

Legislative Journal

WEDNESDAY, APRIL 27, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 33

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (A.J. DeMEDIO)
IN THE CHAIR

PRAYER

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

Heavenly Father, help us to never lose sight of the fact that this is Thy world and we are only stewards therein, make us ever conscious of the truth so that we do not become bogged down in the human idea of revenge, and keep us walking in Thy way so that we do not forget Thy power and guidance in life. O God, as we are truly Thine, we pray that Thou wilt take full charge of each one of us; so that we may be constantly producing in life and conversation that which is acceptable and pleasing unto Thee. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Tuesday, April 26, 1977, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 991 By Messrs. PRATT, MILANOVICH, COWELL, WANSACZ, DOMBROWSKI, MCGINNIS, CIMINI, DAVIES, REED and MILLIRON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, adding provisions relating to energy facility siting and making appropriations.

Referred to Committee on Mines and Energy Management.

No. 992 By Messrs. PRATT, MILANOVICH, COWELL, WANSACZ, DOMBROWSKI, MCGINNIS, CIMINI, DAVIES, MILLIRON and REED

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), extending the gross receipts tax to all electricity produced in the Commonwealth; and providing for reporting.

Referred to Committee on Finance.

No. 993 By Messrs. MILANOVICH, PETRARCA, Mrs. KELLY, Messrs. DiCARLO, TAYLOR, GEISLER, FEE, SHUMAN, NOYE, MANMILLER PICCOLA, HOPKINS NOVAK, ABRAHAM and LETTERMAN

An Act amending the "Chiropractic Registration Act of 1951," approved August 10, 1951 (P.L. 1182, No. 264), further providing for preliminary educational requirements.

Referred to Committee on Professional Licensure.

No. 994 By Messrs. PICCOLA, CIMINI and MANMILLER

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P.L. 1779, No. 673), providing for free licenses to persons sixty-five years of age or older.

Referred to Committee on Game and Fisheries.

No. 995 By Messrs. PICCOLA, CIMINI and MANMILLER

An Act amending "The Game Law," approved June 3, 1937 (P.L. 1225, No. 316), authorizing free licenses to be issued to residents sixty-five years of age or older providing for reimbursement of lost revenue, and making an appropriation.

Referred to Committee on Game and Fisheries.

No. 996 By Messrs. LAUGHLIN, PETRARCA, WILT, GARZIA, ZITTERMAN, REED, GRAY, KOLTER, BRUNNER, MILANOVICH, COHEN, SWEET, STAPLETON, O'KEEFE and ZELLER

An Act amending the act of June 5, 1968 (P.L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; * * *," prohibiting insurance companies from securing and using certain information relating to violations of the Vehicle Code for purposes of risk categorization or premium charges.

Referred to Committee on Insurance.

No. 997 By Messrs. SALVATORE, HAMILTON, RIEGER, D.M. O'BRIEN, KATZ, GIAMMARCO and POTT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), providing for an exemption from personal income taxation.

Referred to Committee on Finance.

No. 998 By Messrs. RYAN, FREIND and S.E. HAYES

An Act amending "The Library Code," approved June 14,

1961 (P.L. 324, No. 188), authorizing the use of volunteers in lieu of full-time paid staff members.

Referred to Committee on State Government.

No. 999 By Messrs. PRATT, McLANE, SCHWEDER, REED, DiCARLO, LINCOLN, BERLIN and Mrs. KELLY

An Act amending the "Child Protective Services Law," approved November 26, 1975 (P.L. 438, No. 124), transferring and changing duties from the child protective service to the County Public Child Welfare Agency.

Referred to Committee on Health and Welfare.

No. 1000 By Messrs. GALLAGHER, LINCOLN, GARZIA, Mrs. WISE and Mr. BERLIN

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), providing for an increase in the earned income tax to fund a new school subsidy law.

Referred to Committee on Finance.

No. 1001 By Messrs. ZEARFOSS, BRUNNER, MEBUS, ZWIKL, GEESEY, GARZIA, FREIND, PARKER, DUFFY, POTT, GEISLER, VROON, CIANCIULLI, PANCOAST, Mrs. SCANLON, Messrs. YOHN, MELUSKEY, WEIDNER, O'DONNELL, D.R. WRIGHT, MOEHLMANN, BELLOMINI, PICCOLA, MANMILLER, HASKELL, RHODES and WILLIAMS

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), further providing for adjustment of acquisition date of property for capital gains taxation.

Referred to Committee on Finance.

No. 1002 By Messrs. RYAN, MCGINNIS, HALVERSON, KLINGAMAN, POLITE and VALICENTI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes by providing for the issuance of limited operators' licenses; establishing a commission; providing penalties and making an appropriation.

Referred to Committee on Transportation.

No. 1003 By Messrs. GALLEN, MILLER, GIAMMARCO, PETRARCA, LETTERMAN, D.S. HAYES, GEESEY, PICCOLA, BENNETT, BURD, RENWICK, POLITE, BROWN, CIMINI, BURNS, MUSTO, J.L. WRIGHT, L.E. SMITH, HASKELL, POTT, FEE, Mrs. KERNICK, Messrs. HELFRICK, D.M. O'BRIEN, TRELLO, LOGUE, DOYLE, PITTS, HOPKINS, LEHR, MANMILLER, WENGER, WILT, KLINGAMAN, PYLES, HALVERSON, MEBUS, D.M. FISHER, O'CONNELL, WEIDNER, GOEBEL, REED and ARMSTRONG

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing criminal sanctions against the sexual exploitation of children and pro-

hibiting the transportation of certain materials relating to the sexual exploitation of children.

Referred to Committee on Judiciary.

No. 1004 By Messrs. O'KEEFE, STAPLETON, DOYLE, GARZIA, HOFFFEL, Mrs. GEORGE, Messrs. GALLAGHER, BERLIN, TENAGLIO, BROWN, CASSIDY, ZEARFOSS, SPITZ, FREIND, MORRIS, RYAN, LYNCH and PITTS

An Act amending the act of August 5, 1932 (Sp. Sess., P.L. 45, No. 45), entitled, as amended, "An act empowering cities of the first class to levy, assess and collect, ***" further providing for the rate of taxation on certain individuals.

Referred to Committee on Finance.

No. 1005 By Messrs. STAPLETON, O'KEEFE, DOYLE, GARZIA, HOFFFEL, Mrs. GEORGE, Messrs. GALLAGHER, BERLIN, TENAGLIO, BROWN, ZEARFOSS, SPITZ, FREIND, MORRIS, RYAN, LYNCH and PITTS

An Act amending the act of August 5, 1932 (Sp. Sess., P.L. 45, No. 45), entitled, as amended, "An act empowering cities of the first class to levy, assess and collect, ***" further providing for the rate of taxation on certain individuals.

Referred to Committee on Finance.

No. 1007 By Messrs. SCIRICA, McCLATCHY, DiCARLO, BURNS, NOYE, KLINGAMAN, POTT, HELFRICK, Mrs. TAYLOR, Messrs. DIETZ, BERLIN and Mrs. KELLY

An Act empowering the Department of Health, Department of Labor and Industry and Department of Welfare to contract with local municipalities to enforce administrative standards for certain facilities involving adult care.

Referred to Committee on Health and Welfare.

No. 1011 By Messrs. BENNETT, LAUDADIO, MANDERINO, L.E. SMITH, R.R. FISCHER, YAHNER, WILT, ZELLER, WAGNER and MILLER

An Act amending the "Public Utility Law," approved May 28, 1937 (P.L. 1053, No. 286), further defining the word "corporation."

Referred to Committee on Consumer Affairs.

No. 1012 By Messrs. BENNETT, LAUDADIO, MANDERINO, L.E. SMITH, R.R. FISCHER, YAHNER, WILT, ZELLER, WAGNER and MILLER

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P.L. 382, No. 164), further providing for rates and charges to be fixed and altered pursuant to the provisions of the Public Utility Law.

Referred to Committee on Consumer Affairs.

No. 1013 By Messrs. HASKELL, STAPLETON, HOFFFEL, WILT, CESSAR and GOEBEL

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P.L. 1333, No. 320), extending the time records must be preserved by County Boards of Election.

Referred to Committee on State Government.

No. 1014 By Messrs. COHEN, STEWART, BITTINGER, JONES, GIAMMARCO, OLIVER, RIEGER, CIANCIULLI, McINTYRE, RUGGIERO, WILLIAMS, WIGGINS, WHITE, Mrs. SCANLON, Messrs. DONATUCCI, COLE, D.R. WRIGHT, MILANOVICH, MILLIRON, DeWEESE, ARMSTRONG and STUBAN

An Act providing for the regulation of job discrimination based on age; providing for civil suits and other enforcement; and establishing penalties.

Referred to Committee on Labor Relations.

No. 1015 By Messrs. COHEN, STEWART, BITTINGER, JONES, GIAMMARCO, OLIVER, Mrs. KELLY, Messrs. CIANCIULLI, RIEGER, McINTYRE, RUGGIERO, O'DONNELL, DUMAS, WIGGINS, WILLIAMS, WHITE, Mrs. SCANLON, Messrs. DONATUCCI, COLE, MILANOVICH, MILLIRON, DeWEESE, STUBAN and ARMSTRONG

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), prohibiting mandatory retirement of teachers and providing for certain rehiring policies.

Referred to Committee on Education.

No. 1016 By Messrs. W.D. HUTCHINSON, GEESEY, KLINGAMAN and NOYE

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), excluding certain seeds and plants from the tax for education.

Referred to Committee on Finance.

No. 1017 By Messrs. CALTAGIRONE, DAVIES, BROWN and MOEHLMANN

An Act providing for an additional law judge of the court of common pleas in the twenty-third judicial district.

Referred to Committee on Judiciary.

No. 1018 By Messrs. O'CONNELL, McCLATCHY, Miss SIRIANNI, Messrs. L.E. SMITH, DeVERTER, WASS, GEESEY, ANDERSON, LEHR, THOMAS, HELFRICK, PITTS, CIMINI, HASAY, WILT, E.H. SMITH, PICCOLA, MANMILLER, Mrs. TAYLOR, Messrs. POLITE, HALVERSON, KLINGAMAN, R.R. FISCHER, MACKOWSKI, LEVI, BITTLE, NOYE, WAGNER, WILSON, D.M. FISHER, BURNS, SCHEAFFER, W.W. FOSTER, WEIDNER, MADIGAN, MOWERY, MILLER, ARMSTRONG,

BRANDT, ZEARFOSS, SPITZ, BURD, WENGER, LYNCH, W.D. HUTCHINSON, DAVIES, DORR and A.C. FOSTER

An Act amending the "Public Welfare Code," approved June 13, 1967 (P.L. 31, No. 21), providing for the referral of certain assistance recipients to public works projects.

Referred to Committee on Health and Welfare.

No. 1019 By Messrs. REED, BROWN, ZITTEMAN, ZELLER and LAUGHLIN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding and grading the crime of theft by conversion.

Referred to Committee on Judiciary.

No. 1020 By Messrs. REED and ZELLER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for privileges of the members of the General Assembly.

Referred to Committee on State Government.

No. 1021 By Messrs. REED, BROWN and ZELLER

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P.L. 682, No. 284), requiring fire insurance companies to report to municipalities payments for fire losses to buildings therein.

Referred to Committee on Insurance.

No. 1022 By Messrs. REED, BROWN, ZITTEMAN, ZELLER and LAUGHLIN

An Act providing for the powers and duties of owners and buildings damaged or destroyed by fire and prescribing penalties.

Referred to Committee on Insurance.

No. 1023 By Messrs. REED, BROWN, ZITTEMAN and ZELLER

An Act amending "The General County Assessment Law," approved May 22, 1933 (P.L. 853, No. 155), further providing for exemptions.

Referred to Committee on Local Government.

No. 1024 By Mr. R.R. FISCHER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes further providing for the use of certain visual signals on police and fire vehicles.

Referred to Committee on Transportation.

No. 1025 By Messrs. WILSON, BURNS and D.M. FISHER

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

Referred to Committee on Local Government.

No. 1026 By Messrs. GRIECO, NOYE, LINCOLN, WAGNER, ZELLER, CIMINI, WILT, MADIGAN, HASAY and L.E. SMITH

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), further providing for modified sparsity payments.

Referred to Committee on Education.

