerode. All of these government agencies charged me with representing them through extending their wishes for "goodwill, international understanding and peace among all nations and men."

The American Revolution Bicentennial Administration provided a grant to the State Department—affiliated Youth for Understanding, an international youth exchange program, for the purpose of creating and administering the nation's official Bicentennial youth exchange program. In Pennsylvania Youth for Understanding sponsored a state-wide essay contest, I entered the essay contest and my essay placed first in the state. The contest was judged by a nine member blue-ribbon panel including two Bishops and the State Director of the YMCA. This panel judged the quality of the writing and content of the essay, and also the number and variety of activities and also the leadership capabilities as shown by a complete resumé which I submitted to them.

After the notification of my winning the contest and my set departure on June 15, 1976, I proceeded to the Philippines for my two-month stay with a Filipino host family. I was now laden with designations and with Bicentennial gifts from local businesses to corresponding groups in the Philippines. While in Manila, I organized the eight other Bicentennial Couriers from Texas, California, Colorado, Florida, Georgia, Illinois, Ohio, and New Mexico into a group and was elected group leader and spokesman. I immediately contacted the United States' embassy in Manila to explain the trip and my designations. See the attached paper on the arrangement of diplomatic courtesy calls to get a detailed explanation of the entire process—subreport on arrangement. I then called each embassy and consulate in Manila to arrange for a diplomatic courtesy call during which we would present our gifts, greetings from officials, bicentennial representations of each of our states and anything else within the areas prescribed by the embassy and by our mission to promote international goodwill and understanding. Each of the officials we met appreciated our visit and all were happy to talk at great length and depth on international relations, foreign affairs and internal problems and opinions. The meetings averaged an hour and a half in length, with some meetings as short as twenty minutes and some which lasted much longer. I was the only Bicentennial Courier to go to the diplomatic courtesy call at the Egyptian embassy to Manila and I had a very positive and informative conversation with Ambassador Abdel Monem el Shinawi which lasted for five hours of deep conversation.

Many courtesies were extended to all of us including invitations to tea with Ambassador Shinawi, Diplomatic Corps cocktail parties, invitations to go yachting or have lunch with these members of the diplomatic corps, et cetera. At all times

we carried ourselves in a manner befitting our positions as state representatives and as young Americans conveying the best of our nation's culture through a communication of our values, traditions and the goodwill from our states.

I also arranged for an address to the several hundred members of the Rotary Clubs of Rotary International District 380 who were attending a workshop. I spoke to them as a representative of America during the country's bicentennial. We were cordially received and were thanked for our attention and work as representatives of the United States. When I returned home, I reported all my work to each of the government agencies and service organizations I represented. I was not obligated to make these reports, but I wanted to fulfill what I felt was a moral obligation to make them aware of what exactly I did do as their representative.

I then enrolled in the Continuing Education Night Classes of the Altoona Campus of the Pennsylvania State University. While I was attending these classes, I started to make arrangements and plans for the pursuit of another trip in the same scope and nature as the first trip to the Philippines. The reason for my desire to make another trip centered on my wishes to continue this kind of work and to represent the state in as positive a manner as I had done in the first trip. In short, to do whatever possible to help with good relations.

To start with my preparations, I enquired with Youth for Understanding to see if I could retain my position and title as a Bicentennial Courier. They informed me that the A.R.B.A. had only sponsored the project for the summer months and that it would not be possible for me to use the title beyond that time. With this in mind, I wanted to make other arrangements. So, I then contacted my then state representative W. William Wilt, who I asked to introduce a resolution in the House designating me as that body's representative to foreign countries. I also contacted other government agencies and received their blessings and congratulations and also several more solid designations from the Governor, the mayor and the City Council of Altoona. To pay for the trip and to help with accommodations in each of the countries I planned to visit—England, France, West Germany, and Austria—I planned to get sponsorships from my local Rotary Club and Rotary District 735. I received this aid and also got monies from the Soroptomists of Blair County and the Interact Club of Hollidaysburg. All of these sponsorships totalled half of the costs of the trip. I paid for the remaining half. The trip cost approximately \$1,100.00.

The Rotary Clubs are based on international service and the promotion of goodwill and understanding and I had been involved extensively in their youth Interact Club program. So, it was logical that I go through them for accommodations and sponsorships. So, Rotary Club of Hollidaysburg President Don Wissinger and Rotary District Governor Dan Fleming wrote letters of introduction for me which were mailed along with other materials and itinerary to Rotary Clubs in London, Paris, Bonn, Munich, Salzburg and Vienna. I received replies from Rotary Clubs in Paris, Salzburg and Vienna who had arranged for my accommodations with host Rotarians and their families. I made by flight arrangements for the trip. I went via

Altoona-Pitts-Phil-London and by then picking up transportation to all other points while in Europe and departing from Vienna to Zurich-New York-Pitts and Altoona on January 12, 1977. The idea for the trip, the arrangements made, the scope and goals are all, I feel, good indications of maturity and capability on my part as a 19 year old. I don't think anyone my age could have done all this themselves and accomplished what was accomplished.

On December 1, 1976, I left for the airport and a 3:00 p.m. flight to Pittsburgh. All went smoothly and I touched down around 8:00 a.m. London time on December 2, 1976. I checked into the Y Hotel for 4 nights and began to make preparations for fulfilling my duties and what I felt were my responsibilities. I called the United States' embassy and spoke with the Cultural Affairs officer and explained to him the purpose for the trip and what I hoped to accomplish by way of press coverage and meetings. The attaché, Mr. Sadlowski, called the Lord Thomas Ponsonby's office and Mr. James Ascher's press attaché office for me. Lord Ponsonby is the Chairman of the Greater London Council and was the representative of the people of London whom I wanted to contact to exchange greetings.

As a result of my conversation with Mr. Ascher I was able to contact and set up radio interviews with the BBC, LBC, and Capital Radio. Mr. Ascher and his assistant, Mr. Dunn, provided me with a great deal of assistance which I greatly appreciated. Both of these men were very helpful in their suggestions about contacts and referrals to various press and media representatives and groups. Why have press and media coverage? Because if a goodwill trip of this nature and scope is to succeed, then the people of the individual cities and countries must be notified of the state's good intentions and of the actual physical representation of the ideas of promoting international goodwill and understanding.

At each embassy I had to call the Cultural Affairs officer and establish my identity and credibility. This was both time consuming and sometimes disappointing. In fact, it was oftentimes too late to arrange for press coverage once I arrived in the country. The best remedy for this last minute type of press coverage arrangement would be the notification by the Governor's office to the U.S. embassies in different countries. The advance notice would not have to be very complicated and this would save a lot of time and work in trying to establish a credibility for the trip by making an unannounced visit to the embassy itself. I spent at least one hour in each embassy convincing them of my sincerity, my duties and responsibilities and my designations. In this case, one letter in advance saves a lot of work for the representative. As a result, the establishment of credibility is not difficult at the embassy and also it permits much more time for the embassy to arrange press coverage.

After setting up press coverage, I was pleased to learn of the meeting the Cultural Affairs officer had arranged with the Lord Thomas Ponsonby. The meeting was arranged for December 10, 1976. This was the day after I had arranged for three radio interviews with the companies I've already mentioned. Each of these interviews centered around the reasons for the trip, the spread of goodwill by dissemination of information on

Pennsylvania and the extension of official greetings to the citizens of London. Each interview was most successful, in particular, the interview with the BBC. At the conclusion of that interview, I offered the Loyal Toast to Queen Elizabeth.

While in London, I addressed the Rotary Clubs of London, Westminster East and Westminster West whose membership and attendance amounted to approximately 300 to 400 of London's businessmen. These businessmen received the Governor's greetings and best wishes. After this exciting and well covered week in London, it was on to Paris for a three week stay till January 2, 1977.

The Paris East Rotary Club and the Renault Company arranged for my accommodations and for some courtesies extended to me. The Rotary Club arranged, through President Jacques Decaudin, my accommodations with one of the club's members, Mr. Jean Claude Schreder of 26 Avenue, Duquesne, Paris. The Renault Company, through Mr. Pierre Acolas (another Paris East club member) provided me with a Renault 5TS for transportation in Paris. These two groups and these gentlemen in particular helped me a great deal and can be given credit for making my stay in Paris as successful as was possible.

The pace of this trip was not nearly as hectic as the first trip to Manila. In that first trip, I had meetings with various officials that had to be arranged at the rate of three two-hour meetings in the morning in embassies often separated by several miles across Manila. This trip allowed for a greater amount of time to arrange and carry out my duties and thus a much less hectic pace.

While in Paris, I continued to try to arrange for press coverage, meetings with public officials and addresses to Rotary clubs—even though I don't know how to speak French. I met with my first disappointment in France in trying to arrange for press coverage. I contacted the embassy, as usual, and they weren't able to arrange any coverage except a release on the wire services. I then tried to arrange for radio interviews as I had done in London. The reply was a total opposite of the enthusiastic response of the English media. Radio France symbolized this negative attitude by their response of "Not interested." I then decided to emphasize other ways to fulfill my responsibilities.

I arranged to meet with the Philippines Ambassador, the first Minister of the Japanese embassy, the first Secretary of the Argentine and West German, had lunch with the Austrian Ambassador to France and spoke and gave greetings to the Chilean Ambassador to France. During these courtesy calls, I spoke with each official in as tactful and diplomatic tones as were possible. I believe that each official was pleased with our state's gesture and with my presentation of gifts and of the better side of American values and attitudes.

The embassy did arrange one courtesy call, a call on the President of the Paris City Council's representative, Mr. Fred Clibere, the Head of Protocol and Hospitality Committee for the people of Paris. I met Mr. Clibere at the Paris City Hall. They extended to me the corresponding greetings and several gifts including color print for the Governor, and a letter opener for Mayor Bill Stouffer of Altoona and a book about Paris for

me. The number of meetings that were possible in Paris was severely limited because of the holiday season. I tried several other embassies and was not able to arrange more meetings. There were two reasons for this small number of meetings. The Ambassadors were on home leave and their was a communication problem with the phone operators at each embassies' switch board. I was not able, in many cases, to speak with the Ambassador's personal secretary because of this problem and therefore couldn't make an appointment.

I filled the rest of my time with sightseeing and with addresses to various Paris Rotary Clubs in the week before Christmas and the week after. I was introduced at each of three Paris Rotary Clubs and spoke to the Paris-Nord, Paris, and Paris-Ouest Clubs in English. I had a translator at the Ouest Club meeting; I spoke a few translated sentences in French at the Paris club which I addressed twice; and the Nord club I addressed in English. I received large and effusive welcomes and responses from the over 900 French businessmen who heard me speak.

As I had mentioned before, I had the distinct pleasure of staying with one of the most gracious and hospitable Rotarians I have met, Mr. Jean Claude Schreder. This family opened its arms to me and made the Christmas and New Years holidays most pleasant for me. Originally I had scheduled Bonn and Munich as part of my itinerary, but for several reasons I had to drop these from my schedule. The letters and gifts that were to be given the mayors and citizens of those cities I gave to the West German Ambassador's first Secretary. I asked him to convey the same to the appropriate officials. The two weeks I would have spent in West Germany were spent in Paris and I have Mr. Schreder to thank for providing me with accommodations that took up the slack. This gentleman was very, very helpful.

After Paris, it was on to Salzburg, Austria, by train. I was able to stay with Rotarian host Colnel Norbert Kagerer and his wife. Colnel Kagerer is a member of one of the Salzburg Rotary clubs and he made possible an interesting tour of Salzburg and the meeting which I had in Salzburg. I stayed in Salzburg from January 3, 1977 through January 5, 1977. I was not able to address any Rotary Clubs in this city because they did not meet on any of the days I was there. Colnel Kagerer was able to arrange a meeting with Dr. Herbert Moritz the Vice Governor or Landeshauptmann Vertreter—the representative of the Governor of Salzburg Province of Austria. I met Dr. Moritz at 11:00 a.m. on the morning of the 5th of January. I arrived at the government building of Salzburg and was promptly ushered in to Dr. Moritz's office where I presented the compliments and greetings and gifts. Dr. Moritz was most pleased and happy with our gesture and presented me with a book all about Salzburg province.

On January 5 I boarded the 3 o'clock train to Vienna where I would be met by the President of the Vienna Rotary Club, Mr. Ernst Chiari and his wife. I settled in their apartment and less than an hour after my arrival I went to address a meeting of the Wien-Ring Rotary Club at the Schwarzenburg Palace. I addressed these gentlemen in a brief 5 to 10 minute speech on my mission. They were very receptive and applauded and lauded

the idea and the carrying through of the mission. There were no meetings on the 6th of January because it was a national holiday, Heilage DreiKönigstag. Then it was a full schedule of Rotary Club addresses at the rate of one a day for the rest of the weekdays I was in Austria. By the time it was all over, I had addressed four Vienna Rotary Clubs with well over 300 businessmen in attendance.

On January 7 Mr. Chiari and I went to the United States' embassy's press and information office to explain my trip and to ask for help in arranging for press and media coverage and for a meeting with officials of the local government. We spoke with Mr. Bardoz at the embassy and he was most helpful in arranging my meeting with the representative of the Lord Mayor of Vienna who was also a Senatatsradt and Buromeister, Dr. Richard Densher. Mr. Bardoz seemed pleased at my visit, but showed that ever-present curiosity about why the trip hadn't been preannounced. The meeting did go quite smoothly though because M.r Chiari had a chance to call the embassy several days in advance to describe the trip.

I got to meet Dr. Densher in the state reception or Rote salon of the Vienna City Hall. I was accorded a very exciting honor and privilege; their was a full interpretor during the visit and exchange of gifts and greetings.

After the meeting with Mr. Bardoz at the embassy, we (Mr. Chiari and I) toured Vienna and went to a luncheon meeting of the Wien-Donau Rotary Club which I addressed in a five minute German speech I had prepared before my departure from the states. The 8th and 9th were weekend days spent in seeing other parts of Vienna. On the 10th I addressed the Vienna-Nordost Rotary Club and on the 11th the Vienna Rotary Club. While at the Vienna Rotary Club luncheon, I met the Defense Minister of Austria, the Head of Die Presse-Vienna's most prestigious newspaper, and the Head of the Austrian Press Agency. This last gentleman made it possible for me to have three press releases put on the Austrian Press Agency's wires.

According to all of my Rotarian hosts and alla of the people I spoke with, the trip was very successful. In fact, one of my Rotarian hosts in Vienna said that I couldn't have done a better job and that he believed that they had chosen their representative wisely. Thus, the trip did accomplish its goals of promoting international goodwill and understanding. I believe that I could have done little more toward those goals and that I worked as hard as I was able.

Signed,

H. Scot Robison, H.P.A.

Presented faithfully and in good trust by H. Scot Robison Honorary Pennsylvania Ambassador to London, Paris, Salzburg and Vienna from December 2, 1976 through January 12, 1977.

TAX-RELATED BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 225, printer's No. 245, entitled:

An Act amending "The Local Enabling Act" approved Decem-

ber 31, 1965 (P.L. 1257 No. 511), further excluding certain income from earned income taxation.

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

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

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

YEAS—184

Abraham	Foster, W.	Levi	Ritter
Anderson	Freind	Lincoln	Ruggiero
Armstrong	Fryer	Livengood	Ryan
Arthurs	Gallagher	Logue	Scanlon
Barber	Gallen	Lynch	Scheaffer
Bellomini	Gamble	Mackowski	Schmitt
Beloff	Garzia	Madigan	Schweder
Bennett	Gatski	Manderino	Scirica
Berlin	Geesey	Manmiller	Seltzer
Berson	Geisler	McCall	Shuman
Bittinger	George, C.	McClatchy	Shupnik
Bittle	George, M.	McGinnis	Sirianni
Borski	Giammarco	McLane	Smith, E.
Brandt	Gillette	Mebus	Smith, L.
Brown	Goodman	Meluskey	Spencer
Brunner	Gray	Milanovich	Spitz
Burd	Greenfield	Miller	Stairs
Burns	Greenleaf	Milliron	Stapleton
Butera	Grieco	Miscevich	Stewart
Caltagirone	Halverson	Moehlmann	Stuban
Caputo	Hamilton	Morris	Sweet
Cassidy	Harper	Mowery	Taddonio
Cessar	Hasay	Mrkonic	Taylor, E.
Cimini	Haskell	Mullen, M. P.	Tenaglio
Cohen	Hayes, D. S.	Mullen, M. M.	Thomas
Cole	Hayes, S. E.	Musto	Trello
Cowell	Helfrick	Noye	Vroon
Davies	Hoeffel	O'Brien, B.	Wagner
DeMedio	Honaman	O'Brien, D.	Wansacz
DeVerter	Hopkins	O'Connell	Wargo
DeWeese	Hutchinson, A.	O'Donnell	Wass
DiCarlo	Hutchinson, W.	O'Keefe	Weidner
Dietz	Itkin	Pancoast	Wenger
Dininni	Johnson	Parker	White
Dombrowski	Jones	Petrarca	Wiggins
Donatucci	Katz	Piccola	Wilson
Dorr	Kelly	Pievsky	Wilt
Doyle	Kernick	Pitts	Wright, D.
Duffy	Klingaman	Polite	Wright, J. L.
Dumas	Knepper	Prendergast	Yahner
Englehart	Kolter	Pyles	Yohn
Fee	Kowalyshyn	Rappaport	Zearfoss
Fischer, R. R.	Laudadio	Ravenstahl	Zeller
Fisher, D. M.	Laughlin	Reed	Zitterman
Flaherty	Lehr	Renwick	Zord
Foster, A.	Letterman	Richardson	Zwikl

NAYS—3

Goebel	Pott	Salvatore
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NOT VOTING—16

Cianciulli	Novak	Shelton	Wise
Gleeson	Oliver	Taylor, F.	Fineman,
Irvs	Pratt	Valicenti	Speaker
Kusse	Rhodes	Williams	
McIntyre	Rieger		

The majority required by the Constitution having voted in

the affirmative, the question was determined in the affirmative.

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. GOEBEL. I inadvertently pushed my switch the wrong way. I would like my vote to be recorded in the affirmative on HB 225. Thank you.

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

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

Mr. POTT. Mr. Speaker, inadvertently, I was locked out on that vote on HB 225. I would like to be recorded in the affirmative.

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

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. SALVATORE. When the vote was taken on HB 225, PN 245, I was away from my seat. I was voted in the negative and I want to be recorded in the affirmative.