No. 1027 By Messrs. L.E. SMITH and ANDERSON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), prohibiting travel by certain individuals for the purpose of participating in local ceremonies or programs.

Referred to Committee on State Government.

No. 1028 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Podiatry Examiners.

Referred to Committee on Professional Licensure.

No. 1029 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Cosmetology and making an editorial change.

Referred to Committee on Professional Licensure.

No. 1030 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Nurse Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1031 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Optometrical Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1032 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Pharmacy and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1033 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to State Dental Council and Examining Board and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1034 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Barber Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1035 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Auctioneer Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1036 By Mr. SHELTON

An Act amending the act of March 23, 1972 (P.L. 136, No. 52), referred to as the Psychologists License Act, adding a member of the public at large to the board.

Referred to Committee on Professional Licensure.

No. 1037 By Messrs. KOWALYSHYN, ZEARFOSS, SCHMITT, A.K. HUTCHINSON, SCHWEDER, LIVENGOOD, Mrs. HARPER, Messrs. GIAMMARCO, McLANE, TAYLOR, BORSKI, ZITTEMAN, WARGO, MILLIRON, GARZIA, MACKOWSKI, RUGGIERO, DOYLE, PRENDERGAST, VROON, REED, JONES and WIGGINS

An Act relating to maintenance by certain property and casualty companies of accounts to protect insurance company obligations to the public; defining the amount and manner in which such accounts shall be established and maintained, defining the authority of the Insurance Commissioner in regard to such accounts, providing for action to be taken by the commissioner if such accounts are not in compliance with the provisions of the act.

Referred to Committee on Insurance.

No. 1038 By Messrs. O'DONNELL, ITKIN, RICHARDSON, BURNS, MILLER, ZEARFOSS, GIAMMARCO, WEIDNER, COLE, O'KEEFE, STAPLETON, HOPKINS, RAPPAPORT, GOEBEL, MILLIRON, HELFRICK, COWELL, REED, COHEN, JONES, J.L. WRIGHT, BERLIN, SALVATORE, IRVIS, SCIRICA, FREIND, PANCOAST, VROON and MRS. TAYLOR

An Act amending the "General Appropriation Act of 1976," approved June 4, 1976 (No. 7-A), providing a deficiency appropriation to the Department of Education for payments to approved private schools for special education.

Referred to Committee on Appropriations.

No. 1039 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Registration Board for Professional Engineers and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1040 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Funeral Directors and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1041 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Osteopathic Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1042 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Real Estate Commission and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1043 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Veterinary Medical Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1044 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Chiropractic Examiners and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1045 By Mr. SHELTON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), adding a member of the public at large to the State Board of Examiners of Architects and making editorial changes.

Referred to Committee on Professional Licensure.

No. 1046 By Mr. CAPUTO

An Act amending the "Liquor Code," approved April 12, 1951 (P.L. 90, No. 21), providing for suspension or revocation of a license for a third or subsequent citation within four years and making an editorial change.

Referred to Committee on Liquor Control.

No. 1047 By Messrs. CAPUTO and FLAHERTY

An Act amending the "Liquor Code," approved April 12, 1951 (P.L. 90, No. 21), changing the amount a manufacturer may spend for advertising.

Referred to Committee on Liquor Control.

No. 1048 By Messrs. CAPUTO, FLAHERTY and D.M. FISHER

An Act amending the "Liquor Code," approved April 12, 1951 (P.L. 90, No. 21), making editorial changes.

Referred to Committee on Liquor Control.

No. 1049 By Messrs. REED, DININNI, MANMILLER, PICCOLA and CIMINI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, changing the sentence for rape under certain circumstances.

Referred to Committee on Judiciary.

No. 1050 By Messrs. REED, CIMINI, GIAMMARCO, ZITTERMAN, ZWIKL, BORSKI and JONES

A Supplement to the act of October 18, 1975 (P.L. 408, No. 112), entitled "An act providing for the capital budget for the fiscal year 1975-1976," enumerating a public improvement project to be acquired or constructed by the Department of General Services together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project, stating the estimated useful life of the project, and making an appropriation.

Referred to Committee on Appropriations.

No. 1051 By Messrs. REED, CIMINI, D.M. O'BRIEN, HAMILTON, GIAMMARCO, ZITTERMAN, BROWN, JONES and BORSKI

An Act amending the act of June 28, 1935 (P.L. 477, No. 193), referred to as the Enforcement Officer Disability Benefits Law, extending the act to include drug enforcement officers and investigators employed by the Bureau of Drug Control of the Department of Justice.

Referred to Committee on Judiciary.

No. 1052 By Messrs. REED, CIMINI, D.M. O'BRIEN, HAMILTON, GIAMMARCO, BROWN, MELUSKEY, Mrs. WISE, Messrs. BORSKI and JONES

An Act prohibiting certain acts by lobbyists, members of the General Assembly, members of the executive branch and imposing penalties.

Referred to Committee on State Government.

No. 1053 By Messrs. REED, CIMINI, GIAMMARCO, BROWN, MELUSKEY, ZWIKL, Mrs. WISE, Messrs. BORSKI and JONES

An Act amending the "Legislative Code of Ethics," approved July 10, 1968 (P.L. 316, No. 154), further defining gift and member and adding definitions; further providing for standards of conduct and prohibitions; providing for economic interest statements; and further providing for penalties.

Referred to Committee on State Government.

No. 1054 By Messrs. REED, CIMINI, GRIECO, GIAMMARCO, ZITTERMAN, BROWN, BORSKI and JONES

An Act amending the act of July 19, 1974 (P.L. 486, No. 175), referred to as the Public Agency Open Meeting Law, providing for the inclusion of certain judicial rules committees within the requirements of the act.

Referred to Committee on Judiciary.

No. 1055 By Messrs. REED, CIMINI, GRIECO, HAMILTON, GIAMMARCO, BROWN, ZWIKL, Mrs. WISE, Messrs. BORSKI and JONES

An Act amending the act of March 16, 1970 (P.L. 180, No. 69), entitled "An act relating to State taxation; ***" providing for a revision in the method of reporting, additional tax and interest, the underpayment of annual and quarterly taxes, the removal of additional tax for understatement, and for quarterly reporting and payment of the tentative corporate net income tax and corporation income tax.

Referred to Committee on Finance.

- No. 1056** REED, CIMINI, GRIECO, D.M. O'BRIEN,
HAMILTON, GIAMMARCO, ZITTERMAN,
BROWN, ZWIKL, Mrs. WISE, Messrs.
BORSKI and JONES

An Act providing for the periodic expiration of all agencies and establishing a system for periodic review to determine which shall be reestablished.

Referred to Committee on State Government.

- No. 1057** By Messrs. REED, GIAMMARCO,
ZITTERMAN, BROWN, ZWIKL, Mrs.
WISE, Messrs. BORSKI and JONES

An Act establishing the Tricentennial Commission of Pennsylvania, providing for the powers and duties of the commission, and making an appropriation.

Referred to Committee on State Government.

- No. 1058** By Messrs. REED, CIMINI, GRIECO,
GIAMMARCO, ZITTERMAN, BROWN,
BORSKI and JONES

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, extending burglary to include entering certain vehicles.

Referred to Committee on Judiciary.

- No. 1059** By Messrs. REED, CIMINI, GIAMMARCO,
ZITTERMAN, BROWN, BORSKI and
JONES

An Act relating to the prevention of crime; creating a temporary Governor's Council on Crime Prevention stating its powers and duties, and making an appropriation.

Referred to Committee on Judiciary.

- No. 1060** By Messrs. D.M. FISHER, MILLIRON,
PETRARCA, ZORD, DININNI, WILSON,
LINCOLN, MILLER, KNEPPER,
WENGER, ARMSTRONG and O'CONNELL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for registration and adding a penalty.

Referred to Committee on Transportation.

- No. 1061** By Messrs. BRANDT, SCHMITT, Mrs.
GILLETTE and Mr. MILLER

An Act amending the act of June 5, 1968 (P.L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; ***," requiring that cancellation notices be mailed by certified mail or by registered mail.

Referred to Committee on Insurance.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 119

An Act amending the act of July 14, 1971 (P.L.221, No.43), entitled "An act regulating the time of payment of wages and earnings of railroad employes" providing for administration of the act by the Department of Labor and Industry and for civil penalties.

Referred to Committee on Labor Relations.

SENATE BILL No. 231

An Act providing the Commonwealth with the right to jury trials in criminal cases.

Referred to Committee on Judiciary.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. PITTS, MORRIS, McCLATCHY, Mrs. TAYLOR, Messrs. E. H. SMITH and VROON

HOUSE RESOLUTION No. 92

The Speaker of the House of Representatives assign the standing committee on Health and Welfare the responsibility to investigate the closing of the mental health unit at Embreeville State Hospital.

Referred to Committee on Rules.

By Messrs. REED, CIMINI, GRICEO, GIAMMARCO, ZITTERMAN, BORSKI and JONES

HOUSE RESOLUTION NO. 93

The Speaker of the House of Representatives appoint a special committee existing of seven members, four from the majority and three from the minority, to study, investigate, and report to the House on the activities of the pseudoreligious cults in Pennsylvania, their effect on the citizenry of Pennsylvania and the effect of the tax and fund raising activities of the cults of the Commonwealth.

Referred to Committee on Rules.

By Messrs. D. M. FISHER, GAMBLE, GOEBEL, POTT, ZORD, PARKER, KNEPPER, TADDONIO, CESSAR, R. R. FISCHER, SCHMITT, ABRAHAM, Mrs. KERNICK, Mr. COWELL, Mrs. GILLETTE, Messrs. TRELLO, NOVAK and VALICENTI

HOUSE RESOLUTION NO. 94

The House of Representatives directs the Subcommittee on Highways of the House Transportation Committee to investigate the current Department of Transportation specifications for road resurfacing with particular attention to be given to the use of the existing asphalt mix and thickness in western Pennsylvania.

Referred to Committee on Rules.

LEAVES OF ABSENCE

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

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

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. The Chair thanks the gentlemen.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded.

YEAS—200

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

NAYS—0

NOT VOTING—3

Invis	Fineman,
Kusse	Speaker

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

CALENDAR

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 328, printer's No. 357**, entitled:

An Act amending the "Pennsylvania Municipalities Planning Code" approved July 31, 1968 (P.L. 805, No. 247), further providing for approval of plats.

On the question,

Will the House agree to the bill on third consideration?

Mr. FRYER offered the following amendment:

Amend Sec. 1 (Sec. 508), page 2, line 15, by removing the semicolon after "effect" and inserting . Such disapproval shall be considered an action of the body or agency from which applicant may appeal as provided in this act. The time within which an appeal may be taken shall begin to run from the date of such automatic disapproval;

On the question,

Will the House agree to the amendment?

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

Mr. FRYER. Mr. Speaker, a copy of this amendment was placed on the members' desks yesterday.

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

Mr. ZELLER. Mr. Speaker, will the gentleman, Mr. Fryer, consent to a brief interrogation?

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

Mr. FRYER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ZELLER. Thank you.

Mr. Speaker, would you say then that when a board fails to act within the 90-day period—presently it states that it would be disapproved—a request would be automatically disapproved and that would be it? This disapproval now gives that individual a chance to be heard in a court of law or before a hearing body of that political subdivision. Is that not automatic now?

Mr. FRYER. Mr. Speaker, since the bill itself will reverse the procedure and there would be a disapproval, this merely sets up a mechanism that will operate for an appeal.

Mr. ZELLER. The reason why I asked that is I realize that you are setting up a mechanism which you are talking about and which I felt was already the mechanism now, that anybody who disapproves anything for an individual, a taxpayer, a constituent, anybody who is denied any right has a right to appeal. Is that not the procedure now? Are you not just setting up a duplication mechanism?

Mr. FRYER. No, Mr. Speaker, we are setting up precisely what I stated. There is nothing sinister in this. It is a good amendment and it is needed because of the fact that we are changing the procedure.

Mr. ZELLER. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, a comment that I would like to make is that it appears to me that the problem you find right now is that a body that has 90 days in which to do their job, all of a sudden now decides that, for convenience sake, we are not going to act, and that would automatically be disapproved. To me, it should be the reverse. To me, here you have a guy out there who wants to build a home—

Mr. FRYER. Mr. Speaker.

Mr. ZELLER. —no comments on the amendment, I understand it. I agree. I agree.

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

Mr. FRYER. The gentleman is debating the merits of the bill. I wish to assure him that he will have ample time to do so, but, in the meantime, I would hope that he would observe the procedures of this House.

The SPEAKER pro tempore. The member's point of order is properly taken. The gentleman will cease arguing the merits of the bill and restrict his remarks to the amendment.

Mr. ZELLER. Mr. Speaker, I agree, and I thank you very much and I thank the speaker before for alerting me to the rules and regulations.

The problem I see here is that, first, we vote down this amendment and then let us get to a movement of tabling the bill.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—188

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

Dombrowski	Knepper	Polite	Weidner
Donatucci	Kolter	Pott	Wenger
Dorr	Kowalshyn	Pratt	White
Doyle	Laudadio	Prendergast	Wiggins
Duffy	Laughlin	Pyles	Williams
Englehart	Lehr	Rappaport	Wilson
Fee	Letterman	Ravenstahl	Wilt
Fischer, R.R.	Levi	Reed	Wise
Fisher, D.M.	Lincoln	Renwick	Wright, D.
Flaherty	Livengood	Rhodes	Wright, J. L.
Foster, A.	Logue	Richardson	Yahner
Foster, W.	Lynch	Rieger	Yohn
Freind	Mackowski	Ritter	Zearfoss
Fryer	Madigan	Ruggiero	Zeller
Gallagher	Manderino	Ryan	Zitterman
Gallen	Manmiller	Salvatore	Zwilk

NAYS—5

Dumas	Hamilton	Itkin	Zord
Gillette			

NOT VOTING—10

Barber	Brandt	Irvis	Fineman,
Beloff	Gleeson	Kusse	Speaker
Bittle	Gray	O'Donnell	

The question was determined in the affirmative and the amendment was agreed to.

On the question,

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

MOTION TO TABLE HB 328

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

Mr. ZELLER. Mr. Speaker, the reason for my positive vote was the fact that it is just going through what is already available now for the taxpayers, so we have not done anything. It is just some more frosting on a rotten-tasting cake.

So what I would like to do is say that I believe I would like to move right now that we table this bill for a chance to get further study on it as an amendment and to talk to our local-government people.

Here is a case where a government body is going to go and sit on something for 90 days, someone whom they have a problem with. And instead of acting and facing reality, facing the challenges, now all of a sudden it is disapproved and this poor individual has got to wait until another appeal, which usually is 90 to 120 days, to go in and file another chance to go through a hearing.

PARLIAMENTARY INQUIRY

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

Mr. MORRIS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MORRIS. Mr. Speaker, is a motion to table a debatable motion? I think the gentleman is debating his motion.

The SPEAKER pro tempore. The motion to table is not debatable.

Mr. ZELLER. I stand corrected again. I thought I would get a few shots in.

I understand the powers to be are after this. So let us vote it down and give the taxpayers a chance. Let us table it.

Thank you.

On the question,

Will the House agree to the motion?

The following roll call was recorded.

YEAS—55

Anderson	Grieco	Mackowski	Seltzer
Armstrong	Halverson	Madigan	Sirianni
Brandt	Hamilton	McClatchy	Smith, L.
Butera	Hasay	Miller	Spencer
Cessar	Haskell	Moehlman	Thomas
Cimini	Hayes, S. E.	Mowery	Vroon
DeVerter	Helfrick	Noye	Wagner
Dietz	Hopkins	O'Brien, D.	Wass
Dorr	Hutchinson, W.	O'Connell	Wenger
Foster, W.	Itkin	Pott	Wilson
Freind	Katz	Pyles	Wilt
Geesey	Klingaman	Ryan	Zeller
Gillette	Lehr	Salvatore	Zord
Goebel	Lynch	Scheaffer	

NAYS—133

Abraham	Gallagher	McCall	Scanlon
Arthurs	Gallen	McGinnis	Schmitt
Bellomini	Gamble	McLane	Schweder
Bennett	Garzia	Mebus	Scirica
Berlin	Gatski	Meluskey	Shelton
Berson	Geisler	Milanovich	Shuman
Bittinger	George, C.	Milliron	Shupnik
Borski	George, M.	Miscevich	Smith, E.
Brown	Giammarco	Morris	Spitz
Brunner	Goodman	Mrkonic	Stairs
Burd	Greenfield	Mullen, M. P.	Stapleton
Burns	Greenleaf	Mullen, M. M.	Stewart
Caltagirone	Harper	Musto	Stuban
Caputo	Hayes, D. S.	Novak	Sweet
Cassidy	Hoeffel	O'Brien, B.	Taddonio
Cianciulli	Honaman	O'Keefe	Taylor, E.
Cohen	Hutchinson, A.	Pancoast	Taylor, F.
Cole	Johnson	Parker	Tenaglio
Cowell	Jones	Petrarca	Trello
Davies	Kelly	Piccola	Valicenti
DeMedio	Kernick	Pievsky	Wansacz
DeWeese	Knepper	Pitts	Wargo
DiCarlo	Kolter	Polite	Weidner
Dininni	Kowalyshyn	Pratt	White
Dombrowski	Laudadio	Prendergast	Wiggins
Donatucci	Laughlin	Ravenstahl	Wise
Doyle	Letterman	Reed	Wright, D.
Duffy	Levi	Renwick	Wright, J. L.
Fee	Lincoln	Rhodes	Yahner
Fischer, R. R.	Livengood	Richardson	Yohn
Fisher, D. M.	Logue	Rieger	Zearfoss
Flaherty	Manderino	Ritter	Zitterman
Foster, A.	Manmiller	Ruggiero	Zwinkl
Fryer			

NOT VOTING—15

Barber	Gleeson	McIntyre	Williams
Beloff	Gray	O'Donnell	Fineman,
Bittle	Irvis	Oliver	Speaker
Dumas	Kusse	Rappaport	
Englehart			

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

QUESTION OF INFORMATION

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

Mr. BUTERA. Mr. Speaker, are you calling the bill for final passage?

The SPEAKER pro tempore. I understand there are more amendments to this bill.

Mr. BUTERA. I am sorry. I want to speak on the bill at that point.

On the question recurring,

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

Mr. WAGNER offered the following amendments:

Amend Title, page 1, line 17, by removing the period after "plats" and inserting and certain notice requirements.

Amend Sec. 1, page 1, line 22, by inserting after "amended" and a subsection is added

Amend Sec. 1 (Sec. 508), page 2, line 9, by striking out the bracket before "an"

Amend Sec. 1 (Sec. 508), page 2, lines 9 and 10, by striking out "a disapproval"

Amend Sec. 1 (Sec. 508), page 2, lines 10 and 11, by striking out "the governing body or agency and"

Amend Sec. 1 (Sec. 508), page 2, line 11, by striking out the bracket before "has"

Amend Sec. 1 (sec. 508), page 2, line 11, by striking out "I have"

Amend Sec. 1 (Sec. 508), page 2, line 15, by removing the semicolon after "effect" and inserting . When the application has been approved due to the failure of the governing body or agency to render a decision and communicate it to the applicant within the time and by the manner hereinabove provided, the governing body, agency or applicant shall give public notice of said decision within ten days of approval.

Amend Sec. 1 (Sec. 508), page 2, by inserting between lines 16 and 17 (6) Upon application for approval of a plat, notice shall be conspicuously posted by the applicant on the affected tract of land.

On the question,

Will the House agree to the amendments?

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

Mr. WAGNER. Mr. Speaker, this amendment does two things: It amends Mr. Fryer's bill to reinstate the present law; that is, that a municipality, a township official, a planning commission must act within 90 days. If they do not act, that is deemed approval.

The second part is a notice provision which requires that when there is an application for a subdivision applied for, a notice must be posted conspicuously on the tract of land which is affected.

One of the biggest complaints you have heard about is from an individual who wakes up in the morning and sees a bulldozer across the street putting in an apartment house, a shopping center, subdividing a farm up, and he says, I did not know about it. What my amendment does in part is provide that a notice is going to be put out there so at least he can know about this particular application.

Now the present code does provide that notice must appear in the legal section of the paper, but, quite frankly, nobody reads that section except for people who are interested in it. Most people do not know about it. So this would require posting on the land which is going to be affected.

We amended the zoning hearing board provisions about 2 years ago to take care of this problem. We omitted taking care of the planning commission problems on a subdivision.

But the second part of my amendment deals with the problem of inaction by township officials, and I ask you to consider how the planning commissions are appointed. Planning commissions are appointed by township officials. They are appointed by county commissioners. Now you know how appointments are done. They are done by the political party. They are done by who knows whom. They are done for many of the wrong reasons.

If a subdivider presently has his land subdivided and already has his plan approved, he has no problems. He has got the lawyers; he has got the engineers; he has got the architects. He does everything right. But what about the small farmer who wants to cut off one or two acres? If the planning commission does not act, then that poor farmer has to go to court to get his approval.

I tell you that your vested subdividers who already have that right will want to be discouraging further subdivision because they want to encourage people to buy their lots and not to go outside.

One final thing: The provision where inaction is deemed a denial is contrary to all the basic laws in our constitution. If the Governor does not act on a bill that is on his desk, it automatically becomes law. The same thing with the President. The same thing with every particular governmental duty which is imposed upon us. Inaction means that it will be deemed approved, and I say to you if you have inaction meaning disapproval, you are going to have a few small subdividers locked out.

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

Mr. FRYER. Mr. Speaker, the gentleman makes a point about the approval or disapproval of the plan.

The sponsors of this bill were motivated by the fact that we did have bodies that under the present law would approve of an action which many people were opposed to and there was no vote on the matter. So the taxpayers did not really know who favored or who opposed the action. Merely by the point of the inaction, the matter became law, and the public was frustrated because of the procedure. That is the problem with the proposal. Now the gentleman would reverse that. I would ask for a "no" vote on the Wagner amendment.

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

Mr. BURNS. Mr. Speaker, I just want to stand up and oppose this amendment along with Chairman Fryer. I think he knows the problem because the Local Government Committee has studied the problem, and that problem is simply this: Inaction today gives automatic approval.

I just happen to be one who thinks that if we are going to ap-

prove something, we ought to have the intestinal fortitude to say yes. Or if we do not agree, we ought to have that same type of intestinal fortitude to say no.

This allows township supervisors to sit, and by their inaction, by their failure to act, by their fear of acting, a very important item becomes law. Mr. Wagner's amendment would take it back to that existing law that the Local Government Committee, after long and hard study with the chairman, has agreed is the wrong way to do it. So I urge you to vote "no" on this particular amendment.

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

Mr. WILSON. Mr. Speaker, I have got to rise to support this amendment.

This bill in its original construction—really, if you stop to think about it—is what I would call big builders', big contractors' legislation. That might sound strange, but the song and dance is that we are going to save these little municipalities. We are going to protect the people in the municipality from whomever, from the outside world, simply because the elected officials failed to act.

I think that those people were elected to office. They were elected to take action, yes or no, negative or positive, upon any reasonable request within any reasonable length of time.

Now think about it. If I come into a municipality, a little township, and I request a 1,000-lot subdivision, and that bunch of township supervisors decides not to act within 90 days, it is disapproved under this proposal. That reads great. But if I am coming in for a 1,000-lot subdivision—and I have got all kinds of dough, let me tell you, and it is cheap to go to court and fight that battle and win it per lot—it does not cost me maybe a dollar a lot. Who is going to pay the bill for the solicitor on the other side? The taxpayers in the municipality are going to pay the bill for their lawyer to go to court to fight this big developer, and who is going to pay it? The taxpayer is going to pay it. And the big developer is going to win, and the guy or gal who was elected to official office is going to just fly by the boards and negate his duty. He is going to abdicate the whole thing. This is like the Compensation Commission.

I think that Mr. Wagner's amendment makes sense. I think every elected official has a duty to act upon a reasonable petition. This is what it is all about. I favor this amendment.

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

Mr. RITTER. Mr. Speaker, I rise to support the amendment also for some of the reasons that have been stated. I truly believe that when a person is elected to office, he or she ought to make decisions and not be able to sit back and, by not doing anything, disapprove an application by somebody who wants to do something in a particular municipality. If that person had the initiative to come before that board and say I want to do certain things and I need approval for it, then I think that that council ought to take action on it and either say, yes, we approve it or, no, we disapprove it. But to let them sit back and do nothing, particularly on controversial issues, you will never really know how those members of council felt about anything.