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

TRANSPORTATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 353, printer's No. 801, entitled:

An Act amending the act of June 19, 1953 (P.L. 279 No. 54), entitled "An act to prohibit operation of boats having a developed horsepower rating in excess of ten on Canadohta Lake in Crawford County" further providing for the use of boats with motors.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. RITTER. Mr. Speaker, will the gentleman, Mr. Dombrowski, consent to a brief interrogation?

The SPEAKER pro tempore. Will the gentleman from Erie, Mr. Dombrowski, consent to interrogation?

Mr. DOMBROWSKI. Yes, I will.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, I am looking for a copy of the bill, but is this the bill which repeals the 10-horsepower limit on motorboats on a certain lake in Crawford County?

Mr. DOMBROWSKI. Yes, it is.

Mr. RITTER. Mr. Speaker, if we accept this bill and it becomes law and I have a boat with a 75-horsepower motor on it, I could theoretically use that boat with that horsepower motor on that lake? Is that correct?

Mr. DOMBROWSKI. I am informed by the chairman of the Fish and Game Commission that is not so.

The intent of the legislation is to make all the lakes in the Commonwealth of Pennsylvania equal. Presently, these are the only three lakes that are regulated by law. The rest of the lakes in the Commonwealth of Pennsylvania are regulated by rules and regulations of the Fish Commission.

Mr. RITTER. Mr. Speaker, what is the regulation on Fish Commission lakes in terms of the number of horsepower on a boat?

Mr. DOMBROWSKI. I think the regulation in the Fish Commission is that regardless of the size of the motor or the horsepower, the motor and the boat will be operated in a safe manner.

Mr. RITTER. Mr. Speaker, my information is that there is a 10-horsepower limit now on lakes owned and controlled by the Fish Commission.

I thank the gentleman, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I am opposed to this legislation, this bill and the next two on the calendar. The explanation we received in caucus was that if we pass this bill and repeal the horsepower limitations, the Fish Commission will then issue regulations controlling the operation of boats on these three lakes.

Frankly, I am at the point where I am not about to vote for any more pig-in-a-poke kind of legislation. I want to see the rules and regulations that the Fish Commission is going to propose. I have not had any contact from them as to what they are intending to do.

If they do not operate or act in time after this legislation becomes law, which will be 60 days after it is signed by the Governor, people with big horsepower motors can operate on these three lakes. They can do a bunch of other things, and people who want to use them for canoeing or simply use a little rowboat are going to be, excuse the expression, but kind of up the creek without a paddle.

I think we ought to defeat this legislation. If the Fish Commission is serious and they are interested in telling us what they want to do with these lakes, let them come here, give us their proposed rules and regulations first. Then if we accept those, we can repeal these three bills. To do it the other way around, it seems to me is the wrong way to do it. And I intend to vote "no" on the bill.

The SPEAKER pro tempore. The Chair recognizes the gentle-

man from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, in the Commonwealth of Pennsylvania, we have a little over 8,000 lakes, ponds, et cetera, and this does not include private ponds or ponds owned by farmers, et cetera. Now of these 8,000-and-some lakes and ponds, the Fish Commission under their boating rules and regulations, which are, by the way, set up by a boating advisory committee, governs all of these lakes except three, the three we are dealing with today. They are covered by statutes.

This to me is really ridiculous. You get your boat and you drive throughout Pennsylvania. You want to stop at a certain place. You do not know what the rules and statutes are on these three lakes. You drive up there and of course you cannot take your boat in there because it is too big, it is too large, too much horsepower, things of this nature.

Now all we are trying to do is eliminate this and leave the rules and regulations the same as govern all the other lakes and ponds in Pennsylvania and use that same criteria in order that we can tell our people so the people will know when they travel exactly what to do.

I might tell you, when you talk about rules and regulations, that this is not set up by the Fish Commission itself. This is set up by a boat advisory committee. The boating people themselves run this, regulate it, set it up. They have their rules and regulations. This is all it is.

We are only asking that you support us in order that these people can run this program the way it should be run.

Thank you.

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

Mr. BENNETT. Mr. Speaker, would Mr. Renwick consent to interrogation?

The SPEAKER pro tempore. Will the gentleman, Mr. Renwick, consent to interrogation?

Mr. RENWICK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BENNETT. Mr. Speaker, is it the intent of this legislation, as I read it, by repealing this act that the regulations then would be under the Fish Commission as you have just stated?

Mr. RENWICK. Yes, under the rules and regulations of the advisory boating committee.

Mr. BENNETT. Mr. Speaker, I am very familiar with at least one of these lakes that you are talking about.

I am firmly convinced that the boating advisory board is speaking in behalf of the boaters and hunters in Pennsylvania and I would speak in support of this legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Geesey.

Mr. GEESEY. Mr. Speaker, would the gentleman from Elk, Mr. Renwick, consent to interrogation, please?

The SPEAKER pro tempore. Will the gentleman, Mr. Renwick, consent to interrogation?

Mr. RENWICK. Yes, I will.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GEESEY. Mr. Speaker, as the bill is presently written

after amendment, can you assure me that if it passes in its present form that the regulation of motorboats on this particular lake will revert to the Fish Commission?

Mr. RENWICK. That is right. But as I said, there is an advisory board that sets up these rules and regulations.

Mr. GEESEY. I understand that.

Mr. RENWICK. Right. Okay.

Mr. GEESEY. And I agree with what they have accomplished and their intent. I just wanted to make sure that if this is passed, it will come under the regulations of the Fish Commission.

Mr. RENWICK. Exactly.

Mr. GEESEY. Okay. Mr. Speaker, under those circumstances, I support the legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, there was much discussion on this bill. I think there are many of us who were lead to believe that the interpretation of this bill and the actual proposal was different than the way the bill reads.

The fact is, if this bill should pass, what we will be doing, in essence, by the repeal is facing the objective of the possibility of an unlimited horsepower or the fact that the Fish Commission could, in fact, revert to the initial law of 10 horsepower.

MOTION TO RECOMMIT

Mr. GEORGE. Because of the confusion and, seriously, because I do not want to see a bill die that has merit, I move that HB 353 be recommitted to the Committee on Game and Fisheries so that, in essence, the Fish Commission might tell us in their proposal just what we can offer to the people of this House of Representatives.

The SPEAKER pro tempore. It has been moved by the gentleman from Clearfield, Mr. George, that HB 353, PN 801, be recommitted to the Committee on Game and Fisheries.

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

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

Mr. DOMBROWSKI. Mr. Speaker, I oppose the motion to recommit. The man from the Fish Commission attending the Transportation Committee meeting explained what would happen with this if it were passed on its present form. I think that the Transportation Committee was well informed and I am sure that the Fish and Game Commissions were just as informed.

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

Mr. LAUDADIO. On the motion to recommit, I oppose the motion.

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

Mr. BENNETT. I know it is a nondebtable motion but I oppose the motion to recommit.

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

The following roll call was recorded:

YEAS—8

Fryer	George, C.	O'Donnell	Salvatore
Garzia	Hasay	Ritter	Wargo

NAYS—184

Abraham	Foster, W.	Logue	Rieger
Anderson	Freind	Lynch	Ruggiero
Armstrong	Gallagher	Mackowski	Ryan
Arthurs	Gallen	Madigan	Scanlon
Barber	Gamble	McGinnis	Scheaffer
Bellomini	Gatski	Manmiller	Schmitt
Bennett	Geesey	McCall	Schweder
Berlin	Geisler	McClatchy	Scirica
Berson	George, M.	McGinnis	Seltzer
Bittinger	Giammarco	McIntyre	Shuman
Bittle	Gillette	McLane	Shupnik
Borski	Goebel	Mebus	Sirianni
Brandt	Goodman	Meluskey	Smith, E.
Brown	Gray	Milanovich	Smith, L.
Brunner	Greenfield	Miller	Spencer
Burd	Greenleaf	Milliron	Spitz
Burns	Grieco	Miscevich	Stairs
Butera	Halverson	Moehlmann	Stapleton
Caltagirone	Hamilton	Morris	Stewart
Caputo	Harper	Mowery	Stuban
Cassidy	Haskell	Mrkonic	Sweet
Cessar	Hayes, D. S.	Mullen, M. P.	Taddonio
Cianciulli	Hayes, S. E.	Mullen, M. M.	Taylor, E.
Cimini	Helfrick	Musto	Taylor, F.
Cohen	Hoefel	Noye	Tenaglio
Cole	Honaman	O'Brien, B.	Thomas
Cowell	Hopkins	O'Brien, D.	Trello
Davies	Hutchinson, A.	O'Connell	Vroon
DeMedio	Hutchinson, W.	O'Keefe	Wagner
DeVerter	Itkin	Oliver	Wansacz
DeWeese	Johnson	Pancoast	Wass
DiCarlo	Jones	Parker	Weidner
Dietz	Katz	Petrarca	Wenger
Dininni	Kelly	Piccola	White
Dombrowski	Kernick	Pievsky	Wiggins
Donatucci	Klingaman	Pitts	Wilson
Dorr	Knepper	Polite	Wilt
Doyle	Kolter	Pott	Wright, D.
Duffy	Kowalyszyn	Pratt	Wright, J. L.
Dumas	Laudadio	Prendergast	Yahner
Englehart	Laughlin	Pyles	Yohn
Fee	Lehr	Rappaport	Zearfoss
Fischer, R. R.	Letterman	Ravenstahl	Zeller
Fisher, D. M.	Levi	Reed	Zitterman
Flaherty	Lincoln	Renwick	Zord
Foster, A.	Livengood	Richardson	Zwikl

NOT VOTING—11

Beloff	Novak	Valicenti	Fineman,
Gleeson	Rhodes	Williams	Speaker
Irvis	Shelton	Wise	
Kusse			

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

On the question recurring,
Shall the bill pass finally?

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

Mr. ARTHURS. Would Mr. Renwick stand for interrogation,

please?

The SPEAKER pro tempore. Will the gentleman consent to interrogation?

Mr. RENWICK. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ARTHURS. Mr. Speaker, if these bills are enacted, did I understand you to say that all lakes would then be under the jurisdiction of the Fish Commission?

Mr. RENWICK. That is right.

Mr. ARTHURS. Did you say that all lakes would be treated in the same manner?

Mr. RENWICK. Right. Now there would be exceptions. As I said many times, the Boating Advisory Board is the body which sets up these rules and regulations in conjunction with the Fish Commission. You have some areas where fishing is the prime requisite of a lake. Then they do not want motorboats running around disturbing the fishermen. This is what we have got to watch, and that is why we are asking that we give these people the jurisdiction over this.

Mr. ARTHURS. All right. Is this taking any control away from our park system, the lakes that lie within our parks?

Mr. RENWICK. No, none whatsoever.

Mr. ARTHURS. Who has control over that waterway?

Mr. RENWICK. Well, it is under the jurisdiction of the Fish Commission, but the park itself is land and has nothing to do with it.

Mr. ARTHURS. Well, this is what I have in mind. I think there are certain lakes in certain parts of the state that should not even have the larger motors carried because the larger motors, even though they are not used, still have some leakage of fuel, and in certain lakes I am sure this might do some damage. Will every lake be looked upon as an entity in itself?

Mr. RENWICK. Exactly. By the Fish Commission.

Mr. ARTHURS. Does the park office have any input into this or is it completely up to the Fish Commission?

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

Mr. LAUDADIO. Mr. Speaker, let me answer that question for Mr. Arthurs.

The old Department of Forests and Waters, now run by the Bureau of State Parks under Bill Forrey, still controls all boating as far as the state parks are concerned. All this is doing is putting three lakes under the regulation of the Fish Commission, that the Fish Commission does not have the power to regulate. They have many, many lakes throughout the Commonwealth in which they have the power to do so. All we are doing—and the sportsmen felt they should have the power—is giving them the power to take care of these three lakes also.

Mr. ARTHURS. But it is not doing anything—

Mr. LAUDADIO. Not a thing.

Mr. ARTHURS. Now wait a minute. You did not even let me finish the question.

Mr. LAUDADIO. Well, I know what you are going to ask.

Mr. ARTHURS. What am I going to ask you?

Mr. LAUDADIO. You are going to ask me whether this had anything to do with any places like Lake Arthur.

Mr. ARTHURS. That is right.

Mr. LAUDADIO. It does not.

Mr. ARTHURS. And the Fish Commission will not have control over that particular lake?

Mr. LAUDADIO. Absolutely none.

Mr. ARTHURS. All right. That is all I wanted on the record. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Will Mr. Renwick stand for a few questions?

The SPEAKER pro tempore. Will the gentleman consent to be interrogated?

Mr. RENWICK. Yes, I will.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, on this, as far as the amount of the horsepower, do they intend on these lakes then to govern it by weight, size? Is that the way in which they will regulate these lakes from then on?

Mr. RENWICK. Yes, the same as they are doing now on the other thousands of lakes that we have. They do govern them by weight, size, horsepower, things of this nature.

Mr. DAVIES. We are currently going through the same thing in a new lake in our area, and the reason I ask this is: Will there then be any determination or way in which they will fix the number of boats that are placed on the lake at any given time?

Mr. RENWICK. Well, this you should take up with the Boating Advisory Board. They will definitely set rules and regulations. If it is a dangerous area that you are talking about where you may have a lot of accidents and things of this nature, then they will do it. They will set up a rule or regulation.

Mr. DAVIES. In other words, there would be also some control then as far as environmental dangers that there could be no more than a certain amount of fuel used on that lake on any given day or in any given week in which the phenol potential spills or dilution into the water could be controlled or will be controlled?

Mr. RENWICK. Exactly. Yes, it will. We do that now on many lakes.

Mr. DAVIES. All right. Thank you very much.

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—189

Abraham	Fryer	Lynch	Ruggiero
Anderson	Gallagher	Mackowski	Ryan
Armstrong	Gallen	Madigan	Salvatore
Arthurs	Gamble	Manderino	Scanlon
Barber	Garzia	Manmiller	Scheaffer
Bellomini	Gatski	McCall	Schmitt
Bennett	Geesey	McClatchy	Schweder
Berlin	Geisler	McGinnis	Scirica
Berson	George, C.	McIntyre	Seltzer
Bittinger	George, M.	McLane	Shuman
Bittle	Giammarco	Mebus	Shupnik
Borski	Gillette	Meluskey	Sirianni
Brandt	Goebel	Milanovich	Smith, E.
Brown	Goodman	Miller	Smith, L.

Brunner	Gray	Milliron	Spencer
Burd	Greenfield	Miscevich	Spitz
Burns	Greenleaf	Moehlmann	Stairs
Butera	Grieco	Morris	Stapleton
Caltagirone	Halverson	Mowery	Stewart
Caputo	Harper	Mrkonic	Stuban
Cassidy	Hasay	Mullen, M. P.	Sweet
Cessar	Haskell	Mullen, M. M.	Taddonio
Cianciulli	Hayes, D. S.	Musto	Taylor, E.
Cimini	Hayes, S. E.	Noye	Taylor, F.
Cohen	Helfrick	O'Brien, B.	Tenaglio
Cole	Hoeffel	O'Brien, D.	Thomas
Cowell	Honaman	O'Connell	Trello
Davies	Hopkins	O'Donnell	Vroon
DeMedio	Hutchinson, A.	O'Keefe	Wagner
DeVerter	Hutchinson, W.	Oliver	Wansacz
DeWeese	Itkin	Pancoast	Wargo
DiCarlo	Johnson	Parker	Wass
Dietz	Jones	Petrarca	Weidner
Dininni	Kelly	Piccola	Wenger
Dombrowski	Kernick	Pievsky	White
Donatucci	Klingaman	Pitts	Wiggins
Dorr	Knepper	Polite	Wilson
Doyle	Kolter	Pott	Wilt
Duffy	Kowalshyn	Pratt	Wright, D.
Dumas	Laudadio	Prendergast	Wright, J. L.
Englehart	Laughlin	Pyles	Yahner
Fee	Lehr	Rappaport	Yohn
Fischer, R. R.	Letterman	Ravenstahl	Zearfoss
Fisher, D. M.	Levi	Reed	Zeller
Flaherty	Lincoln	Renwick	Zitterman
Foster, A.	Livengood	Richardson	Zord
Foster, W.	Logue	Rieger	Zwinkl
Freind			

NAYS—3

Hamilton	Katz	Ritter
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NOT VOTING—11

Beloff	Novak	Valicenti	Fineman,
Gleeson	Rhodes	Williams	Speaker
Irvis	Shelton	Wise	
Kusse			

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 354, printer's No. 802**, entitled:

An Act amending the act of July 3, 1963 (P.L. 185 No. 111), entitled "An act to prohibit operation of boats having a developed horsepower rating in excess of six on Sugar Lake in Crawford County" further providing for the use of boats with motors.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

Abraham	Freind	Logue	Rieger
Anderson	Fryer	Lynch	Ruggiero
Armstrong	Gallagher	Mackowski	Ryan
Arthurs	Gallen	Madigan	Scanlon
Barber	Gamble	Manderino	Scheaffer
Bellomini	Garzia	Manmiller	Schmitt
Bennett	Gatski	McCall	Schweder
Berlin	Geesey	McClatchy	Scirica
Berson	Geisler	McGinnis	Seltzer
Bittinger	George, C.	McIntyre	Shuman
Bittle	George, M.	McLane	Shupnik
Borski	Giammarco	Mebus	Sirianni
Brandt	Gillette	Meluskey	Smith, E.
Brown	Goebel	Milanovich	Smith, L.
Brunner	Goodman	Miller	Spencer
Burd	Gray	Milliron	Spitz
Burns	Greenfield	Miscevich	Stairs
Butera	Greenleaf	Moehlmann	Stapleton
Caltagirone	Grieco	Morris	Stewart
Caputo	Halverson	Mowery	Stuban
Cassidy	Harper	Mrkonic	Sweet
Cessar	Hasay	Mullen, M. P.	Taddonio
Cianciulli	Haskell	Mullen, M. M.	Taylor, E.
Cimini	Hayes, D. S.	Musto	Taylor, F.
Cohen	Hayes, S. E.	Noye	Tenaglio
Cole	Helfrick	O'Brien, B.	Thomas
Cowell	Hoeffel	O'Brien, D.	Trello
Davies	Honaman	O'Connell	Vroon
DeMedio	Hopkins	O'Donnell	Wagner
DeVerter	Hutchinson, A.	O'Keefe	Wansacz
DeWeese	Hutchinson, W.	Oliver	Wargo
DiCarlo	Itkin	Pancoast	Wass
Dietz	Johnson	Parker	Weidner
Dininni	Jones	Petrarca	Wenger
Dombrowski	Kelly	Piccola	White
Donatucci	Kernick	Pievsky	Wiggins
Dorr	Klingaman	Pitts	Wilson
Doyle	Knepper	Polite	Wilt
Duffy	Kolter	Pott	Wright, D.
Dumas	Kowalshyn	Pratt	Wright, J. L.
Englehart	Laudadio	Prendergast	Yahner
Fee	Laughlin	Pyles	Yohn
Fischer, R. R.	Lehr	Rappaport	Zearfoss
Fisher, D. M.	Letterman	Ravenstahl	Zeller
Flaherty	Levi	Reed	Zitterman
Foster, A.	Lincoln	Renwick	Zord
Foster, W.	Livengood	Richardson	Zwinkl

NAYS—3

Hamilton	Katz	Ritter
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NOT VOTING—12

Beloff	Novak	Valicenti	Fineman,
Gleeson	Rhodes	Williams	Speaker
Irvis	Salvatore	Wise	
Kusse	Shelton		

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 355, printer's No. 803**, entitled:

An Act amending the act of October 22, 1965 (P.L. 721 No. 205), entitled "An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County" further pro-

viding for the use of boats with motors.

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

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

The question is, shall the bill pass finally?

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

YEAS—189

Abraham	Fryer	Lynch	Ruggiero
Anderson	Gallagher	Mackowski	Ryan
Armstrong	Gallen	Madigan	Salvatore
Arthurs	Gamble	Manderino	Scanlon
Barber	Garzia	Manmiller	Scheaffer
Bellomini	Gatski	McCall	Schmitt
Bennett	Geesey	McClatchy	Schweder
Berlin	Geisler	McGinnis	Scirica
Berson	George, C.	McIntyre	Seltzer
Bittinger	George, M.	McLane	Shuman
Bittle	Giammarco	Mebus	Shupnik
Borski	Gillette	Meluskey	Sirianni
Brandt	Goebel	Milanovich	Smith, E.
Brown	Goodman	Miller	Smith, L.
Brunner	Gray	Milliron	Spencer
Burd	Greenfield	Miscevich	Spitz
Burns	Greenleaf	Moehlmann	Stairs
Butera	Grieco	Morris	Stapleton
Caltagirone	Halverson	Mowery	Stewart
Caputo	Harper	Mrkonic	Suban
Cassidy	Hasay	Mullen, M. P.	Sweet
Cessar	Haskell	Mullen, M. M.	Taddonio
Cianciulli	Hayes, D. S.	Musto	Taylor, E.
Cimini	Hayes, S. E.	Noye	Taylor, F.
Cohen	Helfrick	O'Brien, B.	Tenaglio
Cole	Hoeffel	O'Brien, D.	Thomas
Cowell	Honaman	O'Connell	Trello
Davies	Hopkins	O'Donnell	Vroon
DeMedio	Hutchinson, A.	O'Keefe	Wagner
DeVerter	Hutchinson, W.	Oliver	Wansacz
DeWeese	Itkin	Pancoast	Wargo
DiCarlo	Johnson	Parker	Wass
Dietz	Jones	Petrarca	Weidner
Diminni	Kelly	Piccola	Wenger
Dombrowski	Kernick	Pievsky	White
Donatucci	Klingaman	Pitts	Wiggins
Dorr	Knepper	Polite	Wilson
Doyle	Kolter	Pott	Wilt
Duffy	Kowalshyn	Pratt	Wright, D.
Dumas	Laudadio	Prendergast	Wright, J. L.
Englehart	Laughlin	Pyles	Yahner
Fee	Lehr	Rappaport	Yohn
Fischer, R. R.	Letterman	Ravenstahl	Zearfoss
Fisher, D. M.	Levi	Reed	Zeller
Flaherty	Lincoln	Renwick	Zitterman
Foster, A.	Livengood	Richardson	Zord
Foster, W.	Logue	Rieger	Zwinkl
Freind			

NAYS—2

Hamilton	Ritter
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NOT VOTING—12

Beloff	Kusse	Valicenti	Fineman,
Gleeson	Novak	Williams	Speaker
Irvis	Rhodes	Wise	
Katz	Shelton		

The majority required by the Constitution having voted in

the affirmative, the question was determined in the affirmative.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 493, printer's No. 1040, entitled:**

An Act amending the act of September 18, 1961 (P.L. 1389 No. 615), referred to as the County and Municipal State Highway Law removing a route from the State highway system in York County.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Abraham	Fryer	Logue	Ritter
Anderson	Gallagher	Lynch	Ruggiero
Armstrong	Gallen	Mackowski	Ryan
Arthurs	Gamble	Madigan	Salvatore
Barber	Garzia	Manderino	Scanlon
Bellomini	Gatski	Manmiller	Scheaffer
Bennett	Geesey	McCall	Schmitt
Berlin	Geisler	McClatchy	Schweder
Berson	George, C.	McGinnis	Scirica
Bittinger	George, M.	McIntyre	Seltzer
Bittle	Giammarco	McLane	Shuman
Borski	Gillette	Mebus	Shupnik
Brandt	Goebel	Meluskey	Sirianni
Brown	Goodman	Milanovich	Smith, E.
Brunner	Gray	Miller	Smith, L.
Burd	Greenfield	Milliron	Spencer
Burns	Greenleaf	Miscevich	Spitz
Butera	Grieco	Moehlmann	Stairs
Caltagirone	Halverson	Morris	Stapleton
Caputo	Hamilton	Mowery	Stewart
Cassidy	Harper	Mrkonic	Suban
Cessar	Hasay	Mullen, M. P.	Sweet
Cianciulli	Haskell	Mullen, M. M.	Taddonio
Cimini	Hayes, D. S.	Musto	Taylor, E.
Cohen	Hayes, S. E.	Noye	Taylor, F.
Cole	Helfrick	O'Brien, B.	Tenaglio
Cowell	Hoeffel	O'Brien, D.	Thomas
Davies	Honaman	O'Connell	Trello
DeMedio	Hopkins	O'Donnell	Vroon
DeVerter	Hutchinson, A.	O'Keefe	Wagner
DeWeese	Hutchinson, W.	Oliver	Wansacz
DiCarlo	Itkin	Pancoast	Wargo
Dietz	Johnson	Parker	Wass
Diminni	Jones	Petrarca	Weidner
Dombrowski	Katz	Piccola	Wenger
Donatucci	Kelly	Pievsky	White
Dorr	Kernick	Pitts	Wiggins
Doyle	Klingaman	Polite	Wilson
Duffy	Knepper	Pott	Wilt
Dumas	Kolter	Pratt	Wright, D.
Englehart	Kowalshyn	Prendergast	Wright, J. L.
Fee	Laudadio	Pyles	Yahner
Fischer, R. R.	Laughlin	Rappaport	Yohn
Fisher, D. M.	Lehr	Ravenstahl	Zearfoss
Flaherty	Letterman	Reed	Zeller
Foster, A.	Levi	Renwick	Zitterman

Foster, W.	Lincoln	Richardson	Zord
Freind	Livengood	Rieger	Zwinkl

NAYS—0

NOT VOTING—11

Beloff	Novak	Valicenti	Fineman,
Gleeson	Rhodes	Williams	Speaker
Irvis	Shelton	Wise	
Kusse			

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 584, printer's No. 638**, entitled:

An Act amending the act of October 8, 1969 (P.L. 240 No. 97), entitled "An act designating United States Highway Route No. 80 in Pennsylvania as the "Keystone Shortway" changing the name to Christopher Columbus Highway.

On the question,

Will the House agree to the bill on third consideration?

MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I would like to recommit this bill to the Committee on Transportation. I think this is ridiculous that we change the name of this highway.

The SPEAKER pro tempore. The gentleman moves that HB 584, PN 638, be recommitted to the Committee on Transportation.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Mr. Speaker, will the gentleman from Elk submit to interrogation?

The SPEAKER pro tempore. Will the gentleman submit to interrogation?

Mr. RENWICK. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RUGGIERO. Does the gentleman have in mind, by recommitment, amending this bill to designate this highway by some other name?

Mr. RENWICK. I would like to have it amended to read: "Keystone Shortway."

Mr. RUGGIERO. Mr. Speaker, does the gentleman know that the highway is presently named the "Keystone Shortway?"

Mr. RENWICK. And that is what we want it to remain as.

Mr. RUGGIERO. Thank you, Mr. Speaker.

I would submit that if this is what the gentleman wants, he should vote against this bill.

I remind the members of the House that this bill passed during the last session by an overwhelming vote. There has been

sufficient time for Mr. Renwick to offer an amendment if he wants to. I therefore oppose the motion.

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

Mr. SALVATORE. I, too, would urge my colleagues to vote "yes" on this bill. I do not think it is ridiculous. We have named many bridges and we have named many highways after famous people, and we feel very strongly about this piece of legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, might I ask the gentleman if he could tell me what the cost of this would be?

The SPEAKER pro tempore. The Chair requests the gentleman to yield. The only remarks permissible at the moment are on the motion to recommit.

Mr. RENWICK. That is one of my reasons.

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

Mr. MANDERINO. It is obvious that the gentlemen on the floor here this morning and maybe the ladies, also, want to debate the merits of this bill. I would oppose recommitment so that that debate can take place.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—38

Brandt	Hopkins	O'Brien, B.	Thomas
Davies	Hutchinson, A.	Parker	Vroon
DeVerter	Kernick	Petrarca	Wagner
Fischer, R. R.	Klingaman	Renwick	Weidner
Fryer	Knepper	Scheaffer	Wilt
Gallen	Letterman	Schweder	Wright, D.
Geesey	Levi	Spencer	Yahner
Goebel	Madigan	Stairs	Yohn
Halverson	McClatchy	Stuban	Zord
Haskell	Noye		

NAYS—154

Abraham	Fee	Lincoln	Ravenstahl
Anderson	Fisher, D. M.	Livengood	Reed
Armstrong	Flaherty	Logue	Richardson
Arthurs	Foster, A.	Lynch	Rieger
Barber	Foster, W.	Mackowski	Ritter
Bellomini	Freind	Manderino	Ruggiero
Beloff	Gallagher	Manmiller	Ryan
Bennett	Gamble	McCall	Salvatore
Berlin	Garzia	McGinnis	Scanlon
Berson	Gatski	McIntyre	Schmitt
Bittinger	Geisler	McLane	Scirica
Bittle	George, C.	Mebus	Seltzer
Borski	George, M.	Meluskey	Shuman
Brown	Giammarco	Milanovich	Shupnik
Brunner	Gillette	Miller	Sirianni
Burd	Goodman	Milliron	Smith, F.
Burns	Gray	Miscevich	Smith, L.
Butera	Greenfield	Moehlmann	Spitz
Caltagirone	Greenleaf	Mowery	Stapleton
Caputo	Grieco	Mrkonic	Stewart
Cassidy	Hamilton	Mullen, M. P.	Sweet
Cessar	Harper	Mullen, M. M.	Taddonio
Cianciulli	Hasay	Musto	Taylor, E.
Cimini	Hayes, D. S.	O'Brien, D.	Taylor, F.

Cohen	Hayes, S. E.	O'Connell	Tenaglio
Cole	Helfrick	O'Donnell	Trello
Cowell	Hoeffel	O'Keefe	Wansacz
DeMedio	Honaman	Oliver	Wargo
DeWeese	Hutchinson, W.	Pancoast	Wass
DiCarlo	Itkin	Piccola	Wenger
Dietz	Johnson	Pievsky	White
Dininni	Jones	Pitts	Wiggins
Dombrowski	Katz	Polite	Wilson
Donatucci	Kelly	Pott	Wright, J. L.
Dorr	Kolter	Pratt	Zearfoss
Doyle	Kowalyshyn	Prendergast	Zeller
Duffy	Laudadio	Pyles	Zitterman
Dumas	Laughlin	Rappaport	Zwikl
Englehart	Lehr		

NOT VOTING—11

Gleeson	Novak	Valicenti	Fineman,
Irvis	Rhodes	Williams	Speaker
Kusse	Shelton	Wise	
Morris			

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

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

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

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

Mr. ZELLER. Mr. Speaker, not being of Italian descent, my reasons for feeling in favor of this name change—and I realize there is a cost in regard to signs and, no doubt, maps and things like that. But I look at it from a different point of view.

As someone mentioned, we do have a lot of highways named after great people. I do not know if I could think of anyone who would be a greater person in regard to an item such as this as a pathway to somewhere as Christopher Columbus, because he discovered this great country of America. He proved that the world was round and all kinds of things that this man did in regard to navigation.

I would think that since Pennsylvania was one of the great leaders in founding our nation, we would be the first, that I know of, in this nation to take on a beautiful highway and name it after this great person, not because he is Italian, Irish or whatever he is, but because the person is recognized as one of our great people. I think it would be an appropriate name for a pathfinder such as Christopher Columbus.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I would think that this bill would require a fiscal note. I do not see that one is attached. I would request that a fiscal note be attached to this bill so that we know what the cost would be to change all the signs and all the literature that we have out on the Keystone Shortway put before us.

The SPEAKER pro tempore. The Chair suggests that the membership could vote on this one without a fiscal note.

Mr. LETTERMAN. I do not agree and I would have to challenge that decision.

The SPEAKER pro tempore. The gentleman is free to make a motion to recommit it to the Appropriations Committee for such a note. I will recognize the gentleman for that purpose.

Mr. LETTERMAN. I would, therefore, make that suggestion.

MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. I would move that HB 584 be recommitted to the Committee on Appropriations for a fiscal note.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Mr. Speaker, I oppose the motion.

There is nothing in this bill that says that the highway has to be posted immediately. This is a matter that can be done gradually and would not necessitate any additional cost.

There is constant posting and reposting of all highways. This could be done in an orderly process without incurring additional great expense.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Lincoln. For what purpose does the gentleman rise?

Mr. LINCOLN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, did we not have one motion to recommit this bill to a committee?

The SPEAKER pro tempore. The first motion was to recommit it to the Committee on Transportation. This is a new motion, to recommit it to the Appropriations Committee.

Mr. LINCOLN. Under the House rules, are we permitted to make motions to recommit a bill to different committees? Is this not a little bit of a frivolous action?

The SPEAKER pro tempore. Yes, as long as you pick a different committee each time. It limits us to 26 motions.

Mr. LINCOLN. You could go through the whole list of committees?

Can you quote something, and I am not doing this because of this bill, but I think it can be important for the rest of the session? I would like to have the Parliamentarian quote either Mason's Manual or Jefferson's where this is proper.

The SPEAKER pro tempore. The Chair would rule that the Chair has authority not to recognize dilatory motions. And that if someone attempted to recommit it to all 23 committees in a row, such recognition would not be given.

In the particular instance we are talking about, the gentleman, Mr. Letterman, has moved to recommit to the Appropriations Committee for a fiscal note, which is the perfectly proper motion even though the motion to recommit to the Transportation Committee failed.

Mr. LINCOLN. A further point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point.

Mr. LINCOLN. Under House rule 19A, any bill that goes before this House on second reading must be automatically sent to the Appropriations Committee for a fiscal note.

In this case, can you tell me why that judgment was not made, to send this bill to that committee?

The SPEAKER pro tempore. Because it was the judgment of the Chair that this particular measure did not need a fiscal note. So the vote now is by the full membership of the House on whether the Chair's judgment was correct.

Mr. LINCOLN. Thank you, Mr. Speaker.

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

Mr. ARTHURS. Mr. Speaker, I am going to vote for this bill, but I think we are setting a terrible precedence here when actually we know that this is something that is going to cost the Commonwealth money.

We know that there is a lot of literature out that is marked "The Keystone Shortway." We know that the signs are all along there at the interchanges. And I think we are setting a terrible precedent here by not requiring this bill to go to the Appropriations Committee for a fiscal note.

I would like to have a reconsideration by the Chair on your decision as to whether or not it should go, and not because of this particular bill but because of what can happen, and what we can come back to and refer to in this bill and as far as the Appropriations Committee is concerned.

The SPEAKER pro tempore. It would make no difference whether the Chair agreed or disagreed. It is still up to the members of the House to vote to recommit it to the Appropriations Committee, and that is what we are about to do.

Mr. ARTHURS. I do not believe that is right, Mr. Speaker.

The SPEAKER pro tempore. For any bill that gets recommitment to any committee, the recommitment must be an action of this House on a vote. It can be a roll-call vote or it can be an agreed-to oral vote.

Mr. ARTHURS. Even if that bill should have been there in the first place?

The SPEAKER pro tempore. That is correct.

Mr. ARTHURS. Even if the bill did not take its proper channels coming through to the floor of his House?

The SPEAKER pro tempore. If the gentleman will recall, about half an hour ago the majority whip took a bill off the table and rereferred it to the Appropriations Committee for a fiscal note, but it had to be done by a motion of this House. It happened to be agreed to and it was done by an oral vote.

Mr. ARTHURS. But that was to take it off the table.

The SPEAKER pro tempore. And recommit it to the Appropriations Committee. It still takes a vote of the House.

Mr. ARTHURS. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. I would like to interrogate Mr. Pievsky, please.

The SPEAKER pro tempore. Will the gentleman, Mr. Piev-

sky, chairman of the Appropriations Committee, submit to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LETTERMAN. Mr. Speaker, can you tell me whether you feel that this bill should have a fiscal note?

Mr. PIEVSKY. Mr. Speaker, we considered quite a few bills that day and this one, to our thinking, did not need a fiscal note.

Mr. LETTERMAN. How much money spent do you consider necessary for a fiscal note?

Mr. PIEVSKY. That is hard to estimate, Mr. Speaker.

Mr. LETTERMAN. Well, let me ask you this: Do you think it would hurt anything to be safe and have a fiscal note prepared by the Highway Department for you?

POINT OF ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero. For what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RUGGIERO. Will the Chair state whether or not the question posed to Mr. Pievsky is in order in as much as Mr. Pievsky has stated that the committee believes that this does not need a fiscal note?

The SPEAKER pro tempore. The gentleman's questions do refer to whether or not the chairman of the Appropriations Committee believes a fiscal note is required. Since the motion is to recommit for a fiscal note, I believe the question is proper and the gentleman can answer it.