They just simply say we did not have time to act on it; I am sorry we did not get around to it, but in any event it is disapproved.

Perhaps their purpose is served, but the builder or developer, whoever is interested, is not going to have his chance at the system and he will have to appeal. And as somebody pointed out earlier, what about the little guy, the small businessman or the farmer? You are going to make that person go to court and pay those costs, and then you are going to have taxpayers' money used to pay for the solicitor to defend that action or that inaction, I should say, on the part of elected officials.

I think the amendment makes sense. It does require additional posting of notices after the action is taken. I think we ought to support the amendment and I would ask for an affirmative vote.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I rise too in support of this amendment. The simple fact is that the bill as proposed without the amendment just guarantees that local government will be excused from not doing its job, and we will again feed one more area of government to the judiciary, which is insulated from the community and does not understand what really the community wants, and they will decide it in a sterile legal manner at high cost. This bill simply guarantees that every time there is a request for subdivision, it is going to end up for decision by the court. This says to the local people, you did not do your job and now we are going to put our stamp of approval on it. This amendment should be supported. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Columbia, Mr. Stuban.

Mr. STUBAN. Mr. Speaker, I rise in favor of this amendment, and the reason I am in favor of this is that I have seen so many times in a little municipality that a builder or a developer would bring his people in and they would look so influential upon this board that this board would inadvertently go along with the situation. When the little, common, ordinary farmer would walk in, they would not pay much attention to him because he was a local citizen and he did not have the big, influential people behind him. So I ask you to vote in favor of this amendment.

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

Mr. FRYER. Mr. Speaker, the whole point of the bill, since it was discussed, was to cover those areas where the practice is for a board to sit on their decision and by their very inaction it would be approved.

I certainly agree with the speakers who have advocated that the public officials should vote as we must here in the House. We can vote "yes" or "no," but we must vote, and, frankly, that is the whole purpose of this bill—to force that action if it is approved. Now I recognize there are problems, but that is the purpose of the bill, and I would urge that the amendment be defeated.

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

Mr. BUTERA. Mr. Speaker, I rise in favor of the amendment. I think too often when we are dealing with local government issues, we tend to forget that we are charged with the responsibility of structuring local government, and we are to set the guidelines, the rules, the procedures, and they are to carry them out. I think the reverse of that becomes all too apparent here from time to time when we react to the wishes of local-government officials such as is the case here.

Secondly, the entire area of subdivision approval is a restriction of a very basic right of private property which all Americans have. In a pure sense we are permitted to own real estate, subdivide it, do with it whatever we please. Public policy has demanded restrictions upon that broad right, one of which is the approval of any subdivision of a piece of real estate. So in the first instance we are restricting a basic right guaranteed by the Federal Constitution, and in this bill, without the amendment, we are going even further and we are condoning inaction by members of bodies which are creatures of this legislature. We should be admonishing local-government officials for inaction, not encouraging it.

The Wagner amendment, I think, sets the proper tone. It does not say to local-government officials that they have to act, but it says if you do not act, we are going to put it into the newspaper. That is what we ought to be doing, not adopting the Fryer bill as is. I think then that the amendment would put the law in its proper perspective from where we sit and would do a lot more to strengthen local government and to strengthen home rule and all those things which sound so good but which are often forgotten when tough decisions are before local-government officials. So I think we should support the amendment and put this bill in its proper perspective.

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

Mr. ZELLER. Mr. Speaker, I just cannot believe that this bill is before us as it is. I think Mr. Burns brought out a point when he stated that we should have the intestinal fortitude to say "yes" or "no." This is what the man said. Also, Mr. Fryer said he agrees that they should vote and that this was going to force that action. Can you imagine those statements?

What they, in effect, are doing is allowing what happened yesterday here in regard to the sewage business, the ban, and they are going to allow big developers to come in and wheel and deal, and all these people have to do is sit on it and automatically it goes through, and then you are going to have the headache of where you are going with the sewage. These are some of the problems that you are going to run into by having the inaction of public officials who do not have what Mr. Burns called—and they agree—the intestinal fortitude to act. That is what you elect them for. We talk about local government. Now let us let those local governments operate.

What you are doing then is playing into the hands of the big developers, and you are going to kick little John Doe right in the teeth. He will not have a chance. It goes through the same thing we had before, and that is why I was fighting it - this charade of saying that they have a chance to appeal. We always had the chance to appeal. All that was was a frosting on a rotten-tasting cake. Now I say, let us get with it and let us vote in

this Wagner amendment and let us really help local government do its job.

Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—147

Anderson	Freind	Lynch	Salvatore
Armstrong	Gallagher	Mackowski	Scanlon
Barber	Gallen	Madigan	Scheaffer
Bellomini	Gamble	Manderino	Schmitt
Bennett	Garzia	Manmiller	Schweder
Berlin	Gatski	McCall	Scirica
Berson	Geesey	McIntyre	Seltzer
Bittinger	Geisler	McLane	Shelton
Bittle	George, M.	Mebus	Shupnik
Borski	Giammarco	Milanovich	Sirianni
Brunner	Gillette	Miller	Smith, E.
Burd	Goebel	Milliron	Smith, L.
Butera	Goodman	Miscevich	Spencer
Caputo	Greenfield	Moehlmann	Spitz
Cassidy	Grieco	Mowery	Stewart
Cessar	Halverson	Mullen, M. P.	Stuban
Cianciulli	Hamilton	Mullen, M. M.	Sweet
Cimini	Harper	Musto	Taylor, F.
Cohen	Hasay	Noye	Tenaglio
Cowell	Haskell	O'Brien, B.	Thomas
Davies	Hayes, S. E.	O'Connell	Wagner
DeMedio	Helfrick	O'Keefe	Wansacz
DeVerter	Honaman	Oliver	Wargo
DeWeese	Hopkins	Pancoast	Wass
DiCarlo	Hutchinson, W.	Parker	Wenger
Dietz	Itkin	Piccola	White
Dininni	Johnson	Pievsky	Wiggins
Dombrowski	Jones	Polite	Williams
Donatucci	Katz	Pott	Wilson
Dorr	Kelly	Pratt	Wilt
Doyle	Klingaman	Ravenstahl	Wise
Duffy	Knepper	Reed	Wright, D.
Dumas	Kolter	Rhodes	Yahner
Fischer, R.R.	Laughlin	Richardson	Zeller
Fisher, D.M.	Lehr	Rieger	Zitterman
Foster, A.	Levi	Ritter	Zord
Foster, W.	Lincoln	Ryan	

NAYS—46

Abraham	Hutchinson, A.	O'Brien, D.	Stapleton
Brandt	Kernick	O'Donnell	Taddonio
Brown	Kowalyszyn	Petrarca	Taylor, E.
Burns	Laudadio	Pitts	Trello
Caltagirone	Letterman	Prendergast	Valicenti
Cole	Livengood	Pyles	Vroon
Flaherty	Logue	Rappaport	Weidner
Fryer	McGinnis	Renwick	Wright, J.L.
George, C.	Meluskey	Ruggiero	Yohn
Greenleaf	Morris	Shuman	Zearfoss
Hayes, D.S.	Mrkoncic	Stairs	Zwikel
Hoeffel	Novak		

NOT VOTING—10

Arthurs	Fee	Irvis	Fineman,
Beloff	Gleeson	Kusse	Speaker
Englehart	Gray	McClatchy	

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

On the question recurring,

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

MOTION TO RECOMMIT HB 328

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

Mr. FRYER. The House has accepted two amendments to this bill—the one that I had introduced earlier and now the Wagner amendment—and the bill will have to be reworked. Therefore, Mr. Speaker, I move that HB 328 be recommitted to the Committee on Local Government.

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

Mr. BUTERA. Mr. Speaker, I oppose that motion. I think the bill as it presently reads properly addresses ourselves to what local government ought to be doing, and we ought to pass the bill now.

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

Mr. ZELLER. Mr. Speaker, that action is another copout. Let us get on with it. Let us vote down this recommittal.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—79

Abraham	Gallagher	Manderino	Renwick
Barber	Gamble	McLane	Rhodes
Bellomini	Geisler	Meluskey	Ruggiero
Bennett	George, C.	Milanovich	Schmitt
Berlin	Gillette	Miscevich	Schweder
Berson	Goodman	Morris	Sirianni
Brown	Greenleaf	Mrkoncic	Stairs
Brunner	Harper	Mullen, M. P.	Stapleton
Burns	Hopkins	Mullen, M. M.	Stewart
Caltagirone	Hutchinson, A.	Novak	Sweet
Caputo	Itkin	O'Brien, B.	Taddonio
Cole	Katz	O'Brien, D.	Taylor, E.
Cowell	Kernick	O'Donnell	Trello
DeMedio	Kolter	Petrarca	Valicenti
Dombrowski	Kowalyszyn	Pievsky	Vroon
Doyle	Laudadio	Pitts	Wargo
Dumas	Letterman	Prendergast	Weidner
Englehart	Levi	Pyles	Wright, D.
Flaherty	Livengood	Rappaport	Yahner
Fryer	Logue	Ravenstahl	Zwikel

NAYS—113

Anderson	Geesey	McCall	Seltzer
Armstrong	George, M.	McGinnis	Shelton
Bittinger	Giammarco	McIntyre	Shuman
Bittle	Goebel	Mebus	Shupnik
Borski	Greenfield	Miller	Smith, E.
Brandt	Grieco	Milliron	Smith, L.
Burd	Halverson	Moehlmann	Spencer
Butera	Hamilton	Mowery	Spitz
Cassidy	Hasay	Musto	Stuban
Cessar	Haskell	Noye	Taylor, F.
Cianciulli	Hayes, D. S.	O'Connell	Tenaglio
Cimini	Hayes, S. E.	O'Keefe	Thomas
Cohen	Helfrick	Oliver	Wagner
Davies	Hoeffel	Pancoast	Wansacz
DeVerter	Honaman	Parker	Wass
DeWeese	Hopkins	Piccola	Wenger
Dietz	Johnson	Polite	White
Dininni	Jones	Pott	Wiggins
Donatucci	Kelly	Pratt	Williams

Dorr	Klingaman	Reed	Wilson
Duffy	Knepper	Richardson	Wilt
Fischer, R.R.	Laughlin	Rieger	Wise
Fisher, D.M.	Lehr	Ritter	Wright, J. L.
Foster, A.	Lincoln	Ryan	Yohn
Foster, W.	Lynch	Salvatore	Zearfoss
Freind	Mackowski	Scanlon	Zeller
Gallen	Madigan	Scheaffer	Zitterman
Garzia	Manmiller	Scirica	Zord
Gatski			

NOT VOTING—11

Arthurs	Fee	Hutchinson, W.	McClatchy
Beloff	Gleeson	Irvis	Fineman, Speaker
DiCarlo	Gray	Kusse	

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

QUESTION OF PERSONAL PRIVILEGE

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

Mr. W. D. HUTCHINSON. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. W. D. HUTCHINSON. Mr. Speaker, on the motion to recommit HB 328, my switch was inoperative. I would like to be recorded in the negative.