Mr. LETTERMAN. Mr. Speaker, another question: I would like to know when this bill was in the Appropriations Committee? It does not appear to me that it ever was.

Mr. PIEVSKY. Mr. Speaker, it never was.

The SPEAKER pro tempore. The gentleman indicates the bill was never in the Appropriations Committee.

Mr. LETTERMAN. That is right. I think we bypassed a bill that should have been in the Appropriations Committee. I request that this bill be sent back to the appropriations Committee for a fiscal note.

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

Mr. BUTERA. Mr. Speaker, the Department of Transportation has the right, on its own, to designate where signs should be placed, to designate the names of things and roads and bridges, and so on.

If we would have to have a fiscal note on every administrative action taken by the Department of Transportation, we would literally bog down this entire legislature. That is really what we are talking about. The fact that we are suggesting to the department that it name this highway the Christopher Columbus Highway in no way requires a fiscal note. It is an administrative act. It is a matter of signs. They put signs up and down and change them every day. We have so delegated that power to the department. I think we are just making a

mockery out of this situation. We ought to just go ahead and vote the bill. If you want to vote against it, vote against it.

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

Mr. SALVATORE. I just oppose it. I oppose the recommittal to the Appropriations Committee.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, we have a motion to recommit this bill. I am opposed to that motion. I think that what we are talking about here—I do not care whether this changing of the highway costs a dollar or a million dollars, if somebody wants to name anything, I will give them a pothole back in my district and we will name it for them if we can get the money to take care of the pothole.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. McGinnis, who will give his viewpoint on the subject of Christopher Columbus's Road.

Mr. MCGINNIS. Mr. Speaker, I rise to maybe solve some of these problems that Mr. Letterman has.

This is going to cost somewhere around 274,000 lire. That is \$8.36 in American money. So why worry about it?

The SPEAKER pro tempore. Is the gentleman the official spokesman for the Irish delegation?

The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, we have rules in this House and if you wish to suspend them, then suspend them. But if we are going to live with those rules, we are going to live by them. The rules are that if we feel it needs a fiscal note, it should have one.

The SPEAKER pro tempore. The House is voting at the moment on whether or not they are going to ask for a fiscal note. It is not a question of suspending any rules.

The Chair recognizes the gentleman from Franklin, Mr. Shuman.

Mr. SHUMAN. Are we not doing a lot of talking about nothing? I want to go home.

The SPEAKER pro tempore. The gentleman must be aware of the importance of the designation of this highway.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—63

Armstrong	Goebel	Mackowski	Smith, L.
Arthurs	Greenleaf	Madigan	Spencer
Bittinger	Halverson	McLane	Stuban
Cowell	Hasay	Miller	Thomas
Davies	Haskell	Moehlmann	Vroon
DeVerter	Hayes, D. S.	Mullen, M. P.	Wagner
Dietz	Helfrick	Noye	Wansacz
Fee	Hoeffel	Parker	Wargo
Fischer, R. R.	Hopkins	Petrarca	Wass
Fisher, D. M.	Hutchinson, A.	Pitts	Weidner
Foster, A.	Kernick	Prendergast	Wilson
Foster, W.	Klingaman	Ravenstahl	Wilt

Fryer	Knepper	Renwick	Wright, D.
Gallen	Laughlin	Scheaffer	Yohn
Gatski	Letterman	Schweder	Zord
Geesey	Levi	Smith, E.	

NAYS—130

Abraham	Dumas	Lynch	Richardson
Anderson	Englehart	Manderino	Rieger
Barber	Flaherty	Manmiller	Ritter
Bellomini	Freind	McCall	Ruggiero
Beloff	Gallagher	McClatchy	Ryan
Bennett	Gambie	McGinnis	Salvatore
Berlin	Garzia	McIntyre	Scanlon
Berson	Geisler	Mebus	Schmitt
Bittle	George, C.	Meluskey	Scirica
Borski	George, M.	Milanovich	Seltzer
Brandt	Giammarco	Milliron	Shuman
Brown	Gillette	Miscevich	Shupnik
Brunner	Goodman	Morris	Sirianni
Burd	Gray	Mowery	Spitz
Burns	Greenfield	Mrkonic	Stairs
Butera	Grieco	Mullen, M. M.	Stapleton
Caltagirone	Hamilton	Musto	Sweet
Caputo	Harper	O'Brien, B.	Taddonio
Cassidy	Hayes, S. E.	O'Brien, D.	Taylor, E.
Cessar	Honaman	O'Connell	Taylor, F.
Cianciulli	Hutchinson, W.	O'Donnell	Tenaglio
Cimini	Itkin	O'Keefe	Trello
Cohen	Johnson	Oliver	Wenger
Cole	Jones	Pancoast	White
DeMedio	Katz	Piccola	Wiggins
DeWeese	Kelly	Pievsky	Wright, J. L.
DiCarlo	Kolter	Polite	Yahner
Dininni	Kowalshyn	Pott	Zearfoss
Dombrowski	Laudadio	Pratt	Zeller
Donatucci	Lehr	Pyles	Zitterman
Dorr	Lincoln	Rappaport	Zwikl
Doyle	Livengood	Reed	
Duffy	Logue		

NOT VOTING—10

Gleeson	Novak	Valicenti	Fineman,
Irvis	Rhodes	Williams	Speaker
Kusse	Shelton	Wise	

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

On the question recurring,
Shall the bill pass finally?

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

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, if we are on final passage now, I am asking the members to vote "no." We have had a humorous time here, but this is rather serious to the northern counties and the counties where this road goes through.

This thing was sold to the Chambers of Commerce, to the business people, to all the municipalities when this road went through 15 and 20 years ago as a short way to tie the east and west parts of this state and to allow the northern ends of this state, which are presently depressed, to at least have an economic competitive advantage with the other areas of the state. And it was not sold to them by any particular group, any particular association. The Sons of Italy were not behind this thing. They were people from northern Pennsylvania, and it was sold to them as the Keystone Shortway. Prior to the short-

way going through, it took, in some areas, 2 days for an individual who lived in the northern part of the state to cross this Commonwealth, and I think you are doing an injustice to them.

This is not the first time the road was named. If this were the name we were deciding upon for the first time, I think it probably would not be that important. But it is important because it was sold to them as the Keystone Shortway, and it does mean a lot to us who live in the northern part of the Commonwealth, and I ask for a "no" vote.

The SPEAKER pro tempore. The Pennsylvania Dutch have not been heard from yet, so the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Thank you, Mr. Speaker.

I live in the Dutch country, but I think my origins are Irish.

Mr. Speaker, I was wondering if we could hold this bill so I could get an amendment together, a very simple amendment, to change the words "Christopher Columbus" to "Pocahontas."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I kind of agree with the gentleman from Lycoming who just stated the history of the Keystone Shortway. But do you know what I really think it is? It is a slap in the face to a good Senator whom we had serving us here by the name of Senator Confair.

All of you know that that man practically dedicated his life to making this the Keystone Shortway, and here we are now changing the whole concept, changing the whole name, telling everybody we are going to use another name. I think this is a slap in the face to a good man and I hope that you will oppose this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, being a Representative from Lycoming County, I know Senator Confair worked very, very hard on this Keystone Shortway, and it was named the Confair Shortway but still the Keystone Shortway. Being an Italian, I would vote for the bill, but I just cannot see changing the name to Christopher Columbus.

Number two, I looked over the Irish names on this bill and I am wondering how Cohen got on this bill.

Thank you.

The SPEAKER pro tempore. The Chair is pleased to recognize one of the cosponsors, the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. "Cohenanni," I am told it is.

My name is very conspicuous on this bill; it does not end in an "i" or an "a" or an "o." When I cosponsored this bill, I had no idea that this was going to be such a controversial issue. On the other hand, I am not going to withdraw my sponsorship and I am going to speak in favor of passage of this bill.

Christopher Columbus is a very important symbol to the Americans of Italian descent because he was here first and because his presence here made a difference. On the whole, the Italians in Pennsylvania are descended from people who came here between 1880 and 1920, and they were not here first, and

because they spoke a different language and because they had slightly different customs, they were treated in many cases with ridicule and with discrimination. And so this seems to be important.

For those of us, the vast majority, who are not of Italian descent, Christopher Columbus was an innovator; he was a man who was not afraid to seek new ideas; he was a man who was not afraid to challenge accepted policies; he was a great man.

I, frankly, see nothing scandalous about this bill. I think it is worthwhile and I urge your support.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Mr. Speaker, I thank the gentleman—Mr. Cohen in particular—and all the sponsors of this bill. I think Mayor Rizzo, if he were here today, would be justly proud of Representative Cohen.

I just want to add one thought, Mr. Speaker, one fact—that Interstate 80 has already been named in the State of New Jersey as the Christopher Columbus Highway. This is part of a nationwide movement to name this highway from coast to coast as a fitting tribute to the man whose virtues Representative Cohen has so splendidly set forth here today.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, I am also from Lycoming County. The fact was mentioned here that it would be a slap in the face to a man who really did work hard, Senator Confair, and there is no question about it that he did work hard for this road. However, I think by now most people in our area do not even realize that Senator Confair had done so much work and I do not feel that it is a slap in the face, unless you want to change it—Mr. Renwick, I guess it is—to add an amendment to change it to the Confair Shortway. Otherwise, I have to go along with the Christopher Columbus Highway.

Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—138

Abraham	Foster, A.	Logue	Prendergast
Arthurs	Freind	Lynch	Pyles
Barber	Gallagher	Mackowski	Rappaport
Bellomini	Gamble	Manderino	Reed
Beloff	Garzia	Manmiller	Richardson
Berlin	Gatski	McCall	Rieger
Berson	Geisler	McClatchy	Ritter
Bittle	George, C.	McGinnis	Ruggiero
Borski	George, M.	McIntyre	Ryan
Brown	Giammarco	McLane	Salvatore
Brunner	Gillette	Mebus	Scankon
Burns	Goebel	Meluskey	Schmitt
Butera	Goodman	Milanovich	Schweder
Caltagirone	Gray	Milliron	Scirica
Caputo	Greenleaf	Miscevich	Shuman
Cassidy	Hamilton	Morris	Shupnik
Cessar	Harper	Mrkonic	Smith, L.

Cianciulli	Hayes, D. S.	Mullen, M. M.	Stapleton
Cimini	Hayes, S. E.	Musto	Stewart
Cohen	Hutchinson, A.	O'Brien, B.	Sweet
Cole	Hutchinson, W.	O'Brien, D.	Taddonio
Cowell	Johnson	O'Connell	Taylor, F.
DeMedio	Jones	O'Donnell	Tenaglio
DeWeese	Katz	O'Keefe	Trello
DiCarlo	Kelly	Oliver	Wargo
Dininni	Klingaman	Pancoast	White
Dombrowski	Knepper	Parker	Wiggins
Donatucci	Kolter	Petrarca	Wilson
Doyle	Kowalyszyn	Piccola	Wright, J. L.
Duffy	Laudadio	Pievsky	Yohn
Dumas	Laughlin	Pitts	Zearfoss
Englehart	Lehr	Polite	Zeller
Fee	Levi	Pott	Zitterman
Fisher, D. M.	Lincoln	Pratt	Zwilk
Flaherty	Livengood		

NAYS—52

Anderson	Gallen	Moehlmann	Stuban
Armstrong	Geesey	Mowery	Taylor, E.
Bennett	Grieco	Mullen, M. P.	Thomas
Bittinger	Halverson	Noye	Vroon
Brandt	Hasay	Ravenstahl	Wagner
Burd	Haskell	Renwick	Wansacz
Davies	Helfrick	Scheaffer	Wass
DeVerter	Hoeffel	Seltzer	Weidner
Dietz	Honaman	Sirianni	Wenger
Dorr	Kernick	Smith, E.	Wilt
Fischer, R. R.	Letterman	Spencer	Wright, D.
Foster, W.	Madigan	Spitz	Yahner
Fryer	Miller	Stairs	Zord

NOT VOTING—13

Gleeson	Itkin	Shelton	Fineman,
Greenfield	Kusse	Valicenti	Speaker
Hopkins	Novak	Williams	
Irvis	Rhodes	Wise	

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

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Levi. For what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. LEVI. Mr. Speaker, I would like to have my vote changed on HB 584 to a negative vote.

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

Mr. LEVI. Thank you.

COMMITTEE REPORTS

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

The Chair hears no objection.

BILLS REPORTED FROM COMMITTEES

HB 394, PN 432

By Mr. BERSON

An Act amending the "Public Defender Act," approved December 2, 1968 (P.L. 1144, No. 358), adding a further provision for the legal defense of persons subject to commitment.

Judiciary

HB 825, PN 1091 (Amended)

By Mr. BERSON

An Act authorizing the use of certain medical testimony by depositions at trial in an open court.

Judiciary

CALENDAR

STATE GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 102, printer's No. 995, entitled:

An Act authorizing and directing the Department of General Services and the General State Authority with the approval of the Governor and the Department of Public Welfare to convey to the Redevelopment Authority of the County of Armstrong a certain tract of land.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—186

Abraham	Fryer	Mackowski	Ruggiero
Anderson	Gallagher	Madigan	Ryan
Armstrong	Gallen	Manderino	Salvatore
Arthurs	Gamble	Manmiller	Scanlon
Barber	Garzia	McCall	Scheaffer
Bellomini	Gatski	McClatchy	Schmitt
Bennett	Geesey	McGinnis	Schweder
Berlin	Geisler	McIntyre	Scirica
Berson	George, C.	McLane	Seltzer
Bittinger	George, M.	Mebus	Shuman
Bittle	Gillette	Meluskey	Shupnik
Borski	Goebel	Milanovich	Sirianni
Brandt	Goodman	Miller	Smith, E.
Brown	Gray	Milliron	Smith, L.
Brunner	Greenfield	Miscevich	Spencer
Burd	Greenleaf	Moehlmann	Spitz
Burns	Grieco	Morris	Stairs
Butera	Halverson	Mowery	Stapleton
Caltagirone	Hamilton	Mrkonic	Stewart
Caputo	Harper	Mullen, M. P.	Stuban
Cassidy	Hasay	Mullen, M. M.	Sweet
Cessar	Haskell	Musto	Taddonio
Cimini	Hayes, D. S.	Noye	Taylor, E.
Cohen	Hayes, S. E.	O'Brien, B.	Taylor, F.
Cole	Helfrick	O'Brien, D.	Tenaglio
Cowell	Hoeffel	O'Connell	Thomas
Davies	Honaman	O'Donnell	Trello
DeMedio	Hopkins	O'Keefe	Vroon
DeVerter	Hutchinson, A.	Pancoast	Wagner
DeWeese	Hutchinson, W.	Parker	Wansacz
DiCarlo	Itkin	Petrarca	Wargo
Dietz	Katz	Piccola	Wass
Dininni	Kelly	Pievsky	Weidner
Dombrowski	Kernick	Pitts	Wenger

Donatucci	Klingaman	Polite	Wiggins
Dorr	Knepper	Pott	Wilson
Doyle	Kolter	Pratt	Wilt
Duffy	Kowalshyn	Prendergast	Wright, D.
Dumas	Laudadio	Pyles	Wright, J. L.
Englehart	Laughlin	Rappaport	Yahner
Fee	Lehr	Ravenstahl	Yohn
Fischer, R. R.	Letterman	Reed	Zearfoss
Fisher, D. M.	Levi	Renwick	Zeller
Flaherty	Lincoln	Richardson	Zitterman
Foster, A.	Livengood	Rieger	Zord
Foster, W.	Logue	Ritter	Zwinkl
Freind	Lynch		

NAYS—4

Cianciulli	Giammarco	Jones	White
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NOT VOTING—13

Beloff	Kusse	Shelton	Fineman,
Gleeson	Novak	Valicenti	Speaker
Irvis	Oliver	Williams	
Johnson	Rhodes	Wise	

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 116, printer's No. 996**, entitled:

An Act providing for the acceptance by the Governor of jurisdiction relinquished by the United States to the Commonwealth over lands within the Commonwealth's boundaries.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

Abraham	Gallagher	Lynch	Ruggiero
Anderson	Gallen	Mackowski	Ryan
Armstrong	Gamble	Madigan	Salvatore
Arthurs	Garzia	Manderino	Scanlon
Barber	Gatski	Manmiller	Scheaffer
Bellomini	Geesey	McCall	Schmitt
Bennett	Geisler	McClatchy	Schweder
Berlin	George, C.	McGinnis	Scirica
Berson	George, M.	McIntyre	Seltzer
Bittinger	Giammarco	McLane	Shuman
Bittle	Gillette	Mebus	Shupnik
Borski	Goebel	Meluskey	Sirianni
Brandt	Goodman	Milanovich	Smith, E.
Brown	Gray	Miller	Smith, L.
Brunner	Greenfield	Milliron	Spencer
Burd	Greenleaf	Miscevich	Spitz
Burns	Grieco	Moehlmann	Stairs
Butera	Halverson	Morris	Stapleton
Caltagirone	Hamilton	Mowery	Stewart
Caputo	Harper	Mrkonc	Stuban
Cassidy	Hasay	Mullen, M. P.	Sweet

Cessar	Haskell	Mullen, M. M.	Taddonio
Cianciulli	Hayes, D. S.	Musto	Taylor, E.
Cimini	Hayes, S. E.	Noye	Taylor, F.
Cohen	Helfrick	O'Brien, B.	Tenaglio
Cole	Hoeffel	O'Brien, D.	Thomas
Cowell	Honaman	O'Connell	Trello
Davies	Hopkins	O'Donnell	Vroon
DeMedio	Hutchinson, A.	O'Keefe	Wagner
DeVerter	Hutchinson, W.	Pancoast	Wansacz
DeWeese	Itkin	Parker	Wargo
Dietz	Jones	Petrarca	Wass
Dininni	Katz	Piccola	Weidner
Dombrowski	Kelly	Pievsky	Wenger
Dorr	Kernick	Pitts	White
Doyle	Klingaman	Polite	Wiggins
Duffy	Knepper	Pott	Wilson
Dumas	Kolter	Pratt	Wilt
Englehart	Kowalshyn	Prendergast	Wright, D.
Fee	Laudadio	Pyles	Wright, J. L.
Fischer, R. R.	Laughlin	Rappaport	Yahner
Fisher, D. M.	Lehr	Ravenstahl	Yohn
Flaherty	Letterman	Reed	Zearfoss
Foster, A.	Levi	Renwick	Zeller
Foster, W.	Lincoln	Richardson	Zitterman
Freind	Livengood	Rieger	Zord
Fryer	Logue	Ritter	Zwinkl

NAYS—0

NOT VOTING—15

Beloff	Johnson	Rhodes	Wise
DiCarlo	Kusse	Shelton	
Donatucci	Novak	Valicenti	Fineman,
Gleeson	Oliver	Williams	Speaker
Irvis			

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.

LIQUOR BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 540, printer's No. 584**, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P.L. 90, No. 21), requiring deposits on all returnable original containers.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. FRYER. Mr. Speaker, I would like to ask a few questions of a sponsor of the bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Pievsky, a sponsor of the bill, consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. FRYER. Mr. Speaker, could you tell the members of the

House the intent of this bill and what it would do?

Mr. PIEVSKY. Mr. Speaker, the legislative intent of this particular piece of legislation is to help the financially troubled breweries that are left in this Commonwealth and, incidentally, there are only 10 remaining. What it does, is that there is a deposit that is to be paid on a keg. Incidentally, I have been informed by the breweries that keg costs the brewery \$55, and they are not being returned. And how long can a business in this Commonwealth survive by letting these kegs out and not getting them back at \$55 apiece?

It is not cost to anyone as far as the consumer or whomever they deal with. The money is returned when the keg is returned, which is plain, simple business, Mr. Speaker.

Mr. FRYER. I thank the gentleman.

Mr. Speaker, an identical bill was before this House in another session, and I hold the viewpoint that there is a problem in this area and that the kegs are costly. My position is that this is a problem for the brewers to straighten out as they see fit rather than to bring to this House.

Prior, when the bill failed, what happened is the brewers placed a deposit on kegs to meet that answer. Now then, that answer was met. However, now we have this same proposal before us.

There is nothing to prevent the brewers, today, tomorrow, next week or any other time, from raising the price of that deposit. The reason they would come before this House and ask the state legislature to do it is that it is an unpleasant one. What happens is, the container price is increased. This goes to the tavern. The tavernowner is forced to pay out more money for the kegs that he has on his premises, and, as you can guess, that is not very popular with the tavernman. They would sooner be in the position of having representative of that brewery or a distributor come in and say, "Why was this raised?" "I'm sorry. This is a state law. It was passed, and you can thank your state legislator."

Now you showed me earlier this morning just how acutely political you are. Now I am trying to point out to you something that is very political, that is, if you want this situation to happen, and bear this in mind, the price is not determined; that container price could go up to \$20 or, let us say, \$30 because, admittedly, the gentleman stated that a keg costs as high as \$55.

I know that there are a few of us who have a so-called friendly tavern that we go to. After this legislature acts with due wisdom, passes this and you are in that tavern, and we all recognize that they are quite politically influential, can you imagine the applause and the praise that you will receive for this great act that in all wisdom you passed?

What you want to do is entirely up to you. I am going to vote "no" because this is a matter that should not come before this House. This is a matter that the brewers themselves can do. But I submit to you, they do not have the guts to do it and they would prefer that you do it.

Thank you for your attention.

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

Mr. PIEVSKY. Mr. Speaker, it seems that my colleague, Mr.

Fryer, is beaconing to your political aspect of this legislation, but it seems that we go out of our way in hurting business or driving big business out of this Commonwealth. What will happen eventually is that they will not be able to exist to put these kegs out and they will just do away with that type of packaging.

I have been informed by the Liquor Control Board that the deposit would be \$10 and no more and would not go any higher. Again, I will state that there are only 10 breweries left in this Commonwealth. We cannot further drive these people out. I would urge a "yes" vote so that we can keep business in this Commonwealth, so that it is not a cost to anyone and so that the money is returned.

Thank you, Mr. Speaker.

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

Mr. SALVATORE. Mr. Speaker, my wife happens to own a beer-distributing business so I know a little about the beer business, I believe. There are 10 brewers left in Pennsylvania. They currently all charge \$10 deposit on a keg. Most of these breweries that are left in Pennsylvania are small breweries, outside of Schmidt's which is the large one. Their biggest supply is draft beer. Most of these breweries are surviving because of draft beer; the bottled-beer sales are relegated to the larger breweries that do the advertising and that have the power of the media.

Out-of-state breweries or foreign brewers, like Pabst and Carling, charge \$6 for kegs, and a few other of the larger breweries are charging \$6 deposit on their kegs. What is happening is that there is a differential. The Liquor Control Board has agreed that if this bill passes, there will be a \$10 charge for kegs and everyone will conform to that act.

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

Mr. ZELLER. Mr. Speaker, I have to agree with Mr. Fryer, because this is the feeling that we had on House bill No. 595, to bring that up again. We had the same feelings about that, and I agree with his arguments in regard to doing it in the local area because it is very unpopular. We happen to have the Schaefer Brewery in our area. I understand that it would be very simple for the salesmen to say, hey, I did not give this to you; the legislature did. That is the way we felt about House bill No. 595. Let us get on with this and vote it down.

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

Mrs. KERNICK. Thank you, Mr. Speaker.

I would like to ask Mr. Pievsky a question.

The SPEAKER pro tempore. Will the gentleman, Mr. Pievsky, consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The lady may proceed.

Mrs. KERNICK. After hearing Mr. Salvatore, the purpose of this bill is to provide uniformity in the deposit on the keg so that out-of-state brewers pay the same fee or same deposit as the locals, the Pennsylvania companies?

Mr. PIEVSKY. That is correct, Mr. Speaker. They are collect-

ing a \$10 deposit now. All that this legislation does is to make it mandatory and uniform.

Mrs. KERNICK. But is Mr. Salvatore correct when he says that the out-of-state breweries only require \$6?

Mr. PIEVSKY. He is correct; some breweries.

Mrs. KERNICK. So then there is some unfair competition?

Mr. PIEVSKY. Naturally.

Mrs. KERNICK. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. I would like to interrogate Mr. Pievsky.

The SPEAKER pro tempore. Will the gentleman consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GALLEN. Mr. Speaker, there is no limit today in the law on how much deposit the breweries can charge. Is that not true?

Mr. PIEVSKY. That is right.

Mr. GALLEN. Therefore, why are we getting involved in this thing? They can charge a deposit or not charge a deposit.

Mr. PIEVSKY. Well, actually it is under the jurisdiction of the Liquor Control Board. Now I was informed by the board that it would be no higher than \$10.

Mr. GALLEN. In response to Mrs. Kernick's interrogation when she is saying that out-of-state breweries are now charging as much on deposit: People get it back anyway. I do not care if the deposit is \$5 or \$15 per keg, they are going to be returned when they return the keg, is that not correct?

Mr. PIEVSKY. That is correct, only this legislature makes it mandatory. I have been down at the shore and I have seen these kegs being used as buoys for yachtsmen. I have seen them at backyard barbecues for people to sit on. I have seen nice colored pictures on them, and meanwhile our breweries are in financial bad shape in Pennsylvania and they are \$55 apiece out there.

Mr. GALLEN. Do you think that we should get involved in areas of other businesses where they are? This is special legislation and has to do with one group of people. In the conduct of their business I am trying to straighten out a problem that they should straighten out themselves.

Mr. PIEVSKY. Mr. Speaker, it is my intent to help the remaining breweries, what is left — and many of them are troubled — to stay within this Commonwealth.

Mr. GALLEN. I have the greatest sympathy for that motivation but I still hesitate to see why we should inject ourselves into a thing that affects private enterprises themselves. They can charge \$70 deposit on a keg if they want, if they keep losing these kegs.

Mr. PIEVSKY. Mr. Speaker, we go out of our way to go to Germany to bring business into this country and yet we do not take care of the businesses that we have here.

Mr. GALLEN. Well, I do not think that that is the point.

Thank you, Mr. Speaker.

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

Miss SIRIANNI. Mr. Speaker, may I interrogate Mr. Pievsky?

The SPEAKER pro tempore. Will the gentleman, Mr. Pievsky, consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The lady may proceed.

Miss SIRIANNI. If you feel that we are not protecting our own businesses then and are protecting the out-of-state or out-of-country ones, why do they they not protect themselves by charging the fee? Why do I have to protect them? If I run a business and I do not know enough to protect myself, something must be wrong with me; I should not be in business.

Mr. PIEVSKY. I agree with you, Mr. Speaker, but it just makes it mandatory. We do have a controlled state. We do have a Liquor Control Board. If you want to get rid of the Liquor Control Board, then the breweries can make their own decisions and we do not have to get involved.

Miss SIRIANNI. Mr. Speaker, what does this have to do with the Liquor Control Board?

Mr. PIEVSKY. They will enforce what we do here, Mr. Speaker.

Miss SIRIANNI. How can they enforce what we do here if I go buy a keg of beer from a distributor?

The SPEAKER pro tempore. You will pay the deposit.

Miss SIRIANNI. How can they enforce it, Mr. Speaker, if I go buy a keg of beer from a distributor?

Mr. PIEVSKY. Well, look, it is the law, and laws are made to be broken also. If they want to violate it, sure that can be done. But this just makes it mandatory, Mr. Speaker.

Miss SIRIANNI. Mr. Speaker, is this what the speaker at the dinner was calling last night, what was it, fuzziness or fuzzifying?

Mr. PIEVSKY. What was the question, Mr. Speaker?

Miss SIRIANNI. "Fuzzifying" is the word.

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

Mr. RITTER. Mr. Speaker, if the reason for this legislation is the fact that breweries are losing kegs because people are stealing them and if you pass this legislation and you think that it is going to make any difference to that customer, whether he is paying a \$10 deposit, which he is now paying for most of the local breweries or a \$6 deposit for the quota of out-of-state breweries, if you think that that is going to make any difference to them as to whether or not he steals the keg, we are kidding ourselves. We are not really protecting anybody. If the deposit is \$10 or if it is \$6, unless it is the value of the keg itself, it is not going to be enough. If the Liquor Board says that they are going to make it uniform at \$10, that is not going to stop anybody who wants to steal that keg of beer. In terms of protecting the local breweries, we have already passed legislation last session which gave them a tax break on the number of barrels that were produced. For Pennsylvania breweries it was designed to help our local breweries. I do not think that legislation is going to help them one iota. The deposit on a keg of beer, whether it is \$6 or \$10, is as I said, not going to be determined as to whether that keg is going to be returned. I think we are

just simply clouding the issue. I think we ought to reject it. The breweries have the right to charge a deposit now and we ought to let it go at that.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northumberland, Mr. Helfrick.

Mr. HELFRICK. Mr. Speaker, Mr. Pievsky said that we have a controlled state here. I think that is part of our problem, how far do we want to go with these controls and is this really the business of this House what we are talking about today. Do any of us here realize how many returnable items there are in the State of Pennsylvania today? How far do we want to carry this?

I think that it is the business's own problem to regulate what they can and what they cannot do. If they do not have guts enough to charge a deposit, I do not think we should force it on anyone.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Mr. Speaker, I came into the room this morning planning to vote in favor of this bill, but after listening to Mr. Salvatore and Mr. Pievsky speak in favor of this, I have almost changed my mind. They seemingly have said two contradictory things in their remarks in support of the bill.

I would like to ask a question either of them or both of them. What I think I have heard them say is that, on the one hand, this bill is intended to guarantee more fair competition between our local breweries and our national breweries because our locals are charging a \$10 fee and the nationals are charging something less than that.

The intent of the bill, on one hand, would seemingly be to provide more fair competition and guarantee a uniform rate as Mrs. Kernick asked about. On the other hand, I have heard Mr. Pievsky say that the real problem is that we have got customers who are taking these kegs and they are running away with them; that they are painting them or using them for one other purpose or another, and, consequently, our local breweries are losing their investment in them, losing the kegs and losing their money. Those two things seem to contradict one another. They seem to be two distinct purposes anyway that are not necessarily compatible. Can somebody clarify the real intent of this bill?

The SPEAKER pro tempore. Do the beer distributors want to answer the questions?

Will Philadelphia's main distributor, Mr. Pievsky, consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PIEVSKY. Mr. Speaker, the real intent of this bill is like Mr. Salvatore mentioned. You have breweries like Pabst Blue Ribbon from Milwaukee that charges a \$6 deposit and there are some breweries that charge \$4 deposit. This would make it uniform and it would cut out the competition in this state. It would help our breweries in Pennsylvania. That is just as simple as that.

Mr. COWELL. Mr. Speaker, do I hear you say then that the problem is not so much kegs belonging to Pennsylvania breweries that are being stolen, but the real problem is that

Pennsylvania breweries are forced to charge, I guess, a higher fee or deposit for the kegs?

Mr. PIEVSKY. That is right, Mr. Speaker.

Mr. COWELL. Okay, I just want to make sure we are all talking about the same problem.

Mr. PIEVSKY. Well, it makes it competitive. That is what it does.

Mr. COWELL. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Bittinger.

Mr. BITTINGER. Mr. Speaker, will Mr. Pievsky consent to interrogation?

The SPEAKER pro tempore. Will the gentleman, Mr. Pievsky, consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BITTINGER. Mr. Speaker, if the intent of this bill is to prevent those kegs from being stolen, then perhaps we should set the deposit at the cost of the keg.

But, I am curious, is it safe to presume, Mr. Speaker, that all breweries in the State of Pennsylvania do charge deposits for their kegs?

Mr. PIEVSKY. Yes, they do, Mr. Speaker.

Mr. BITTINGER. All right, then I think the bill, if it is to control the competition, should say that.

Mr. PIEVSKY. Well, that is the main intent.

Mr. BITTINGER. Well, it does not say that, and the notation that is on the calendar does not say that. For that reason, I will vote against the bill.

Mr. PIEVSKY. I am willing to accept an amendment from you to say that.

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

Mr. CAPUTO. Mr. Speaker, we have heard quite a bit of debate on this bill, but I think everybody is guessing. We have heard from a man in this House in the business who indicates that this bill if passed will help our own people in Pennsylvania.

Remember, we are talking merely about a deposit which is returnable when the equipment is returned or exchangeable for a new piece of equipment or barrel or container.

We have heard arguments why this is a good bill. I think those arguments are valid. I would ask that everybody vote for this bill.

The SPEAKER pro tempore. The Chair would remind the members of the House of the rule that no one is permitted to be recognized more than twice on the same subject.

The Chair recognizes the lady from Chester, Mrs. Taylor, who has not yet been recognized.

Mrs. TAYLOR. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Pievsky?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Pievsky, consent to interrogation?

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The lady may proceed.

Mrs. TAYLOR. Mr. Speaker, there has been a great deal of

conversation—and one might even go so far as to say “fuzzification”—on the question of uniformity as far as the cost of the keg. I have referred to the bill and I do not see any place in there where it addresses itself to uniformity.

Mr. PIEVSKY. The Liquor Control Board will make it uniform. There are breweries from out of state that are getting less deposits than that in Pennsylvania. That is the whole story in a nutshell. It just makes it competitive. That is all.

Mrs. TAYLOR. Could you refer to the line in the legislation that says that, Mr. Speaker.

Mr. SALVATORE. Mr. Speaker, can I interrupt?

The SPEAKER pro tempore. Will the gentleman, Mr. Pievsky, yield to the gentleman, Mr. Salvatore?

Mr. PIEVSKY. Yes, I will, Mr. Speaker.

The SPEAKER pro tempore. He will.

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

Mr. SALVATORE. On page 3, right now the brewers are operating illegally because by law they are not supposed to charge a deposit. They are only supposed to charge a deposit up to 128 fluid ounces, which is one gallon of beer. So what we are doing here is making something legitimate. Right at this point the brewers are doing something that they are not supposed to do.

Now in the bill on page 3, if you will read lines 11 and 12, they are removing “. . . which contain not more than one hundred twenty-eight fluid ounces and all such cash deposits shall be refunded upon return . . .” So what they are going to do then is to have a uniform deposit on all packages, not only on the kegs but on all packages.

Mrs. TAYLOR. Mr. Speaker, I understand that, but I still do not think it addresses itself to the uniform rate. Before I cast my vote in the affirmative, I would have to know what that uniform rate is and, if that is a part of the package, then I think we should be addressing ourselves to it.

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

Mr. CAPUTO. Mr. Speaker, the lady raises a valid point. If you are not familiar with the Liquor Code and the laws of this Commonwealth, this bill if adopted would require the Liquor Control Board to set the amount of deposit.

Now all of us here can understand that the Liquor Control Board cannot distinguish between Iron City Beer and some other beer on an equal-size keg. It is their duty to set the deposit fee.

To put an amount in, as the lady has requested and as some other persons have pointed out, at \$4, \$5, or \$6 in this act would be a trespass on the rights and regulations of the Liquor Control Board. I am sure that they would not say that a brewery in Allentown would have to require a deposit of \$4.50 on their products and a Pittsburgh brewery \$4.75 or \$5.50.

Their regulations would have to be uniform. So that whatever figure they establish would be uniform on all breweries throughout the State of Pennsylvania.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I think that Mr. Pievsky's intent

here is a good one to help our local breweries, but I think there is an easier solution to this problem than this.

I think what Mr. Pievsky should do is to introduce a resolution, which we should pass and distribute throughout the Commonwealth of Pennsylvania, encouraging the beer buyers of Pennsylvania to steal out-of-state kegs as opposed to in-state kegs.

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

Mr. LAUDADIO. Mr. Speaker, I just want to shed a little light from another angle. I think if we talk about littering here in Pennsylvania, this might help in some way to bring back these barrels to the beer distributors. I think looking at it from that angle, we ought to support the measure.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Pott.

Mr. POTT. Mr. Speaker, we are all interested in energy conservation and recycling. The kegs are the property of the brewer. The brewers merely want to get their own property back so that they do not have to use additional natural resources to produce kegs or use our energy to make new kegs. I feel that we should pass this bill to encourage the return of the kegs to the brewers.

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

Mr. FRYER. Thank you, Mr. Speaker.

It is not my intent to keep this debate flowing. However, there are a number of things here that bear repetition.

You may, if you desire, vote for this bill. But do not vote for the bill under the guise that you are helping the Pennsylvania brewer. That just simply is not so.

I have renewed respect for the advocates for dragging that matter into this issue. Let me tell you this: Most of the kegs that were stolen were stolen in a period when there was no deposit on the kegs.

They then moved into the \$10 deposit. Now, then, they are advocating that this will be by regulation, and they assure us—and I am convinced of their sincerity—that the Board is going to put a \$10 deposit on. Now it so happens that is so today.