The SPEAKER pro tempore. The member's remarks will be recorded for the record.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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

Anderson	Gamble	McCall	Schmitt
Armstrong	Garzia	McClatchy	Schweder
Arthurs	Gatski	McGinnis	Scirica
Barber	Geesey	McIntyre	Seltzer
Bellomini	Geisler	McLane	Shelton
Bennett	George, C.	Mebus	Shuman
Berlin	George, M.	Meluskey	Shupnik
Berson	Giammarco	Miller	Sirianni
Bittinger	Gillette	Milliron	Smith, E.
Bittle	Goebel	Moehlmann	Smith, L.
Borski	Goodman	Morris	Spencer
Brandt	Greenfield	Mowery	Spitz
Brunner	Greenleaf	Mrkonic	Stairs
Burd	Grieco	Mullen, M. P.	Stapleton
Butera	Halverson	Musto	Stewart
Caltagirone	Hamilton	Novak	Stuban
Caputo	Harper	Noye	Sweet
Cassidy	Hasay	O'Brien, B.	Taddonio
Cessar	Haskell	O'Connell	Taylor, E.
Cianciulli	Hayes, D. S.	O'Donnell	Taylor, F.
Cimini	Hayes, S. E.	O'Keefe	Tenaglio
Cohen	Helfrick	Oliver	Thomas
Cole	Hoefel	Pancoast	Trello

Cowell	Honaman	Parker	Valicenti
Davies	Hopkins	Petrarca	Vroon
DeMedio	Hutchinson, A.	Piccola	Wagner
DeVerter	Hutchinson, W.	Pievsky	Wansacz
DeWeese	Itkin	Pitts	Wargo
DiCarlo	Johnson	Polite	Wass
Dietz	Jones	Pott	Weidner
Dininni	Kelly	Pratt	Wenger
Dombrowski	Kernick	Prendergast	White
Donatucci	Klingaman	Pyles	Wiggins
Dorr	Knepper	Rappaport	Williams
Doyle	Kolter	Ravenstahl	Wilson
Duffy	Kowalyszyn	Reed	Wilt
Dumas	Laudadio	Renwick	Wise
Englehart	Laughlin	Rhodes	Wright, D.
Fee	Lehr	Richardson	Wright, J. L.
Fischer, R.R.	Levi	Rieger	Yahner
Fisher, D.M.	Lincoln	Ritter	Yohn
Flaherty	Livengood	Ruggiero	Zearfoss
Foster, A.	Lynch	Ryan	Zeller
Foster, W.	Mackowski	Salvatore	Zitterman
Freind	Madigan	Scanlon	Zord
Gallagher	Manderino	Scheaffer	Zwinkl
Gallen	Manmiller		

NAYS—9

Abraham	Fryer	Letterman	Milanovich
Brown	Katz	Logue	O'Brien, D.
Burns			

NOT VOTING—8

Beloff	Irvis	Miscevich	Fineman,
Gleeson	Kusse	Mullen, M.M.	Speaker
Gray			

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.

DEMOCRATIC CAUCUS

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

Mr. MANDERINO. Mr. Speaker, I would like to ask now for a recess of this House for 1 hour for the purposes of a Democratic Caucus. There are a number of important bills that we will consider immediately after caucus. I would ask all the Democratic members of the House to report to the majority caucus room immediately upon the declaration of the recess.

Mr. Speaker, I would ask you to also recognize the minority for an announcement.

The SPEAKER pro tempore. The Chair recognizes the gentlemen from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Mr. Speaker, just before the recess I would like the privilege to presenting a couple bills. Thank you.

REPUBLICAN CAUCUS

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

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

There will be a Republican Caucus immediately at the call of the recess. We will be discussing many important bills that are

on the calendar for our consideration today, two of which are the Juvenile Act and the "lifeline" bill. I would ask the Republican members to bring with them to caucus the calendar which I placed on their desks this morning, dated today, Wednesday, April 27. It is our calendar for the day. Please bring it to caucus. Thank you, Mr. Speaker.

STATEMENT ON LEGISLATION INTRODUCED

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

Mr. O'CONNELL. Thank you, Mr. Speaker.

I would just like to announce to the ladies and gentlemen in the House that I am introducing two bills that are part of a four-bill package. These particular bills have to do with the Pennsylvania utility realty tax and it reduces it by 50 percent and demands that all of the monies be returned to the municipalities.

The other one that I have here today would eliminate the penalties on utility bills and provide for a maximum of 1½ percent on the unpaid balance of a utility bill as opposed to the existing penalty.

Anybody who wishes to join with them, I will let them here to have their sponsorship. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. This House is now in recess until 11:20.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (A. J. DeMEDIO)
IN THE CHAIR

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1006 By Messrs. STAPLETON, SCIRICA, SCHMITT, O'KEEFE, O'DONNELL, MILLIRON, BERSON, CESSAR, DOYLE, GARZIA, GIAMMARCO, TRELLO, LAUGHLIN and MILANOVICH

An Act creating the Commission on Cable Television; conferring duties and powers on the commission; providing for payment of costs incurred by the commission; authorizing municipalities to franchise cable television systems; providing for the transfer, renewal, or for future of franchises; establishing classifications and rates of service; prohibiting cable television companies from abandoning service; establishing obligations of an owner of property containing cable television facilities; creating liability for slander or libel; and creating a municipal advisory council.

Referred to Committee on Consumer Affairs.

No. 1008 By Messrs. BENNETT, LAUDADIO, MANDERINO, L. E. SMITH, ZELLER,

MORRIS, YAHNER, WILT and MILLER

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), further providing for the usage of utility trenching in residential areas.

Referred to Committee on Consumer Affairs.

No. 1009 By Messrs. BENNETT, LAUDADIO, MANDERINO, L. E. SMITH, ZELLER, MORRIS, YAHNER, WILT, WAGNER and MILLER

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), further providing for the awarding of all contracts for construction, improvement or extension of a public utility plant or system to the lowest responsible bidder.

Referred to Committee on Consumer Affairs.

No. 1010 By Messrs. BENNETT, LAUDADIO, MANDERINO, L. E. SMITH, ZELLER, YAHNER, WILT, WAGNER and MILLER

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the disposition of certain tapping fees.

Referred to Committee on Local Government.

CALENDAR

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order.

The House proceeded to third consideration of House bill No. 3, printer's No. 1135, entitled:

An Act authorizing the Commonwealth of Pennsylvania through the Department of Environmental Resources to enter into such agreements and to acquire such interest as may be necessary to establish protect and maintain the Appalachian Trail and providing for the establishment protection and maintenance of such trail.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. RUGGIERO. Mr. Speaker, I have an amendment to offer to HB 3. It will be here momentarily. Can we pass over this for a moment?

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

Mr. SELTZER. Mr. Speaker, would the gentleman, Mr. Ruggiero, inform us what the amendment is? I also have an amendment for the bill.

Mr. RUGGIERO. Yes, Mr. Speaker. My amendment would restore the appropriation of \$500,000.

Mr. SELTZER. Mr. Speaker, I also have that same amendment laying on my desk. If I can give it to Mr. Ruggiero and let him offer it, we would not have to wait.

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. RUGGIERO offered the following amendments:

Amend Bill, page 5, by inserting between lines 13 and 14 Section 6. Appropriation. The sum of \$500,000, or as much thereof as may be necessary, is hereby specifically appropriated for the fiscal year 1977-1978 to the department for acquisition of the trail including administrative cost and related planning. The balance of the foregoing appropriation which remains unexpended, unencumbered or uncommitted at the end of the fiscal year 1977-1978 shall not lapse but shall remain to the credit of the department until expended in accordance with the provisions of this appropriation.

Amend Sec. 6, page 5, line 14, by striking out "6." and inserting 7.

On the question,

Will the House agree to the amendments?

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

Mr. RUGGIERO. Mr. Speaker, as I pointed out previously, this amendment would restore the appropriation of \$500,000 which DER—Department of Environmental Resources—estimates will be necessary for the next fiscal year to carry on its program of acquisition of private land to protect and preserve the Appalachian Trail. I ask for an "aye" vote.

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

Mr. ZORD. Mr. Speaker, I wish to speak on this amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ZORD. Mr. Speaker, I am not speaking against the trail itself and I wish only to comment on this amendment.

Last year the House approved a \$250,000 appropriation for acquisition of endangered portions of the Appalachian Trail. In addition to this sum, the department sought and received approval from the Federal Government for matching funds in the amount of \$234,000. This made a total of approximately \$466,000. The greater portion of this money remains unspent, although it is earmarked, as I understand it, for 3 parcels of land in Monroe and Northampton Counties. This money is earmarked for the purchase of approximately 280 acres of land of which less than 5 miles of the trail passes through it.

In addition, the department now seeks additional matching funds in the amount of \$80,000 which, of course, has not been funded by the General Assembly. If it should be and they acquire matching funds from the Federal Government, this would provide another \$160,000. At the present time, with the funds which the department now has plus the amount requested in this amendment, the total would be over \$1 million.

It is my opinion that today, when the General Assembly is scrounging around for money for important people services, this is entirely too great of an expenditure at this time. Just because a department asks for an appropriation of \$500,000 is no reason for the General Assembly to grant this request at this time.

There is an alternative to this appropriation and it has been utilized by the department in previous instances. This is a discretionary fund that the secretary controls, which is money received by the department from oil and gas leases in the Commonwealth. The amount in this fund is approximately \$500,000 and as I understand it, \$500,000 is added to this fund every year.

In my opinion, there is no reason why part of this \$500,000

fund that the secretary controls cannot be used for acquisition of land on the Appalachian Trail. As I understand it, the money in this fund can only be used for the purpose of land acquisition.

Now if the gentleman would reduce the amount of the appropriation of \$250,000, which is just half of what has been requested, it is my opinion that the \$250,000 would be sufficient at this time to acquire whatever parcels of land the department has in mind for acquisition. If this is the case, if it would be reduced, I certainly would withdraw my objection to this amendment.

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

Mr. RUGGIERO. Mr. Speaker, I am not sure where Representative Zord gets his information as to the adequacy or inadequacy of this appropriation. I do know that our appropriation last year, as he point out, was in half the amount because we were able to have matching funds from the Federal Government. However, at this time there is no assurance that there will be any Federal matching funds for the next fiscal year.

The amount of money that was appropriated last year has all been earmarked for only the beginning of this very great project to attack those areas where commercial and other developments are encroaching on the trail.

I am informed by those who know that the money appropriated will probably be used in those two areas which Representative Zord has indicated.

There are other areas throughout this state where a like situation exists. And I do not think we should take any chances; we should appropriate the amount of money which will adequately do the job to preserve and protect this trail which means so much to so many people not only in Pennsylvania but throughout the Eastern United States.

Thank you.

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

Mr. ZORD. The remarks by the gentleman are well taken. However, if we appropriate the \$500,000 and this money is matched by the Department of the Interior with Federal funds there would be another \$500,000 which would then bring the fund up to an amount of \$1 million.

If we reduce the amount of the amendment from \$500,000 to \$250,000 and this money is matched by the Federal Government—of course I agree that there is no guarantee that it will be matched by the Federal Government, but based on previous experiences of matching funds in this area, I certainly believe that it will be forthcoming and if it is forthcoming—this will then provide the department with \$500,000, the exact amount of which they are requesting in this amendment. So I see no reason why we cannot reduce it to \$250,000 and go easy for the time being. If additional funds are required in the future, then, of course, the department can ask for an additional appropriation.

The money that they now have is earmarked for this acquisition. However, as I understand it, to date there has been no acquisition. So I think we should go slowly at this time and re-

duce the amount to \$250,000, or defeat the amendment and then decide again what we should appropriate for this trail.

Thank you.

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

Mr. RUGGIERO. In reply, I would point out that the reason the acquisitions in many cases have not been completed is the reason that we did not have HB 3 enacted into law last year.

If you will recall, HB 2373 would have done what HB 3 proposes to do; that is, to give DER the legislation, the means, whereby they can acquire, and independent of any other power which they have. So it is important that we pass this bill so that they can complete the expenditures earmarked under last year's appropriation.