Now what happens when the brewers come before them and insist that their costs are \$51 per keg and that they should increase the deposit?

It is going to be done by regulation, Mr. Speaker. Now if you want it done that way, then I would say vote for the bill. I do not believe it should be done that way. I do not believe this bill should be before us for consideration. I would urge that you think it over. If you do, I am sure your answer will be “no.”

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

Mr. MANDERINO. Very briefly, I would like to rise in support of this legislation.

When you have, as we have in Pennsylvania, a controlled situation in the sale and disbursement of liquor and malt beverages, you have a responsibility in that state to see that the rules

and regulations made are fair to everyone across the state.

There is no question that there must be a problem. We have two people, Mr. Salvatore and Mr. Pievsky, who are close to the situation, each of them having some closeness to the distributing business, who indicate that there is a problem - a problem perhaps for Pennsylvania brewers.

I think that there is more to the problem than has been discussed. I think that *some of our Pennsylvania breweries* and some of the distributors are being forced by their customers to grant without deposit, and I think it is very difficult for them to put the deposit on it. But there is no question that it is a fact that these kegs are disappearing, a \$55 item, and that cost has to be passed on to somebody, and it is being passed on to the consumer of Pennsylvania at the present time.

If passing this kind of legislation is going to stop the pilfering of these kegs, which are a high-cost item, it is going to reflect itself in the price of the product to the people of Pennsylvania. And reflecting itself in the price of the product to the people of Pennsylvania is what we ought to be interested in, especially since we have a monopoly situation. I think it is our duty to do that.

Let me say to you we are not doing anything different with this legislation than we have already done in the past by regulating other returnables in the beer business. Certain bottles must be returned. The Liquor Control Board sets the regulations on how, when, where, et cetera. We are simply saying that the returnables in ounces more than 128, which would only pertain to the keg, will also fall in this same category regulated in the amount of deposit by the Liquor Control Board.

I think it is reasonable legislation. If it has a tendency to help the industry in Pennsylvania, I think that is a good result. It is certainly a problem that we ought to try to solve, and I am in favor of HB 540.

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—110

Abraham	Flaherty	Lehr	Rappaport
Anderson	Foster, A.	Livengood	Ravenstahl
Bellomini	Gallagher	Logue	Reed
Bennett	Garzia	Lynch	Renwick
Berlin	Gatski	Manderino	Rhodes
Berson	Geesey	McCall	Rieger
Bittle	Geisler	McClatchy	Ryan
Brown	George, C.	McGinnis	Salvatore
Brunner	Giammarco	McIntyre	Scanlon
Burns	Gillette	Mebus	Scheaffer
Butera	Goebel	Milanovich	Schmitt
Caltagirone	Greenfield	Miller	Scirica
Caputo	Greenleaf	Miscevich	Seltzer
Cessar	Grieco	Mrkonic	Shuman
Cianciulli	Hamilton	Mullen, M. P.	Stapleton
Cimini	Harper	Mullen, M. M.	Stewart
Cohen	Hasay	Musto	Sweet
Cole	Haskell	O'Brien, B.	Tenaglio
Cowell	Hayes, D. S.	O'Brien, D.	Trello
DeMedio	Hoeffel	O'Connell	Wagner
DeWeese	Honaman	O'Donnell	Wansacz

DiCarlo	Hopkins	O'Keefe	Wilson
Dininni	Hutchinson, A.	Oliver	Wise
Donatucci	Hutchinson, W.	Petrarca	Wright, J. L.
Dorr	Katz	Pievsky	Yahner
Englehart	Kelly	Pott	Yohn
Fischer, R. R.	Kernick	Pratt	Zearfoss
Fisher, D. M.	Laudadio		

NAYS—78

Armstrong	Gamble	Moehlmann	Stairs
Arthurs	George, M.	Morris	Stuban
Barber	Goodman	Mowery	Taddonio
Bittinger	Halverson	Noye	Taylor, E.
Borski	Hayes, S. E.	Pancoast	Taylor, F.
Brandt	Helfrick	Parker	Thomas
Burd	Itkin	Piccola	Vroon
Cassidy	Jones	Pitts	Wargo
Davies	Klingaman	Polite	Wass
DeVerter	Knepper	Prendergast	Weidner
Dietz	Kolter	Pyles	Wenger
Dombrowski	Kowalyshyn	Richardson	White
Doyle	Laughlin	Ritter	Wiggins
Duffy	Letterman	Ruggiero	Wilt
Dumas	Levi	Schweder	Wright, D.
Fee	Madigan	Smith, E.	Zeller
Foster, W.	Manmiller	Smith, L.	Zitterman
Freind	McLane	Spencer	Zord
Fryer	Meluskey	Spitz	Zwilk
Gallen	Milliron		

NOT VOTING—15

Beloff	Kusse	Shelton	Williams
Gleeson	Lincoln	Shupnik	
Gray	Mackowski	Sirianni	Fineman,
Irvis	Novak	Valicenti	Speaker
Johnson			

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

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

QUESTIONS OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski. For what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOMBROWSKI. When the vote was taken on HB 540, PN 584, I inadvertently voted in the negative. I would like my vote changed to the affirmative.

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

The Chair recognizes the lady from Centre, Mrs. Wise. For what purpose does the lady rise?

Mrs. WISE. I rise to a question of personal privilege.

The SPEAKER pro tempore. The lady will state it.

Mrs. WISE. Mr. Speaker, I would like to cancel my leave of absence for today and I would also like to be recorded as voting "aye" on HB 540.

The SPEAKER pro tempore. The Chair thanks the lady.

EDUCATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 445, printer's No. 484**, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P.L. 177, No. 175), providing emergency powers for the Secretary of Education.

On the question,

Will the House agree to the bill on third consideration?

Mr. SELTZER offered the following amendment:

Amend Sec. 1 (Sec. 1316.2), page 2, lines 9 through 14 by striking out all of lines 9 through 13 and (c) in line 14 and inserting (b)

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Ritter. The amendment has been cleared by both sides.

Mr. RITTER. Mr. Speaker, what is the amendment? I do not have a copy of it. I do not know what it is.

Will the gentleman give us a brief explanation for the record?

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

Mr. SELTZER. The amendment was circulated over an hour ago, Mr. Speaker.

Do you have a copy of the bill in front of you?

All it does is delete subsection (b).

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

Mr. RITTER. Will the gentleman from Lebanon, Mr. Seltzer, consent to interrogation?

The SPEAKER pro tempore. Will the gentleman, Mr. Seltzer, consent to interrogation?

Mr. SELTZER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, if we accept Mr. Seltzer's amendment, then we are not giving the secretary the power to suspend the Public School Code, are we?

Mr. SELTZER. Yes, we are, Mr. Speaker. That is done in section (a), giving the secretary the powers to suspend as "to the extent necessary to cope with the circumstances of the emergency." after the emergency has been declared by the Governor. That is in section (a). That is the purpose of the bill, Mr. Speaker.

Mr. RITTER. Well, we are taking out then the part about notifying the State Council of Civil Defense?

Mr. SELTZER. As I view subsection (b), it does one of two things. It is either redundant because it is only repeating what was in (a), or, on the other hand, it could be giving the Secretary of Education a lot broader powers than this General Assembly would want to under the emergency section.

So the sponsors of the bill agreed that the amendment certainly cleaned up any question about the bill. Section (a) really provided the need to the Commonwealth under emergency situations when declared by the Governor.

Mr. RITTER. I thank the gentleman.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Abraham	Fryer	Lynch	Ruggiero
Anderson	Gallagher	Mackowski	Ryan
Armstrong	Gallen	Madigan	Salvatore
Arthurs	Gamble	Manderino	Scanlon
Barber	Garzia	Manmiller	Scheaffer
Bellomini	Gatski	McCall	Schmitt
Bennett	Geesey	McClatchy	Schweder
Berlin	Geisler	McGinnis	Scirica
Berson	George, C.	McIntyre	Seltzer
Bittinger	George, M.	McLane	Shuman
Bittle	Giammarco	Mebus	Shupnik
Borski	Gillette	Meluskey	Sirianni
Brandt	Goebel	Milanovich	Smith, E.
Brown	Goodman	Miller	Smith, L.
Brunner	Greenfield	Milliron	Spencer
Burd	Greenleaf	Miscevich	Spitz
Burns	Grieco	Moehmann	Stairs
Butera	Halverson	Morris	Stapleton
Caltagirone	Hamilton	Mowery	Stewart
Caputo	Harper	Mrkonic	Stuban
Cassidy	Hasay	Mullen, M. P.	Sweet
Cessar	Haskell	Mullen, M. M.	Taddonio
Cianciulli	Hayes, D. S.	Musto	Taylor, E.
Cimini	Hayes, S. E.	Noye	Taylor, F.
Cohen	Helfrick	O'Brien, B.	Tenaglio
Cole	Hoeffel	O'Brien, D.	Thomas
Cowell	Honaman	O'Connell	Trello
Davies	Hopkins	O'Donnell	Vroon
DeMedio	Hutchinson, A.	O'Keefe	Wagner
DeVerter	Hutchinson, W.	Oliver	Wansacz
DeWeese	Itkin	Pancoast	Wargo
DiCarlo	Johnson	Parker	Wass
Dietz	Jones	Petrarca	Weidner
Dininni	Katz	Piccola	Wenger
Dombrowski	Kelly	Pievsky	White
Donatucci	Kernick	Pitts	Wiggins
Dorr	Klingaman	Polite	Wilson
Doyle	Knepper	Pott	Wilt
Duffy	Kolter	Pratt	Wise
Dumas	Kowalshyn	Prendergast	Wright, D.
Englehart	Laudadio	Pyles	Wright, J. L.
Fee	Laughlin	Rappaport	Yahner
Fischer, R. R.	Lehr	Ravenstahl	Yohn
Fisher, D. M.	Letterman	Reed	Zearfoss
Flaherty	Levi	Renwick	Zeller
Foster, A.	Lincoln	Richardson	Zitterman
Foster, W.	Livengood	Rieger	Zord
Freind	Logue	Ritter	Zwilk

NAYS—0

NOT VOTING—11

Beloff	Kusse	Shelton	Fineman,
Gleeson	Novak	Valicenti	Speaker
Gray	Rhodes	Williams	
Irvis			

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

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

QUESTION OF INFORMATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Polite. For what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. POLITE. Mr. Speaker, are we voting on the amendment? The board shows that we are voting on the amendment or was that final passage?

The SPEAKER pro tempore. Well, the board was wrong. We passed the amendment by voice vote. That was amended on final passage.

Does anyone wish another vote?

URBAN AFFAIRS BILL ON
THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 134, printer's No. 147**, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of this Commonwealth; and validating such improvements assessments claims and liens therefor and the proceedings for the collection of such assessments claims and liens.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. RITTER. Mr. Speaker, will the sponsor of the bill explain the need for this bill? As I read it, it seems to be one continuous sentence that goes for about six pages. Frankly, I do not really know what the bill does. If the gentleman has no objection, I would like to have the bill passed over at least until next week.

The SPEAKER pro tempore. Will the gentleman, Mr. DeMedio, consent to interrogation?

Mr. DeMEDIO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DeMEDIO. Mr. Speaker, this bill is one that from time to time is reintroduced in order to allow errors on the part of borough solicitors, for example, or township solicitors or city solicitors who fail to file a lien on time or to revive a lien at the

5-year period, as he must do, to go in a little late. And if he has done this, the legislature has throughout, as far as I can remember, in the last 30 years, at least, validated those liens if they do not do any harm or prejudice to anyone against whom the lien is recorded.

For example, if there has been a sale and during the period that that sale was made, one searching the records would not have found that a lien was validly on the record, that lien being revived because of our validation would not affect that sale. So nobody gets hurt, and it merely extends a courtesy or extends some leniency to some municipality whose solicitor failed to be timely in recording either a revival of a lien or a lien in the first instance.

As I say, we have done this from time to time in the legislature. This is a common practice.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, the gentleman indicated that this is done from time to time and it is extending some time period. I do not see any date referred to at all in this bill.

This is a brand new piece of legislation. There are no dates in here. It talks about reviving liens in a 5-year period, but it gives no dates. When did we do this in the past?

Mr. DeMEDIO. This was last done, Mr. Speaker, in 1969. This remedial legislation, as I say, is passed as a matter of course by this legislature from time to time.

It does not prejudice anybody because, if it does, the legislation will not apply.

It allows the municipality to get what it is entitled to, to recover on liens for municipal improvements to that person's property.

I ask all the members to vote in the affirmative on this bill. It is an important bill. It is a necessary bill and it helps the taxpayers and the municipalities to collect what is rightfully theirs.

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

Mr. RITTER. I have tried to read the bill. As I said, it seems to me to be the longest sentence in the world. It goes from page 1 to the bottom of page 6.

If we last passed this in 1969, with this 5-year lien period he is talking about, what happened between the period of 1974 and 1977? This is not retroactive. It takes effect in 60 days. I do not see the haste in passing this bill today. It has only been on the calendar since yesterday. I have not even had a chance to check with my municipal officials. I would ask if the gentleman would extend the courtesy, to hold the bill until next week.

Mr. DeMEDIO. Mr. Speaker, I have no objection because we are not trying to railroad this through. I want everybody to explain it. There is nothing wrong with the bill. So I have no objection to holding it up for a week.

Mr. RITTER. I thank the gentleman, Mr. Speaker.

HB 134 PASSED OVER

The SPEAKER pro tempore. There being no objection, the bill will go over in order.

REQUEST TO CALL UP HOUSE RESOLUTION NO. 54

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

Mr. ITKIN. Page 17, HR 54.

The SPEAKER pro tempore. The resolution is passed over in order. Does the gentleman wish to call it up anyway?

Mr. ITKIN. Yes, Mr. Speaker.

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

Mr. MANDERINO. We did have this scheduled for vote this morning. I informed the Republican caucus yesterday that it was going to be voted. Mr. Hayes has asked me this morning, because of a request on his side, to hold it over until next week. Mr. Itkin who is the prime mover has indicated that there is an urgency to moving it today. And I would ask the House to call it up and let it be subject to whatever motions anyone wants to put to it.

HOUSE RESOLUTION No. 54

Mr. ITKIN called up **HOUSE RESOLUTION NO. 54.**

In the House of Representatives,

The House of Representatives of the Commonwealth of Pennsylvania calls upon the President and the Congress of the United States to reject any suggestion of reducing the support by the Federal Government for nuclear energy development.

WHEREAS, The House of Representatives of the Commonwealth of Pennsylvania believes that the Nation's security and future well-being depends upon the availability of jobs and energy; and

WHEREAS, The availability of industrial employment depends upon the development of new sources of energy capable of providing increased productivity; and

WHEREAS, The living conditions for all of the American people are directly related to an abundance of energy for their comfort, convenience and mobility; and

WHEREAS, Electricity is the most flexible mode for distributing energy; and

WHEREAS, The electric utility industry is depending upon nuclear energy for fulfilling its vital functions; and

WHEREAS, The United States Energy Research and Development Administration is revising its fiscal year 1978 budget request; and

WHEREAS, The Energy Research and Development Administration is considering cutting back its funding for development of the fast breeder nuclear reactor and nuclear fusion power; and

WHEREAS, Such cuts, \$199,000,000 from the fast breeder reactor and \$80,000,000 from nuclear fusion, will delay the development and, therefore, could adversely affect our future critical supply of electricity; and

WHEREAS, Such economics represent only 4/10ths of 1% of the anticipated total Federal budget deficit for the fiscal year; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania calls upon the President and the Congress of the United States to insure that adequate funding exists for the timely development and commercialization of these energy sources; and be it further

RESOLVED, That they reject any suggestion of reducing the support by the Federal Government for nuclear energy development; and be it further

RESOLVED, That copies of this resolution be transmitted to the President of the United States, his assistant for energy matters, the presiding officers and members of the Senate and House of Representatives of the Congress of the United States and to the Administrator of the United States Energy Research and Development Administration.

On the question,

Will the House agree to the resolution?

Resolution was agreed to.

The SPEAKER pro tempore. I heard no requests for a roll call. Do I hear it now? Does the gentleman from Erie, Mr. DiCarlo, demand a roll call on this resolution?

Mr. DiCarlo. Yes, Mr. Speaker.

DECISION WITHDRAWN

The SPEAKER pro tempore. The Chair withdraws its decision to call up HR 54.

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

Mr. DiCARLO. Mr. Speaker, I would like to interrogate the sponsor of the resolution, please.

The SPEAKER pro tempore. Does anybody wish to answer the interrogation of the gentleman from Erie?

The gentleman, Mr. Itkin, will answer it.

The gentleman may proceed.

Mr. DiCARLO. Yes, Mr. Speaker, I am just wondering if the gentleman from Allegheny could briefly inform the members of this House the purpose of this resolution, HR 54?

Mr. ITKIN. Mr. Speaker, presently the President and the Congress are considering developing an energy policy for this nation. There have been several alterations of energy policies that have been discussed and considered in Washington. What this resolution does is to insure that there be adequate funding provided for energy research and development in several areas, including nuclear energy, coal research and alternate energy sources.

Mr. DiCARLO. Yes, Mr. Speaker. Am I right in assuming that the main part of the resolution is to ask the President and the Congress to reinstate \$199 million back into the development and research for fast breeder nuclear reactors in this country?

Mr. ITKIN. Mr. Speaker, the resolution points out that there have been several points in which there have been significant reductions in research in development funding for various categories, specifically the fast breeder reactor and the fusion energy development program. It cites these in the resolution to indicate our concern that such reductions in funding might compromise this nation in meeting its energy requirements in the future.

Mr. DiCARLO. Mr. Speaker, can the gentleman from Allegheny give us an idea of what the total budget request is by ERDA—Energy Research and Development Administration—in the area of research and development?

Mr. ITKIN. The present total ERDA budget is running around \$7 billion.

Mr. DiCARLO. Seven billion dollars, and President Carter has asked for specifically \$199 million to be eliminated from breeder reactors, nuclear breeder reactors.

Mr. Speaker, can you give us any indication perhaps why the President has asked for that cutback in the area of breeder reactors?