In conclusion, I would say that the amount of money we get from the Federal Government is not only uncertain as to amount or even as to its availability, but there are other states that are competing for these funds. There is no assurance as to whether or not we will get any or how much money we can get under these circumstances. So rather than jeopardize this program, I think it is essential that we appropriate \$500,000.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—179

Abraham	Gallen	Manderino	Scanlon
Anderson	Gamble	Manmiller	Scheaffer
Arthurs	Garzia	McCall	Schmitt
Barber	Geesey	McClatchy	Schweder
Bellomini	Geisler	McGinnis	Seltzer
Beloff	George, C.	McIntyre	Shelton
Bennett	Giammarco	McLane	Shupnik
Berlin	Gillette	Mebus	Sirianni
Berson	Goodman	Meluskey	Smith, E.
Bittinger	Gray	Miller	Smith, L.
Bittle	Greenfield	Milliron	Spencer
Borski	Greenleaf	Miscevich	Spitz
Brandt	Halverson	Moehlmann	Stairs
Brown	Hamilton	Morris	Stapleton
Brunner	Harper	Mowery	Stewart
Burd	Hasay	Mrkonic	Stuban
Butera	Haskell	Mullen, M. P.	Sweet
Caltagirone	Hayes, D. S.	Mullen, M. M.	Taddonio
Cassidy	Hayes, S. E.	Musto	Taylor, E.
Cianciulli	Helfrick	Noye	Taylor, F.
Cohen	Hoeffel	O'Brien, B.	Tenaglio
Cole	Honaman	O'Brien, D.	Thomas
Cowell	Hopkins	O'Connell	Trello
Davies	Hutchinson, A.	O'Donnell	Valicenti
DeMedio	Hutchinson, W.	O'Keefe	Vroon
DeVerter	Itkin	Oliver	Wagner
DeWeese	Johnson	Pancoast	Wansacz
DiCarlo	Jones	Petrarca	Wargo
Dietz	Katz	Piccola	Wass
Dininni	Kelly	Pievsky	Weidner
Dombrowski	Kernick	Pitts	Wenger
Donatucci	Klingaman	Polite	White
Dorr	Kolter	Pratt	Wiggins
Doyle	Kowalyszyn	Prendergast	Williams
Duffy	Laudadio	Pyles	Wilt
Dumas	Laughlin	Rappaport	Wise
Englehart	Lehr	Ravenstahl	Wright, D.
Fee	Letterman	Reed	Wright, J. L.
Fischer, R.R.	Levi	Renwick	Yahner

Flaherty	Lincoln	Richardson	Yohn
Foster, A.	Livengood	Rieger	Zearfoss
Foster, W.	Logue	Ritter	Zeller
Freind	Lynch	Ruggiero	Zitterman
Fryer	Mackowski	Ryan	Zwikl
Gallagher	Madigan	Salvatore	

NAYS—17

Burns	Gatski	Knepper	Pott
Caputo	George, M.	Milanovich	Shuman
Cessar	Goebel	Novak	Wilson
Cimini	Grieco	Parker	Zord
Fisher, D.M.			

NOT VOTING—7

Armstrong	Kusse	Scirica	Fineman,
Gleeson	Rhodes		Speaker
Irvis			

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER 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 Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, will the gentleman, Mr. Ruggiero, consent to interrogation?

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

Mr. RUGGIERO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BENNETT. Mr. Speaker, if you will notice on page 3 of the bill, line 11, the words "The use of motorized vehicles by the general public. . ." et cetera. Will the gentleman be kind enough to tell me why he is keeping all motorized vehicles off the Appalachian Trail?

Mr. RUGGIERO. Mr. Speaker, the reason we are doing this to this legislation is because the Federal scenic trails legislation requires that we prohibit the use of trails by motorized vehicles. So in order to get the Federal funds which we did get and which we hope to get again, we must have this restriction.

I might add, Mr. Speaker, that the major portion of this trail is atop the Blue Mountain pines and is not terrain that could be used by motorized vehicles. There may be some limited instances where it might be feasible.

Mr. BENNETT. Thank you, Mr. Speaker.

It is to that limited use that I now direct my remarks. And I would ask the gentleman to pay very close attention because I am going to ask another question.

In the dead of winter when the snows are rather high on the Appalachian Trail, many advocates of snowmobiling might want to use that. I might suggest to the gentleman that there are now somewhere around 50,000 registered snowmobiles in this state.

It would seem to me to be a ridiculous situation where we are

asked, on one hand, to provide half-a-million-dollar appropriation to a situation and then say to 50,000 or more advocates of a sport that you are prohibited from using it.

I am wondering, Mr. Speaker, if the gentleman might consent to an amendment that would allow the use of snowmobiles on that trail within certain prescribed times of the season of the year?

Mr. RUGGIERO. Mr. Speaker, I would respectfully decline to consent to such an amendment.

As a matter of fact, for the reason given I would have to vote in opposition to such an amendment. I would point out that the trail is in use during the winter months. There are many hikers who hike the entire length of this trail throughout the year. So I think that the use of motorized vehicles on this trail would pose a danger to them, whereas snowmobiling appears to have plenty of areas now, including public roads in many of our municipalities, which they can use. And I think this trail should be restricted to its historic use and preserved in its present state.

Mr. BENNETT. Mr. Speaker, would the gentleman suggest to me, from line 17, what he would consider "motorized emergency vehicles"?

Mr. RUGGIERO. Mr. Speaker, I would believe that would be for such use as firefighting equipment, rescue equipment, where this might be needed in case of an accident, and also the use of motorized vehicles to cross the trail at the recognized crossings which now exist.

Mr. BENNETT. Mr. Speaker, I would disagree that that line has to do with vehicles crossing that particular trail. That is alluded to in another section of the bill.

I would suggest to the gentleman, Mr. Speaker, that the use of snowmobiles ought to be allowed on the Appalachian Trail. Just this past winter, many, many areas of this Commonwealth that were inundated with tremendous amounts of snow relied upon those very vehicles for their own salvation in emergency situations then and in other situations.

Mr. Speaker, I am going to oppose the bill in its present form and I would ask others to do likewise, based on fairness to the snowmobilers in this state and those industries that have contributed so much to it.

I would ask the gentleman, before I speak in opposition to it, if he would consent to have this bill held for a temporary time until I have had a chance to see if we can work out some agreements with him?

The SPEAKER pro tempore. Has the gentleman, Mr. Ruggiero, heard the request of the gentleman, Mr. Bennett?

Mr. RUGGIERO. Mr. Speaker, if this had been the first time that the gentleman from Mercer had seen this bill and had been concerned about the use of motorized vehicles, I would gladly agree to a delay in the passage of this bill.

This very point was raised by the gentleman on a prior occasion when this bill was discussed in the form of HB 2373. If the gentleman wanted to present an amendment, he should have, in all fairness, presented that amendment here on the House floor today. Under these circumstances, I would say that the gentleman should introduce a motion for whatever delay he might deem desirable and I would be governed by the decision of this House.

Mr. BENNETT. Mr. Speaker, I hesitate to impose upon the gentleman. He makes a good point in that the point was alluded to previously and he is correct. However, that was in the last session, which was many months ago. I will apologize to the speaker and the members for not seeing the bill and knowing that it was going to go today. I can understand his hesitancy in holding the bill or I would acquiesce to his wishes.

I would only ask, Mr. Speaker, that the members of the House consider what I have said. I am going to vote in opposition to the bill and I would ask, on behalf of those many, many thousands of snowmobilers in this state, that they do likewise.

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

Mr. DAVIES. Mr. Speaker, would the last speaker, Mr. Bennett, stand a question of interrogation?

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

Mr. BENNETT. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman indicates that he will. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, at present is any of this trail now designated for snowmobile usage that this would constitute a denial in any section of this bill of current land usage for snowmobiles?

Mr. BENNETT. As far as I know, Mr. Speaker, portions of the Appalachian Trail are now being used as snowmobile routes. This particular piece of legislation would prohibit that.

Mr. DAVIES. Mr. Speaker, could Mr. Bennett identify just how many miles of the area or terrain are involved currently?

Mr. BENNETT. I could not identify it specifically, Mr. Speaker.

Mr. DAVIES. Well, Mr. Speaker, I would just like to make one statement. Currently in our areas of the state, and I cannot speak for Mr. Bennett's area of the state, in which the Appalachian Trail touches, there are very few areas at all that have been designated as snowmobile trails, so I say this is a very minute or small amount of the current existing trails and those affected by this piece of legislation.

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

Mr. ZELLER. Mr. Speaker, I have been meeting since the outset of the snowmobile legislation with our snowmobile clubs in the Lehigh Valley and just recently had a meeting with the Lehigh Valley Snowmobile Club, and I have found, to the club, to the individual, that they have in no way indicated any interest in the Appalachian Trail as an area for snowmobiling for the following reasons: They want to live and let live is the story they tell me, because they do not want to disrupt the program they have. The money that comes out of the snowmobile licensing is used for the setting up of snowmobile trails. Right now, presently, this is what it is all about. They do not want to go out here and disrupt the public and then have someone angry at them who is going to upset their whole operation. They are satisfied; they want to see their licensing fund stay as it is for their own use and this is the way it is set aside. Now if you are going to come out here and going to infringe upon another area, you are asking for trouble. Now you are going to

have the Appalachian Trail people, the hikers, saying, hey, wait a minute. You have your bill; your money is used for your own trail areas, so do not go and infringe on ours. That is the problem you are going to run up against, and I see a very dangerous precedent being set here.

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—187

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

NAYS—10

Bennett	Gatski	Milanovich	Wilson
Burns	George, M.	Shuman	Zord
Caputo	Goebel		

NOT VOTING—6

Gleeson	Irvis	Rhodes	Fineman,
Gray	Kusse		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.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Lincoln.

Mr. LINCOLN. Mr. Speaker, I ask that the rules be suspended so that a special resolution can be introduced.

The SPEAKER pro tempore. The gentleman has requested the suspension of rules so that a citation concerning the National Secretary's Week may be acted upon today.

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

The following roll call was recorded:

YEAS—184

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

NAYS—3

Spitz	Wilson	Zearfoss
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NOT VOTING—16

Beloff	Haskell	Pott	Spencer
Cimini	Irvis	Pratt	
Gleeson	Kusse	Rappaport	Fineman,
Gray	McGinnis	Rhodes	Speaker
Grieco	O'Donnell		

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

The SPEAKER pro tempore. The clerk will read the resolution.

The following resolution was read by the clerk:

WHEREAS, The week of April 25th has been designated as "National Secretary's Week" in recognition of the outstanding service performed by this dedicated group of professionals; and

WHEREAS, The secretaries employed by the House of Representatives are worthy of special recognition during this week as they are called upon to perform their duties under what are at times the most difficult circumstances; and

WHEREAS, Without the critical and essential work of these loyal public servants, the wheels of government would come to an abrupt halt; and

WHEREAS, Their beauty, charm and grace, under pressure are a tribute to their profession and to themselves; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania upon the occasion of "National Secretary's Week", takes the opportunity to express its gratitude and appreciation to the many talented and dedicated secretaries employed by the House of Representatives, congratulates them on the occasion of their special week and commends them for the high degree of professionalism that they have attained.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the members of the House of Representatives and adopted by the House of Representatives on the 27th day of April 1977.

The SPEAKER pro tempore. Will all those who wish to support the citation recognizing the role played by the secretaries for the members of the legislature, please stand in place.

(Members stood.)

The SPEAKER pro tempore. The record will indicate that the citation was passed unanimously.

CALENDAR

LABOR RELATIONS BILLS ON
THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 676, printer's No. 1015**, entitled:

An Act prohibiting public employers from firing public employees who lose time from employment in the line of duty as volunteer firemen and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

PARLIAMENTARY INQUIRY

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

Mr. BURNS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BURNS. Representative Ritter has asked me to hold up

this bill. He would like to make a one-word change. However, it just came to his attention that he does not have the amendment prepared. I guess my point, Mr. Speaker, is, it is a very simple change from "shall" to "may" on line 11 of the bill, and I am asking the speaker whether or not we would have to hold it and have the amendment printed?

The SPEAKER pro tempore. The Chair is suggesting that the bill go over to give the member time to have the amendment drawn up. So we will pass the bill over temporarily.

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

The SPEAKER pro tempore. Unless there is an agreement that this amendment is not controversial and an agreed-upon amendment.

Mr. BURNS. Mr. Speaker, I agree to the amendment.

HB 676 PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Is the gentleman, Mr. Burns, suggesting a motion to suspend the rules so that this matter may be passed without the amendment being before the body?

Mr. BURNS. Mr. Speaker, that is what I was suggesting. However, I understand from some people that they would rather see it in print, and if I could ask the Speaker to pass over the bill, I will try to, just as quickly as possible, get an amendment in print.

The SPEAKER pro tempore. The bill is passed over temporarily.

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

Mr. VALICENTI. Mr. Speaker, I just want to comment on the change that Mr. Burns wanted to make. I do not know why we have to hold up the bill. I think it is agreed to. It is only a change from a "shall" to a "may." Is that right?

Mr. BURNS. That is correct.

MOTION TO SUSPEND RULES

Mr. VALICENTI. If we agree to it, then I make a motion that we suspend the rules and vote the bill. Can I do that?

The only thing before the House is the vote on suspension of the rules to allow an oral amendment.

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

Mr. MANDERINO. Mr. Speaker, to the best of my knowledge, we have never allowed oral amendments. I do not think it is a good procedure to start. I would ask the members to vote against the suspension of the rules. Let the man get the matter in print before us. I know that this is a simple amendment. It is a one-word amendment, but I am concerned about the precedent we would set.