Mr. ITKIN. From looking over the ERDA budget, the President has indicated that he wishes to spend additional sums of money in this fiscal year for energy conservation purposes, for

short-range energy policy implementation. As a consequence, these additional requests of the President will amount to something like \$270-\$280 million. He has then asked ERDA to review its budget and to cut out from the ERDA budget some \$280 million in order to keep the ERDA budget at about \$7 billion, specifically in the area of certain long-range projects, which this breeder reactor and fusion energy development is part of.

Mr. DiCARLO. Mr. Speaker, in your knowledge, has the President cited publicly his fear of the areas of security resulting from the waste products that are transmitted from the nuclear breeder reactor, such as plutonium?

Mr. ITKIN. Yes, I think he has expressed some concern about the use of plutonium in a fuel cycle.

Mr. DiCARLO. Mr. Speaker, is it also the President's concern that there has been a problem in this country as far as the disposal of nuclear waste, specifically the item called plutonium?

Mr. ITKIN. To the best of my knowledge, there has been no problem with the disposal of plutonium, but there is concern about how that particular material will be disposed. I am told that there are projects underway to satisfy that particular concern.

Mr. DiCARLO. Mr. Speaker, has the President of the United States shown some concern about the proliferation of nuclear warheads across the world which result from the use of plutonium in these devices?

Mr. ITKIN. Yes, he has expressed his concern on the proliferation of nuclear weapons, which are in fact based on plutonium.

Mr. DiCARLO. Mr. Speaker, I would like to bring to the attention of the House that the resolution on the surface may sound like a very innocent resolution under the guise of the energy crisis before us. It looks like we are asking Congress and the President of the United States to reassess the energy policy, but you have to realize that President Carter has been very emphatic on his stand of the fast breeder reactor, which is part of this resolution. He has come out publicly, especially in his negotiations in the present SALT—Strategic Arms Limitations Talks—talks with the Soviet Union.

He has shown his concerns about the proliferation of nuclear warheads across the world which are used and which are manufactured directly from nuclear waste called plutonium which are manufactured by these breeder reactors. The President of the United States, who also has a background in nuclear energy, is very concerned about the disposal of these wastes.

The President of the United States has also said very emphatically that the plants and the breeder reactors which we now have operating in this country are not secure, they are not being manned, they are not being operated, and they are a real internal threat to the security of this country. It has been shown that bombs have been made by nonprofessional people who have gotten access to plutonium. We have gone through different eras of terrorism in this country. The Olympic Games 4 years ago, when we saw the Israeli stars executed because of terrorism. The events that happened in Washington, D.C. because of terrorism. The President is very skeptical that this kind of effort could be exerted to try and invade an area where

plutonium is and perhaps even to use this plutonium as a threat to the security of this country.

I think that we cannot use the guise of the energy crisis to simply give our stamp of approval on such a very sensitive project. This legislation does not have the knowledge to deal with the ERDA budget which is over I forget how many billions of dollars, as Mr. Itkin said.

We also know that the President is very cost conscious; he has tried to eliminate Federal spending which is very important.

I do not think that this House of Representatives has the knowledge available to deal with the Federal budget or has the knowledge available to deal with national security, which is necessary to pass the resolution in front of us.

Because of those issues I would ask this House not to pass HR 54.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

I rise in opposition to this resolution. I am the member who requested a hold on this resolution. If in fact the resolution is intended to advise the President about our concerns about the energy crisis, then I think we are little premature. I think it should be held over until next week, after the President delivers his views on energy this evening.

However, as Mr. DiCarlo aptly pointed out, this is not a bunch of platitudes, although there are platitudes in it concerning energy. This resolution originally and still does deal with the development of the breeder reactor and the fusion power and there are cuts in the United States budget concerning those 2 projects.

Mr. DiCarlo mentioned the dangers involved in that process and I think this is something that we as legislators first of all do not have the expertise to deal with. We were not presented with any expert testimony in committee concerning this, and I think that this is something that should be given a great deal more consideration before we presume to advise the President on a cut in the Federal budget.

Thank you, Mr. Speaker.

RESOLUTION DIVIDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Yohn.

Mr. YOHN. Mr. Speaker, is this resolution divisible? I am speaking specifically in terms of dividing out the 7th and 8th "whereas" paragraphs of the resolution.

The SPEAKER pro tempore. Will the gentleman repeat what he wants to divide?

Mr. YOHN. The 7th and 8th "whereas" paragraphs of the resolutions, which are the two paragraphs that deal with the issue of fast breeder reactors.

The SPEAKER pro tempore. I only see seven "whereas" clauses. Will you refer to the line and the page number you are referring to?

Mr. YOHN. I am referring to the House History. I do not have a line number on it because I do not have a copy of the resolution.

The SPEAKER pro tempore. Would the gentleman get a copy of the resolution so he can tell us specifically what he wants divided?

Mr. YOHN. Yes, Mr. Speaker. On the resolution itself it would be page 2, lines 10 through 13.

The SPEAKER pro tempore. That is the "whereas" clause that says that the administration is considering cutting back funding for breeder nuclear reactors? Is that the one you want taken out?

Mr. YOHN. The resolution itself is different from the one in the History that I was referring to. Perhaps I should yield to Mr. Ritter. Let me read through it while he is speaking and then I can give you a specific answer.

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

Mr. RITTER. Mr. Speaker, I think what Mr. Yohn wants to do — and I have no objection, although I am not a sponsor of the resolution but chairman of the committee that considered it and amended it somewhat extensively, but if the gentleman wants — to take out that "whereas" clause which refers to cutting back the funding for the development of the fast breeder nuclear reactor and nuclear fusion power, I think then he ought to also take out the next "whereas" clause which talks about such cuts may delay the development, because there is no other reference to cuts if he takes out the "whereas" clause starting on line 10. If we do that, and I can support that, I think that gets to the criticism of both Mr. DiCarlo and Mr. Piccola in terms of references to the fast breeder reactor.

What it does then is that the last "whereas" says that there is a great need to also increase total research and development funds to fully support other energy resource alternatives. So we are still talking about the development of nuclear power which President Carter is also talking about. We are not talking about the fast breeder reactor. So if we accepted what Mr. Yohn I believe wants to do and will probably do in a minute, I can certainly support that division and I think then the resolution would hopefully cure the objections that both Mr. DiCarlo and Mr. Piccola have.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Yohn.

Mr. YOHN. Mr. Speaker, I would amend my original suggestion to include page 2, lines 10 through 17, and ask that the issue be divided in that respect. The purpose of this division would be to eliminate the references in the resolution to the fast breeder reactor program. I think, as Mr. DiCarlo has pointed out, there is a lot of controversy about that. I do not think that this morning we are capable of making that decision one way or another. If we eliminate these sections of lines 10 through 17, we will not be speaking to that particular issue but we will still be calling upon Congress and the President to consider as much as possible the development of all energy sources.

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

Mr. ITKIN. Mr. Speaker, I am afraid I am going to have to give the House this morning, hopefully, a very short course in energy. I can speak as an expert. I can speak—

The SPEAKER pro tempore. The Chair would remind the gentleman to limit his debate to the subject matter of the resolution. I do not think we need a course in energy this morning.

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Mr. Speaker, have you ruled on Mr. Yohn's request as to whether or not this resolution is divisible?

The SPEAKER pro tempore. No, I have not. I am waiting for Mr. Itkin's reply on that subject. Hopefully he will contain his remarks to that before we get into the overall field of energy for the world.

Mr. RITTER. Thank you, Mr. Speaker.

Mr. ITKIN. Where are we, Mr. Speaker? Are we on a division now? Is that the question before the House?

The SPEAKER pro tempore. The gentleman from Montgomery, Mr. Yohn, has requested me to rule that it is permissible to divide the question and vote first on the "whereas" clauses on page 2 between lines 10 and 17. Normally there should be a motion to amend, but we normally require such amendments to be in writing. Since this is only a resolution with no effect, I would like to expedite the proceedings and perhaps solve it by a division and a vote separately on those two "whereas" clauses.

Mr. YOHN. If it is then divisible, Mr. Speaker, I would move that the question be so divided.

Mr. ITKIN. Which part will we be considering now, Mr. Speaker?

The SPEAKER pro tempore. To expedite the matter I will now rule that the question is divisible, and the first vote of the membership will be on the two "whereas" clauses between lines 10 and 17 on page 2 of the resolution.

The gentleman from Montgomery, Mr. Yohn, has suggested we vote "no," so that the final vote on the resolution will not contain those two clauses. The Chair now recognizes Mr. Itkin for his position on that vote.

Mr. ITKIN. Mr. Speaker, I would oppose the removal of those two sections from the resolution because it is these specific sections that go to the heart of the energy policy which this country may be considering.

Mr. Speaker, we are consuming all of our fossil fuels at an enormously rapid rate. We are using up our gas and we do not have enough gas. We are using up our oil and we do not have enough oil. We are relying upon coal to fill the gaps.

The SPEAKER pro tempore. The Chair would remind the gentleman that the two "whereas" clauses we are discussing concern themselves with fast breeder reactors and nuclear fusion power and not with gas, coal and electricity. Would the gentleman contain his remarks just to those two "whereas" clauses?

Mr. ITKIN. Mr. Speaker, I cannot express the need for these particular sections until I explain why there is going to be a deficiency in our other areas of fuel.

Mr. Speaker, what we are seeing now is a rapid depletion of our fossil fuels and, as a consequence, a greater dependence

upon coal as the only fossil source available to fill the gap. We are calling upon coal to provide the replacement to our natural gas and coal gasification. We are depending upon coal to provide our replacement for the increased consumption of energy that will be required in the 80's, in the 90's, and in the year 2000.

Almost every leading energy expert has looked at the situation and has come to the conclusion that we cannot produce enough coal, we cannot burn enough coal, and we cannot convert enough coal in order to fulfill all our energy requirements, and that is going to mean an increasing demand on nuclear energy to provide that source of energy.

Also in our heavily industrialized centers of the nation, like in Pittsburgh, we cannot burn too much more coal because of the pollution concerns that we have in our area and we need an alternate source of energy, industry needs an alternate source of energy that can allow the burning of this material in such a way that it will not pollute our atmosphere.

As a consequence, everyone in industry and in labor and those who are directly affected about production are in support of nuclear production. When you get to the area of nuclear production, you have to concern yourself about how efficiently you are going to use the uranium. Uranium is like any other fossil fuel; it is only present in the earth's crust in a certain amount. It is a minable commodity that can only be developed to a certain extent and then it is going to be depleted.

The folly of President Carter's philosophy is that he wants to use the 1 percent of the uranium to produce power and throw the 99 percent away, making the cost of nuclear energy far greater to industry than it needs to be. In addition, once the 1 percent uranium is gone, there will be nothing left and we will be more and more dependent upon unconceived and undeveloped sources of energy that we may never have the opportunity to achieve.

This particular proposal that we are considering is not the commercialization of fast breeder reactors. What we are asking of the nation is to give us 10 years to see if we can develop a demonstration plan based on the fast breeder reactor principles. This will allow us, by 1990, to make a decision depending upon existing circumstances as to whether we have to call upon this energy source or not.

What we are doing here is building safeguards. We are not going to, by promoting this type of development, incur plutonian proliferation because this is just a demonstration plan so that when the time comes in 1990 we will be in a position to make that decision. None of us today can say what is going to be the case in 1990, and I am suggesting to this House that it is foolish for us to cut us off from this type of a procedure, a development process, so that in 1990 when we have this choice to make, at least we will have the choice. So as far as those people who are concerned about plutonian proliferation and terrorist activities and the production of bombs or anything like that, this particular demonstration project has nothing to do with that particular decision or those particular consequences. That type of decision will be made at some later date.

And the second part of this particular resolution that is so very, very important is the development of the fusion program.

The fusion program is going to be, if we can develop it—

The SPEAKER pro tempore. I believe that we have been most patient with the gentleman in stretching to the furthest point the relevancy of his remarks.

The "whereas" clause we are talking about simply says that the administration is considering cutting the funding. It has nothing to do with the merits as to whether the funding is good, bad or indifferent. The gentleman's remarks are extremely interesting and perhaps informative but I do not think that they have anything to do with the merits of the two "whereas" clauses that we are about to vote on.

Mr. ITKIN. Yes, they do, Mr. Speaker.

The SPEAKER pro tempore. I ask the gentleman to contain his remarks simply as to whether or not the administration is considering making a cut. If they are considering it, the resolution is correct; if they are not, it is incorrect.

Mr. ITKIN. The administration is considering it.

The SPEAKER pro tempore. Will the gentleman then just contain his remarks to that? We are not concerned as to whether it is correct or incorrect; it is whether they are in fact doing it. That is all the clause says.

Mr. ITKIN. I understand, but what this resolution is intended to do is to focus the issue on these particular activities so that the Congress and the President can know that the American public and the people of Pennsylvania are concerned about this particular type of cutback.

The SPEAKER pro tempore. The gentleman is debating the merits of the entire resolution and not the two "whereas" clauses which the gentleman, Mr. Yohn, would like eliminated.

Mr. ITKIN. If these two particular clauses are eliminated, Mr. Speaker, the resolution only deals with semantics and does not focus the issue on these particular two issues which I, as the sponsor of the resolution, wish to have the Congress focus upon. I think it is irrelevant to talk about the fact that we need more energy; we all agree that we need more energy. The question is in terms of the policy that is being discussed in Washington today, which ones ought they to consider and which ones may they ignore. I am suggesting that the Congress and the President ought not to ignore these two particular types of energy sources, that they are very critical to our future well being, and as an industrialized state—

The SPEAKER pro tempore. Will the gentleman yield again? You have again missed the point. The two "whereas" clauses that Mr. Yohn speaks to eliminate merely say that the administration is considering making such a cut.

Mr. ITKIN. No, Mr. Speaker.

The SPEAKER pro tempore. You have already admitted that the administration is so doing.

Mr. ITKIN. No, Mr. Speaker.

The SPEAKER pro tempore. All that he says is that he does not want that "whereas" clause in and he wants to vote solely on that. It has nothing to do with the merits of energy, nuclear or otherwise. Is it a fact or is it not a fact that the administration is considering the cut? That is all that the debate will be on at the moment.

Mr. ITKIN. That is all. That is the first paragraph, Mr. Speaker, but look at the second "whereas" clause.

The SPEAKER pro tempore. The second merit clause says that if the cut is made, it may delay the critical supply of electricity. That seems to be self-evident. It may do so. Mr. Yohn says, let us take it out.

Mr. ITKIN. Which could adversely affect our future critical supply of energy, and I think that that is an important part of this resolution.

The SPEAKER pro tempore. The question recurs, shall these two "whereas" clauses on page 2, lines 10 to 17, be passed. If you vote "aye," you are in favor of leaving them in the resolution. If you vote "nay," they will come out but we still have a vote on the resolution; we can still have a right to amend it later.

Mr. ITKIN. I understand that, Mr. Speaker, but I would like to concern myself with the gravity of removing those particular sections, because then the resolution only states a very simplistic concept that we all accept without a resolution, that is, we are concerned about adequate funding. The reason for the resolution is because the Congress has taken—

The SPEAKER pro tempore. Again the gentleman is trying to debate the entire resolution when it is not presently before the House. Is there any reason he cannot permit a preliminary vote on the whereas clauses? Then if he wants to debate his resolution he may do so.

Mr. ITKIN. Mr. Speaker, I do that only because I want to address myself to the second part of the "whereas's" which deal with the cuts—

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

Mr. DiCARLO. Yes, Mr. Speaker. I would like to ask the Chair's indulgence. I disagree with my colleague's point of view on this issue, but the point that he is debating is really the crux of the whole matter and the whole resolution. If the Yohn amendment is successful, it would actually destroy the intent of Representative Itkin, and I wish you would grant him the latitude because it is the very essence in philosophy of the resolution that we are dealing with.

The SPEAKER pro tempore. On line 24, page 2, of the resolution, if it is passed without the "whereas" clauses, this is still going to do exactly what the gentleman, Mr. Itkin, desires, to remind the President and Congress to continue funding, development and commercialization of energy sources, be they nuclear coal, gas, oil or whatever they are.

Does the gentleman, Mr. Itkin, have any further remarks on the "whereas" clauses?

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

Mr. ITKIN. Yes, Mr. Speaker. The additional point of the "whereas" clause is concerned about the 25-percent cutback in the fusion reactor development program that President Carter is presently considering. None of the concerns of plutonian proliferation or anything else have any bearing upon fusion development. It would be foolish at this point to consider rejecting this type of very, very beneficial research and development.

RESOLUTION PASSED OVER

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

Mr. ITKIN. Mr. Speaker, obviously there is some education required on this House. I would like to make a motion at this time that we pass over the bill until Monday.

The SPEAKER pro tempore. The gentleman from Allegheny has moved that his resolution be passed over for the day.

On the question,

Will the House agree to the motion?

Motion was agreed to.

DECISION RECONSIDERED

The SPEAKER pro tempore. The Chair withdraws its ruling that the HB 379 will be passed over in order.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 379, printer's No. 804, entitled:

An Act providing for the rights of law enforcement officers concerning certain complaints and grievances.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. CAPUTO moved that House bill No. 379 be recommitted on the Committee on State Government.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RULES SUSPENDED

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

Mr. CAPUTO. Mr. Speaker, on March 29, HB 239 was defeated by a vote of 92-101. At that time I spoke against the bill. I have reviewed my position and the merits of the bill, and I want to have the bill reconsidered. To do so, however, I must ask that the rules be suspended since, in figuring out the 5 legislative days, I had forgotten April 11, 12, and 13, which were token session days. It is now the sixth day. So I move to suspend the rules so that we may take up this reconsideration motion.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Caputo, moves that the provisions of House rule 26 be suspended to permit reconsideration of a bill defeated more than 5 days ago. There will be a roll-call vote.

POINT OF ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. DiCarlo. For what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.
 Mr. DiCARLO. Mr. Speaker, could you perhaps explain to the membership what happens to a piece of legislation after it is defeated, its actual possession? Does it remain with the Speaker on his desk?

The SPEAKER pro tempore. It remains in the control of the House when it is defeated. If it is passed, it is signed by the Speaker and sent to the Senate, but it is still in our possession.

Mr. DiCARLO. Otherwise, the piece of legislation, even for the entire term, would still remain in the control of the Speaker.

The SPEAKER pro tempore. Under rule 26 you are not permitted to reconsider the vote after 5 legislative days after final defeat. Mr. Caputo requests a suspension of that rule.

Mr. DiCARLO. One more question, Mr. Speaker: Before we vote on the suspension, could Mr. Caputo enlighten the House as to what this legislation is?

The SPEAKER pro tempore. Will the gentleman from Allegheny explain HB 239?

Mr. CAPUTO. Well, I will try to explain it. It was a bill introduced by Representative Brunner that would eliminate one step in the enactment of liens resulting from income tax assessments by the Commonwealth. If you recall, we had some debate on it. I indicated it would be costly to the taxpayer and the public generally, and I have found out since that time that it actually will save the taxpayers money.

Because I made the mistake—and I am apologizing to the House—I fell that the onus is on me to ask the House to reconsider the bill and redebate the bill. For that reason I ask that the rules be suspended so the matter can be discussed and debated by the House.

**RECONSIDERATION OF VOTE
 ON HOUSE BILL No. 239**

Mr. CAPUTO moved that the vote by which HOUSE BILL No. 239, printer's No. 259, entitled:

An Act amending the "Tax Reform Code of 1971" approved March 4, 1971 (P.L. 6, No. 2), further providing for tax liens and enforcement thereof.

was defeated on final passage on Tuesday, March 29, 1977, be reconsidered.

Mr. BRUNNER seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—120

Abraham	Fisher, D. M.	Kowalyshyn	Ravenstahl
Armstrong	Flaherty	Laudadio	Reed
Arthurs	Foster, A.	Laughlin	Richardson
Bellomini	Foster, W.	Lehr	Rieger
Bennett	Freind	Letterman	Ritter
Berlin	Fryer	Levi	Ruggiero
Bittinger	Gallagher	Livengood	Ryan
Bittle	Gamble	Logue	Scanlon
Borski	Garzia	Lynch	Scheaffer
Brandt	Geesey	Manderino	Schmitt
Burd	Geisler	McCall	Schweder
Burns	Giammarco	McIntyre	Scirica

Butera	Gillette	McLane	Shupnik
Caltagirone	Goebel	Milanovich	Stairs
Caputo	Goodman	Milliron	Stapleton
Cassidy	Greenfield	Miscevich	Stewart
Cessar	Grieco	Mowery	Stuban
Cianciulli	Halverson	Mrkonic	Sweet
Cimini	Hamilton	Mullen, M. P.	Taddonio
Cohen	Harper	Mullen, M. M.	Taylor, F.
Cole	Hasay	Musto	Tenaglio
Cowell	Hayes, S. E.	O'Brien, B.	Trello
DeMedio	Hutchinson, A.	O'Brien, D.	Wargo
DeWeese	Hutchinson, W.	O'Keefe	Wenger
Dombrowski	Johnson	Oliver	Wilt
Dorr	Jones	Parker	Wright, J. L.
Doyle	Kelly	Pott	Yohn
Duffy	Kernick	Pratt	Zeller
Englehart	Knepper	Prendergast	Zitterman
Fee	Kolter	Rappaport	Zwilk

NAYS—57

Anderson	Hoeffel	O'Connell	Stairs
Brown	Honaman	O'Donnell	Taylor, E.
Davies	Hopkins	Pancoast	Thomas
DeVerter	Klingaman	Piccola	Vroon
DiCarlo	Lincoln	Pitts	Wagner
Dietz	Mackowski	Polite	Wansacz
Dininni	Madigan	Pyles	Wass
Fischer, R. R.	Manmiller	Renwick	Weidner
Gallen	McGinnis	Seltzer	Wilson
Gatski	Mebus	Shuman	Wise
George, C.	Meluskey	Sirianni	Wright, D.
George, M.	Miller	Smith, E.	Yahner
Greenleaf	Moehlmann	Smith, L.	Zearfoss
Hayes, D. S.	Noye	Spencer	Zord
Helfrick			

NOT VOTING—26

Barber	Gray	Morris	Valicenti
Beloff	Haskell	Novak	White
Berson	Irviss	Petrarca	Wiggins
Brunner	Itkin	Pievsky	Williams
Donatucci	Katz	Rhodes	
Dumas	Kusse	Salvatore	Fineman,
Gleeson	McClatchy	Shelton	Speaker

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

**HB 239 PLACED ON FINAL PASSAGE
 POSTPONED CALENDAR**

Mr. CAPUTO moved that HB 239 be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—171

Abraham	Gallen	Madigan	Ruggiero
Anderson	Gamble	Manderino	Ryan
Armstrong	Garzia	Manmiller	Salvatore
Arthurs	Gatski	McCall	Scanlon
Bellomini	Geesey	McGinnis	Scheaffer
Bennett	Geisler	McIntyre	Schmitt
Berlin	George, C.	McLane	Schweder
Bittinger	George, M.	Mebus	Scirica
Borski	Gillette	Meluskey	Seltzer
Brandt	Goebel	Milanovich	Shuman
Brown	Goodman	Miller	Shupnik

Burd	Greenfield	Milliron	Sirianni
Burns	Greenleaf	Miscevich	Smith, E.
Butera	Grieco	Moehlmann	Smith, L.
Caltagirone	Halverson	Morris	Spencer
Caputo	Harper	Mowery	Stairs
Cassidy	Hasay	Mrkonc	Stapleton
Cessar	Haskell	Mullen, M. P.	Stewart
Cianciulli	Hayes, D. S.	Mullen, M. M.	Stuban
Cimini	Hayes, S. E.	Musto	Sweet
Cohen	Helfrick	Noye	Taddonio
Cole	Hoeffel	O'Brien, B.	Taylor, E.
Cowell	Honaman	O'Brien, D.	Taylor, F.
DeMedio	Hopkins	O'Connell	Tenaglio
DeVerter	Hutchinson, A.	O'Donnell	Thomas
DeWeese	Hutchinson, W.	O'Keefe	Trello
DiCarlo	Itkin	Oliver	Vroon
Dietz	Jones	Pancoast	Wansacz
Dininni	Kelly	Parker	Wargo
Dombrowski	Kernick	Petrarca	Wass
Dorr	Klingaman	Pitts	Wenger
Doyle	Knepper	Polite	Wiggins
Duffy	Kolter	Pott	Wilson
Englehart	Kowalyshyn	Pratt	Wilt
Fee	Laudadio	Prendergast	Wise
Fischer, R. R.	Laughlin	Pyles	Wright, D.
Fisher, D. M.	Lehr	Rappaport	Wright, J. L.
Flaherty	Letterman	Ravenstahl	Yahner
Foster, A.	Levi	Reed	Yohn
Foster, W.	Livengood	Renwick	Zeller
Freind	Logue	Richardson	Zitterman
Fryer	Lynch	Rieger	Zwikl
Gallagher	Mackowski	Ritter	

NAYS—8

Davies	Piccola	Wagner	Zearfoss
Lincoln	Spitz	Weidner	Zord

NOT VOTING—24

Barber	Giammarco	Kusse	Valicenti
Beloff	Gleeson	McClatchy	White
Berson	Gray	Novak	Williams
Bittle	Hamilton	Pievsky	
Brunner	Irvis	Rhodes	Fineman,
Donatucci	Johnson	Shelton	Speaker
Dumas	Katz		

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

**RECONSIDERATION OF VOTE
ON HOUSE BILL No. 595**

Mr. FRYER moved that the vote by which HOUSE BILL No. 595, printer's No. 650, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103, No. 69), increasing millage of annual tax for road bridge and general township purposes.

was defeated on final passage on this day be reconsidered.

Mr. MEBUS seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—131

Abraham	Fischer, R. R.	Letterman	Scheaffer
Anderson	Flaherty	Levi	Schmitt
Armstrong	Foster, A.	Livengood	Schweder

Arthurs	Foster, W.	Logue	Scirica
Bellomini	Freind	Lynch	Shuman
Bennett	Fryer	Madigan	Shupnik
Berlin	Gallagher	Manderino	Sirianni
Bittinger	Gamble	Manmiller	Smith, E.
Bittle	Gatski	McCall	Spencer
Borski	Geesey	McLane	Stairs
Brandt	Geisler	Mebus	Stapleton
Brunner	Goebel	Milliron	Stuban
Burd	Goodman	Miscevich	Sweet
Burns	Greenfield	Mowery	Taddonio
Butera	Greenleaf	Mullen, M. P.	Taylor, F.
Caputo	Grieco	Mullen, M. M.	Tenaglio
Cassidy	Halverson	Musto	Thomas
Cessar	Harper	Noye	Trello
Cimini	Haskell	O'Brien, B.	Vroon
Cohen	Hayes, D. S.	O'Brien, D.	Wagner
Cole	Hayes, S. E.	O'Connell	Wansacz
Cowell	Helfrick	Oliver	Wargo
Davies	Hoeffel	Parker	Wass
DeMedio	Honaman	Pratt	Weidner
DeVerter	Hopkins	Prendergast	Wenger
DeWeese	Hutchinson, A.	Pyles	Wiggins
Dininni	Jones	Rappaport	Wilson
Dombrowski	Kelly	Ravenstahl	Wilt
Dorr	Kernick	Richardson	Wright, J. L.
Doyle	Knepper	Ritter	Yohn
Duffy	Kowalyshyn	Ruggiero	Zearfoss
Englehart	Laudadio	Ryan	Zitterman
Fee	Lehr	Scanlon	

NAYS—40

Brown	Klingaman	Mrkonc	Seltzer
Caltagirone	Laughlin	O'Donnell	Smith, L.
Cianciulli	Lincoln	O'Keefe	Stewart
Dietz	Mackowski	Piccola	Taylor, E.
DiCarlo	McGinnis	Pitts	Wise
Fisher, D. M.	McIntyre	Pott	Wright, D.
Garzia	Meluskey	Reed	Yahner
George, C.	Milanovich	Renwick	Zeller
George, M.	Miller	Rieger	Zord
Hasay	Moehlmann	Salvatore	Zwikl

NOT VOTING—32

Barber	Gray	McClatchy	Shelton
Beloff	Hamilton	Morris	Spitz
Berson	Hutchinson, W.	Novak	Valicenti
Donatucci	Irvis	Pancoast	White
Dumas	Itkin	Petrarca	Williams
Gallen	Johnson	Pievsky	
Giammarco	Katz	Polite	Fineman,
Gillette	Kolter	Rhodes	Speaker
Gleeson	Kusse		

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

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

Mr. ZELLER. Mr. Speaker, that was a real maneuvering ramrod job on that one. Now we would like to have a chance to talk about that one. Everybody was here talking about resolutions, and here all of a sudden you slap in a reconsideration of HB 595. I do not think it is very fair.

The SPEAKER pro tempore. The only thing we did was to approve a motion by the gentleman, Mr. Fryer, to reconsider next week or the week thereafter HB 595, which was defeated today.

Mr. ZELLER. Well, I apologize to you, because I thought you said this was a vote on the bill. I apologize to you very humbly.

The SPEAKER pro tempore. It was strictly a motion to reconsider.

HB 595 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. FRYER moved that HB 595 be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

STATEMENT BY MINORITY WHIP

The SPEAKER pro tempore. The Chair recognizes the minority whip, Mr. Ryan.

Mr. RYAN. Mr. Speaker, I am here to place a grievance and I am directing this to one of the departments under the chief clerk's office, that is, the duplicating room.

We found out yesterday or today, Mr. Speaker, that one of our orders for some 900 copies of a summary of the Motor Vehicle Code, which was prepared by our staff, had not been filled, and, rather, it seems that one of the members of the Democratic caucus walking through the duplicating room evidently noticed this fine piece of work that was a result of our efforts and saw to it that the front page, which normally would read "PREPARED BY THE MINORITY CAUCUS RESEARCH STAFF," now reads "RALPH D. PRATT, Esq., Member, Pennsylvania, House of Representatives, 10th Legislative District - Lawrence & Mercer Counties."

Now it is bad enough that they plagiarize from us—and with permission we would be glad to share our knowledge because we recognize that you people do not have the talent that we have—but what we really find particularly irritating is that it is bad enough that you plagiarize, but then when you use your influence to get your order in ahead of our order in the duplicating room, that ain't quite fair.

Mr. Manderino is standing up. He sat next to me at that dinner last night, and we are "profundicating." Is that it, Mr. Speaker?

Mr. MANDERINO. I do not know whether we are "profundicating" or "profundicating."

Mr. RYAN. And I am about to get a fuzziness response. But the fact remains, and I have copies of the work orders, that Mr. Pratt—and I talked to him before I took the microphone—in his comments, said "Thank you" when he ordered these 100 copies of our material, but he did not say "Thank you" to the Republican staff members who had prepared it. I think that in the future, should any of our colleagues and friends from the other side of the aisle decide to plagiarize our material, the least they could do is give us some credit for it, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the majority whip.

Mr. MANDERINO. Just briefly on the subject: We have been trying for some time to get fairness from the duplicating room

in the number of things duplicated for your side with your staff and for our side. On that particular item that you are talking about, you had received some 350 copies of. I do not think that there was any violation of protocol in the duplicating room so far as your receiving your orders. You had received a substantial portion of your order.

I talked with Representative Pratt about the incident, and he indicated that it was a misunderstanding and he told you that it was a misunderstanding. He indicated that he was looking for 100 copies of the Vehicle Code and was informed by the people in the duplicating room that they had none and they could not duplicate that, but that they had an analysis of the Vehicle Code that all he would have to do is change the first page on. He knew not who prepared it; he did not know it emanated from the illustrious staff of the minority; and he simply said to them, "Fine. That'll do for my purposes. Do it for me." And they did. And if we have offended you, Mr. Ryan, we apologize.

Mr. RYAN. I will accept the gentleman's apology, with the understanding that in the future their orders will not go ahead of our orders after they have plagiarized our materials.

The SPEAKER pro tempore. The Chair accepts the apology part.

Mr. RYAN. Mr. Speaker, one last thing: Mr. Garzia is here reading the material. He has asked if he may make use of it, and I, of course, told him we would be happy to share it if he will put that it was prepared by the Republican members from Delaware County.

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

Mr. ZELLER. Mr. Speaker, in regard to the subject, this has interested me very much because in the 1973-74 session Mr. Seltzer plagiarized a bill of mine when they were in power on the Law Enforcement Assistance Agency buying money. It just seems like the shoe is on the other foot now. So it is okay for them to plagiarize Zeller's bill, but do not plagiarize theirs.

The SPEAKER pro tempore. There will be no further roll calls today, in case anyone is interested.

The Chair recognizes the gentleman from Delaware, Mr. Garzia, from the wrong side of the aisle. Will you go over to the right microphone? You get me nervous over there.

Mr. GARZIA. That is all right. I want to thank Mr. Ryan for this information. I would like to send it to the boroughs and townships that have Republican solicitors who are not doing their jobs. I want to send it to them.

COMMITTEE REPORT

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

The Chair hears no objection.

BILLS REPORTED FROM COMMITTEE

HB 872, PN 1093 (Amended)

By Mr. DOYLE

An Act amending the "Magisterial District Reform Act," approved July 15, 1976 (No. 204), further providing for priority of legal business, mandatory liability insurance, retired district

justices, certain costs, jurisdiction, courses of instruction, transfers, and salary increases.

Judiciary

COMMUNICATION FROM GOVERNOR REORGANIZATION PLAN No. 2 PRESENTED

The Secretary to the Governor presented the following communication from the Governor:

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

April 18, 1977.

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

By the authority vested in me by the Reorganization Act of 1955, Act No. 8 of the General Assembly, approved April 7, 1955, providing for the reorganization of agencies and functions of the State Government subject to the approval or disapproval by the General Assembly, I transmit herewith Reorganization Plan No. 2 of 1977.

The transfer of the functions, powers and duties of the Department of Public Welfare with regard to the licensing and approval of drug and alcohol facilities to the Governor's Council on Drug and Alcohol Abuse will increase the efficiency and promote the more effective management of the Executive and Administrative Branch of Government by eliminating overlapping and duplication of effort.

In April 1972, I signed into law the Pennsylvania Drug and Alcohol Abuse Control Act (Act 63). The Act provides the Governor's Council on Drug and Alcohol Abuse with broad and sweeping authority over all state agencies funding or operating drug and alcohol treatment, prevention, education, training and research programs.

Act 63 of 1972 empowers the Governor's Council to provide standards for the approval of all drug and alcohol treatment and rehabilitative facilities within the Commonwealth. The Department of Public Welfare has the power and duty, pursuant to Articles IX and X of the Public Welfare Code, to approve and license various drug and alcohol facilities. The passage of this Reorganization Plan would place all approval of licensing duties for drug and alcohol facilities within one agency—the Governor's Council on Drug and Alcohol Abuse. This would avoid the current duplication of effort between The Department of Public Welfare and The Governor's Council on Drug and Alcohol Abuse and place all approval duties within the same agency which has the authority to establish the licensing standards.

By placing all licensing and approval functions in one agency, the Reorganization Plan will thereby reduce the number of managerial and administrative problems, and resulting confusion in the field. The consolidation will also result in more effective use of personnel, and will yield greater economy and more efficient performance of the functions transferred to the Governor's Council on Drug and Alcohol Abuse.

I therefore transmit to you and urge your approval of the attached Reorganization Plan No. 2, dated March 24, 1977.

MILTON J. SHAPP
Governor

REORGANIZATION PLAN No. 2 OF 1977

Section 1. The functions, powers and duties of the Department of Public Welfare, with regard to the regulation, supervision and licensing of drug and alcohol facilities, as set forth in Articles IX and X of the act of June 13, 1967 (P.L. 31, No. 21), known as the "Public Welfare Code," are hereby transferred to the Governor's Council on Drug and Alcohol Abuse.

Section 2. There are hereby transferred to the Governor's Council on Drug and Alcohol Abuse to be used, employed and expended in connection with the functions, powers and duties transferred by section 1 of this reorganization plan, contract obligations, in any records, files, property, supplies and equipment now being used or held in connection with such functions, powers and duties, and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers and duties.

Section 3. Articles IX and X of the act of June 13, 1967 (P.L. 31, No. 21), known as the "Public Welfare Code," are hereby suspended insofar as they conflict with this reorganization plan.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House a former member of this body, the very distinguished lady from Chester, Mrs. Patricia Crawford. Welcome back.

WELCOME

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House Mr. and Mrs. George Lee of the McKeesport Downtown Merchants Association, who are here as the guests of the gentleman from Allegheny, Mr. Mrkonich.

ADJOURNMENT

Mr. BORSKI moved that this House do now adjourn until Monday, April 25, 1977, at 1 p.m., e. d. t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 12:27 p.m., e. s. t.) the House adjourned.