Mr. BURNS. Mr. Speaker, I agree with the majority whip, and if you will just give me a few minutes, we will get the amendment drawn.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—5

Fisher, D.M. Greenleaf Milanovich Rhodes
Goebel

NAYS—187

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

NOT VOTING—11

Beloff	Irvis	Pratt	Fineman,
Brown	Kusse	Ruggiero	Speaker
Gleeson	O'Donnell	Wiggins	
Gray			

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

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

Mr. VALICENTI. Mr. Speaker, I was going to withdraw that motion. I even voted "no." I am sorry.

PHOTOS PERMISSION GRANTED

The SPEAKER pro tempore. The Chair wishes to advise the members of the House that we have given permission to Sue Clemens, a photographer for the United Press International, to

take photographs on the floor of the House. I would hope that this would induce a better conduct on the part of the members. I have been having problems today.

Agreeable to order,

The house proceeded to third consideration of **House bill No. 677, printer's No. 1016**, entitled:

An Act prohibiting employers from firing employees who lose time from employment in the line of duty as volunteer firemen and providing penalties.

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 Chair recognizes the gentleman from Bucks, Mr. Burns.

Mr. BURNS. Mr. Speaker, I do not want to belabor the House. It is a bill that would help volunteer firemen, especially those who are called in the morning prior to their going to work. It was a bill that was asked for by the firemen, and I just ask for your support.

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—188

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

Englehart	Kowalyszyn	Prendergast	Wilt
Fee	Laudadio	Pyles	Wise
Fischer, R.R.	Laughlin	Rappaport	Wright, D.
Fisher, D.M.	Lehr	Ravenstahl	Wright, J. L.
Flaherty	Letterman	Reed	Yahner
Foster, A.	Levi	Renwick	Yohn
Foster, W.	Lincoln	Richardson	Zearfoss
Freind	Livengood	Rieger	Zeller
Fryer	Logue	Ritter	Zitterman
Gallagher	Lynch	Ruggiero	Zord
Gallen	Mackowski	Ryan	Zwilk

NAYS—1

Burd

NOT VOTING—14

Barber	Gleeson	O'Donnell	Williams
Beloff	Gray	Pratt	
Cohen	Irvis	Rhodes	Fineman,
Dumas	Kusse	Shelton	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.

APPROPRIATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 880, printer's No. 1137**, 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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The following roll call was recorded:

YEAS—148

Abraham	Fryer	Letterman	Renwick
Armstrong	Gallagher	Levi	Rhodes
Arthurs	Gamble	Lincoln	Richardson
Bellomini	Garzia	Livengood	Rieger
Beloff	Gatski	Logue	Ritter
Bennett	Geisler	Lynch	Ruggiero
Berlin	George, C.	Mackowski	Scanlon
Berson	George, M.	Manderino	Schmitt
Bittinger	Giammarco	McCall	Schweder
Borski	Gillette	McClatchy	Scirica
Brandt	Goebel	McIntyre	Shelton
Brown	Goodman	McLane	Shupnik
Brunner	Greenfield	Meluskey	Smith, E.
Burd	Grieco	Milanovich	Spencer
Butera	Halverson	Milliron	Stairs
Caltagirone	Harper	Miscevich	Stapleton
Caputo	Haskell	Moehlmann	Stewart
Cassidy	Hayes, D. S.	Morris	Stuban
Cessar	Hayes, S. E.	Mowery	Sweet
Cianciulli	Helfrick	Mrkonic	Taylor, F.
Cimini	Hoeffel	Mullen, M. P.	Tenaglio
Cohen	Honaman	Mullen, M. M.	Thomas
Cole	Hopkins	Musto	Trello
Cowell	Hutchinson, A.	Novak	Valicenti
Davies	Hutchinson, W.	O'Brien, B.	Vroon
DeMedio	Itkin	O'Connell	Wansacz

DeWeese	Johnson	O'Keefe	Wargo
DiCarlo	Jones	Oliver	Wass
Dietz	Kelly	Pancoast	White
Dombrowski	Kernick	Parker	Wiggins
Donatucci	Klingaman	Petrarca	Wilt
Doyle	Knepper	Pievsky	Wise
Duffy	Kolter	Pratt	Wright, D.
Fee	Kowalyszyn	Prendergast	Wright, J. L.
Fisher, D.M.	Laudadio	Rappaport	Yahner
Flaherty	Laughlin	Ravenstahl	Yohn
Foster, W.	Lehr	Reed	Zwilk

NAYS—41

Anderson	Greenleaf	Piccola	Smith, L.
Bittle	Hamilton	Pitts	Spitz
Burns	Hasay	Polite	Taddonio
DeVerter	Madigan	Pott	Taylor, E.
Dininni	Manmiller	Pyles	Wagner
Dorr	McGinnis	Ryan	Weidner
Fischer, R.R.	Mebus	Scheaffer	Wilson
Foster, A.	Miller	Seltzer	Zearfoss
Freind	Noye	Shuman	Zeller
Gallen	O'Brien, D.	Siriani	Zord
Geesey			

NOT VOTING—14

Barber	Gray	O'Donnell	Zitterman
Dumas	Irvis	Salvatore	
Englehart	Katz	Wenger	Fineman,
Gleeson	Kusse	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.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZITTERMAN. Mr. Speaker, on the last vote my switch was locked. I would like to be confirmed in the affirmative please.

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

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Mr. Speaker, on HB 880 I voted in the affirmative. I would like the record to show that I want my vote to be recorded in the negative.

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

The Chair recognizes the gentleman from Fayette, Mr. Lincoln.

Mr. LINCOLN. Mr. Speaker, the record will show that I voted in the affirmative on HB 880. I would like to have the record show that I would like to have my vote changed to the negative.

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

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

Mr. SELTZER. Mr. Speaker, just a short observation. Several hours ago the other body passed a balanced budget without the need of any additional revenues, and the House of Representatives just unbalanced that budget with a vote on this bill.

Agreeable to order,

The House proceeded to third 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.

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 Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Mr. Speaker, I would like to ask a few questions of the Appropriations Committee chairman, if I may, Mr. Pievsky.

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

Mr. PIEVSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WILSON. The speaker informed the House, as I understand it, that in HB 881 we are speaking of Federal augmentation funds but specifically page 18, line 3, speaks to the "Public Assistance-Maintenance Assistance" et cetera "To provide cash and emergency assistance to eligible families with dependent children . . ." the sum of "387,538,000". That is the correct reading as I am making it and that is what the money would go for and it is Federal funds. Is that correct?

Mr. PIEVSKY. That is right.

Mr. WILSON. Mr. Speaker, during the hearings of the Appropriations Committee I was given a document by the Welfare Department that was approximately one-inch thick. In that document, as per the rules of the Appropriations Committee, all of the contracts that were let by the Welfare Department were enumerated. I did not have time to check with the Secretary of Welfare as to these particular contracts in total, but I selected four which I thought were dubious, and would it be your interpretation that these contracts will be, in fact, funded by some of these funds that we have now seen before us in HB 881?

Mr. PIEVSKY. I do not think so, Mr. Speaker.

Mr. WILSON. There would be no money in this bill, HB 881, for the House of Umoja, the Welfare Pride, Incorporated, Volunteer Action, Incorporated and the Governor's Office for Human Services, no money at all?

Mr. PIEVSKY. I do not think so, Mr. Speaker.

Mr. WILSON. Well, could we find out?

Mr. PIEVSKY. Certainly. We can check it out.

Mr. Speaker, I understand that those contracts are not in this bill. They were paid for by Federal funds.

Mr. WILSON. These are Federal funds, I believe. You just agreed that this is Federal augmentation.

Mr. PIEVSKY. But not by the amount of money that you are drawing to the attention of the members.

Mr. WILSON. The four contracts that I spoke of, Mr. Speaker, are a minuscule portion of the entire document that lists the contracts expended by the Department of Welfare. These four contracts total \$423,790. This appropriation is \$387,000,000. I realize that it is a small portion, but if I were to take the document in its entirety, I would think that the contractual arrangements and the amount of money in total in the contracts comes somewhere near this amount of money. I am very much concerned and this is why I am asking the questions of you at this moment, because I think that this is just a sampling, just a tip of the iceberg, of these contracts that are being let for whatever reason I cannot understand, and that is why I am on the floor today, to try to get a better understanding of why we are expending money in this manner and why we need to make up a shortage of money by slipping some Federal funds around somehow or another in this bill. If you were to deal or answer the questions on these contracts specifically, I would be glad to pose the questions to you.

Mr. PIEVSKY. Mr. Speaker, to the best of my knowledge, those contracts will not be paid out of this appropriation.

Mr. WILSON. Well then, my next question is, what exactly will be paid particularly under public assistance? What will this \$387,538,000 be paid for? What will it go to?

Mr. PIEVSKY. I imagine cash grants.

Mr. WILSON. Cash grants?

Mr. PIEVSKY. Right.

Mr. WILSON. No contractual arrangements, no disbursement of funds, no training of welfare employes, no special training of welfare recipients but just simply, only and specifically cash grants?

Mr. PIEVSKY. I would say so, Mr. Speaker.

Mr. WILSON. Could you tell me then why this deficiency is now current and why we did not take care of it in last year's budget; why such a large figure of money here, \$87,000,000-plus is now in a deficiency that we have to augment through some kind of deal with the Federal funds?

Mr. PIEVSKY. Mr. Speaker, you should be subtracting the bottom figure from the top to get your figures that you are talking about.

Mr. WILSON. Bottom of what? I have 387,000,000 on line 6, \$387,538,000 listed under "Public Assistance-Maintenance Assistance" To provide cash and emergency assistance to eligible families with dependent children . . . " Is that a correct figure?

Mr. PIEVSKY. Right, 387,538—

Mr. WILSON. 387,000,000?

Mr. PIEVSKY. 387,538,000, right.

Mr. WILSON. To repeat the question, I think it is a substantial amount of money to be in a deficiency appropriation, is it not?

Mr. PIEVSKY. Now the increase is \$24,169,000.

Mr. WILSON. The increase over the proposed budget?

Mr. PIEVSKY. Right.

Mr. WILSON. Do you not agree that that is a considerable amount of money, \$24 million?

Mr. PIEVSKY. Oh, certainly, sure.

Mr. WILSON. That is almost enough to take care of Philadelphia's school problem?

Mr. PIEVSKY. Yes, I would say so.

Mr. WILSON. Why do we have this deficiency? That is my question.

Mr. PIEVSKY. You know, Mr. Speaker, in HB 880 there was a deficiency appropriation for public welfare. That deficiency was caused by the severe winter that we had. The caseload has risen to its peak this month. It started to rise back in November of 1976. This is the cause for the increase in that deficiency. The caseload is much higher.

Mr. WILSON. You are saying that because it was cold outside we had to spend more money? There were more recipients?

Mr. PIEVSKY. I would say so. That is part of the overall problem, Mr. Speaker.

Mr. WILSON. What is the overall problem, Mr. Speaker?

Mr. PIEVSKY. I mean, what you mentioned as far as its being cold outside.

Mr. WILSON. That is a small part of the problem?

Mr. PIEVSKY. That caused the rise in caseload, Mr. Speaker.

Mr. WILSON. What is the rest of the problem?

I think that in HB 880, we appropriated \$29 million more in deficiency for this same department. We are now appropriating \$24 million more for this same department. That is a huge sum of money. I question the fact, or as you state the fact, that it was cold out had something to do with an increased caseload.

Mr. PIEVSKY. The severe winter caused an increase in the caseload. That is exactly right.

Mr. WILSON. That puzzles me, Mr. Speaker, as to how the severe winter could increase the caseload to some \$60 million. That runs up my fuel bill, but it does not increase the number of people who are on welfare.

Mr. PIEVSKY. Well, you know because of the severe winter, Mr. Speaker, it caused a lot of unemployment. You also know that the plants were closed and that people were just out of work, and that caused the increase in the caseload.

Mr. WILSON. Mr. Speaker, I thank the speaker.

Mr. PIEVSKY. Incidentally, Mr. Speaker, there is a graph on your desk that would show the rise and the cause of the rise in the caseload. You can see the peak yourself.

Mr. WILSON. Mr. Speaker, I just got that graph and I tried to consume it in the last 10 seconds or minutes or so and I assume it is some kind of an explanation, but I thank the speaker and I understand that problem.

I cannot support the bill in its current form because I do have these major questions and I do not really feel this legislature has had the proper answers, maybe not from the Appropriations Committee Chairman but from the departments themselves that are looking for this abnormal increase in moneys. I would suggest a "no" vote until they can come up with a better solution.

Thank you.

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

Mr. DeVERTER. Mr. Speaker, I wonder if the Appropriations Committee Chairman, Mr. Pievsky, would consent to a brief interrogation, please?

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. DeVERTER. Thank you, Mr. Speaker.

On page 2 of HB 881, there is a section for the CETA program, the Comprehensive Employment and Training Act. That money has been stricken.

Can you give me the reasons for that funding being stricken from this legislation, sir?

Mr. PIEVSKY. On page 2?

Mr. DeVERTER. On page 2, in the first section, "EXECUTIVE DEPARTMENT To the Governor". Under the Office of Administration, that office has the prerogatives to disburse the moneys under the Comprehensive Employment and Training Act.

I see originally it was scheduled to have half a million dollars placed in it and then it was raised to \$750,000, and now it has been scrapped altogether. Can you give me an indication as to why, Mr. Speaker?

Mr. PIEVSKY. Mr. Speaker, that request was made by one of the members of the Appropriations Committee. He convinced the members of the committee to have this money deleted because of some information he could not get from the department.

Mr. DeVERTER. What information from the department, sir?

Mr. PIEVSKY. I have not the slightest idea.

Mr. DeVERTER. Mr. Speaker, are you aware that many of the counties in the Commonwealth, those that were not in the direct program but in the program under the Office of Administration, were cut significantly?

Mr. PIEVSKY. Yes, I am.

Mr. DeVERTER. Are you aware that many of them were cut as much as half a million dollars?

Mr. PIEVSKY. Yes, I am.

Mr. DeVERTER. Can you give us a reasonable explanation then as to why we should be cutting back in this area when some counties—and I am speaking of one in particular that had to drop 120 employes under this program—were previously funded under the CETA program in prior years?

Mr. PIEVSKY. It is my impression, Mr. Speaker, that once this is resolved with the member of the Appropriations Committee, the money would be restored.

Mr. DeVERTER. It would be restored?

Mr. PIEVSKY. Yes.

Mr. DeVERTER. From where, sir?

Mr. PIEVSKY. To this appropriation bill.

Mr. DeVERTER. In what appropriation bill? You mean the 1977-78 appropriation bill?

Mr. PIEVSKY. Into HB 881.

Mr. DeVERTER. You say it is restored in here?

Mr. PIEVSKY. It could be restored.

Mr. DeVERTER. *I could be?*

Mr. PIEVSKY. Yes, as soon as that problem has been resolved between the department and the member of the Appropriations Committee.

Mr. DeVERTER. What you are telling me then is that there is additional Federal augmentation moneys that will be available for the CETA program?

Mr. PIEVSKY. I would think so.

Mr. DeVERTER. Thank you, Mr. Speaker. That is all the inquiry I have.

Mr. Speaker, I would like to proceed for a moment, if I might.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DeVERTER. Mr. Speaker, in light of the information that was given to Mr. Wilson and that which was given to me under the CETA program, I would urge a "no" vote until we get further clarification as to just exactly what is taking place with these Federal moneys.

I think it is a crime that many of the counties in this Commonwealth have not had their funding restored and have caused in many instances great hardships for those counties. In some instances, they have had to go to their general funds to retain people who were employed under this. Now we find legislation taking away the moneys that rightfully belong in that program. I cannot justify that one. I would urge my colleagues to vote "no."

Thank you.

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

Mr. ZELLER. Mr. Speaker, I know Mr. Rappaport wanted to speak. I will yield for a moment.

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

Mr. RAPPAPORT. Mr. Speaker, I thank the gentleman from Lehigh for his courtesy.

I wish to address myself to the remarks just made by the gentleman on the other side, Mr. DeVerter.

This House has for several years taken a strong position in favor of greater legislative oversight over executive programs. When this bill was in front of the Appropriations Committee, one of the members of the committee protested that he had been awaiting information on a program from the Secretary of Administration for some 2 months and had not yet received it.

It is our position that any member of this House is entitled to information concerning programs from the executive branch. It was our decision that until this information is forthcoming—this was the only appropriation we had for the Secretary of the Administration—they should not get these funds and, hopefully, any other funds until these problems were resolved.

I would assure the gentleman that some of us who are very concerned about CETA programs voted to delete this money. It is not being spent on something else. It is being kept for this program. But it will not be appropriated to the department until such time as they provide this legislature and its committees with the information that we want.

Thank you, Mr. Speaker. And I thank the gentleman again.

The SPEAKER pro tempore. The Chair recognizes the

gentleman from Lehigh, Mr. Zeller.

Mr. ZELLER. Mr. Speaker, a very serious situation is before us right now. We just passed HB 880 and I have asked for a reconsideration of it, but that is another matter, for the simple reason that that cost us \$46 million. This one here is going to cost us about \$23 million.

Now what I am getting at is the problem that Mr. Rappaport brought out about the fact that we should have legislative oversight. We are supposed to have it but we are not practicing it. That is the problem. That is why we are walked into the condition that we are in right now, letting these departments—exactly what our Federal-state group has been trying to work out in Washington—have some control over it.

Last year we passed HB 1366 and SB 1542 which was legislation to have control over funds coming in from the Feds. It has been going over the heads of the legislature. It has been going into the hands of the department. We have asked for that control. We passed it but we have not been practicing it. Here is a group here now that goes out and spends what they want to spend and walks us into a need for a supplemental appropriation.

I think it is time we vote this down then recall HB 880, which I have asked for, knock it out and then tell these people where the bear took a walk. For this reason, and I say this sincerely, we are in trouble in our state on our subsidy for schools. We are in trouble all over this state, and I do not know how we are going to meet this by allowing people, and I mean ultra-, ultra-, ultraliberals to do anything they want to do and walk our taxpayers into this kind of a bind.

We as legislators have to face it. So I think we need right now to vote this down, and let us recall HB 880 and let us do the same thing there. Let us go back and let these people know that next year, and I mean on this budget coming up, they are going to have to take and, in other words, cut the bait. They are going to have to cut it down. The fish are not going to get as much as they used to. This is the only way that we are going to do it if we are going to save Pennsylvania.

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

Mr. D.M. FISHER. Thank you, Mr. Speaker.

There are certain items in HB 881 that I, for one, would like to have some additional information on. There are numerous inquiries that I have. I do not know that in asking the Appropriations Committee Chairman that I could get that information today.

I recognize that there are certain important priorities in this bill, appropriations that are needed by the various departments. I am not so sure that a negative vote is the proper thing, for this member anyway. But I am concerned that the General Assembly, having taken a greater role in the appropriation of Federal augmentations, that we have not quite been given the necessary information to fully evaluate all the programs that are contained herein.

I do not want to put Mr. Pievsky on a spot and ask him about some specifics, but there are some areas in here, such as on page 14 and 15, involving law-enforcement assistance and the Bureau of Drug Control that I have grave questions about, par-

ticularly in light of the current controversy surrounding the Bureau of Drug Control and the Office of Drug Law Enforcement. I am just asking, Mr. Speaker, is there any possibility that we could hold the bill over for a couple of weeks so that the membership might be provided with some more detailed information concerning the appropriations?

Mr. PIEVSKY. Mr. Speaker, it would be impossible to hold this bill because we have some Federal money in there for cash grants that has to be paid.

HB 881 TABLED

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

Mr. D. M. FISHER. Well, Mr. Speaker, if that is the case, I then would make a motion to put this bill on the table until a time when the members of the General Assembly are given more specific information as to the expenditures involved. We will certainly be back within the next couple of weeks to consider other budgetary matters and I think it would be more proper to consider them all at one time.

Thank you, and I make a motion to lay HB 881 on the table.

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

Mr. MANDERINO. Mr. Speaker, these bills have been fully discussed in caucus, HBs 880 and 881, and the major state moneys in those bills are necessary to continue to pay the people who are receiving cash grants beyond the 15th day of May. We will not be in session until after the primary, which is beyond that date. The moneys that are in this bill, I am told by the Welfare Department, are necessary to continue funding the cash-grant program.

There is no money in here for additional employees. There is no money in here for new programs. We are simply talking about the caseload so far as state money is concerned for the Welfare Department in that particular appropriation which seems to be questioned.

It would be very disasterous to put this bill on the table and not deal with it today. You know, we are not talking about departments outspending their budgets. We are talking about departments which have—

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZELLER. With all respect to our floor leader right now, this morning I was questioned about this business of how far we can debate an amendment or a move to table, rather.

The SPEAKER pro tempore. Will you please state your point or order, Mr. Zeller?

Mr. ZELLER. I would like to. My point of order is that when I bill is to be tabled, is it debatable? It is, no, right?

The SPEAKER pro tempore. The gentleman's point of order is well taken. The motion to table is not debatable.

The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, it is my understanding that each floor leader, the majority and the minority, on any motion to table is entitled to speak once.

The SPEAKER pro tempore. Rule 59 of the House states: "A motion to lay on the table is not debatable, is not subject to amendment and carries with it the main question and all other pending questions which adhere to it, except when an appeal is laid on the table."

So, therefore, the gentleman's point is well taken, and I would suggest that the member is out of order.

Mr. MANDERINO. Mr. Speaker, I think that the ruling is incorrect. I will try to find—

The SPEAKER pro tempore. If the member wishes to suspend the rules—

Mr. MANDERINO. I will not appeal the ruling of the Chair.

It is my understanding that on any motion whether debatable or not debatable, each floor leader has one comment. I will simply ask the members to vote against tabling this bill.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—99

Anderson	Geesey	McGinnis	Smith, E.
Armstrong	George, M.	Mebus	Smith, L.
Bittle	Goebel	Meluskey	Spencer
Brandt	Greenleaf	Miller	Spitz
Brown	Grieco	Milliron	Stairs
Burd	Halverson	Moehlmann	Stuban
Burns	Hamilton	Mowery	Taddonio
Butera	Hasay	Mrkonic	Taylor, E.
Cassidy	Haskell	Noye	Thomas
Cessar	Hayes, S. E.	O'Brien, D.	Vroon
Cimini	Helfrick	O'Connell	Wagner
Davies	Honaman	Pancoast	Wass
DeVertter	Hopkins	Piccola	Weidner
DiCarlo	Hutchinson, W.	Pitts	Wenger
Dietz	Katz	Polite	Wilson
Dininni	Klingaman	Pott	Wilt
Dorr	Knepper	Pyles	Wise
Fischer, R.R.	Lehr	Reed	Wright, D.
Fisher, D.M.	Levi	Ritter	Wright, J. L.
Flaherty	Lincoln	Ryan	Yohn
Foster, A.	Lynch	Salvatore	Zearfoss
Foster, W.	Mackowski	Scheaffer	Zeller
Freind	Madigan	Scirica	Zord
Gallen	Manmiller	Shuman	Zwinkl
Gatski	McClatchy	Sirianni	

NAYS—94

Abraham	Englehart	Laughlin	Ravenstahl
Arthurs	Fee	Letterman	Renwick
Barber	Fryer	Livengood	Rhodes
Bellomini	Gallagher	Logue	Richardson
Beloff	Gamble	Manderino	Rieger
Bennett	Garzia	McCall	Ruggiero
Berlin	Geisler	McIntyre	Scanlon
Berson	George, C.	McLane	Schmitt
Bittinger	Giammarco	Milanovich	Schweder
Borski	Gillette	Miscevich	Shelton
Brunner	Goodman	Morris	Shupnik
Caltagirone	Greenfield	Mullen, M. P.	Stapleton
Caputo	Harper	Mullen, M. M.	Stewart
Cianciulli	Hayes, D. S.	Musto	Sweet
Cohen	Hoeffel	Novak	Taylor, F.
Cole	Hutchinson, A.	O'Brien, B.	Tenaglio
Cowell	Itkin	O'Keefe	Trello

DeMedio	Johnson	Oliver	Wargo
DeWeese	Jones	Parker	White
Dombrowski	Kelly	Petrarca	Wiggins
Donatucci	Kernick	Pievsky	Williams
Doyle	Kolter	Prendergast	Yahner
Duffy	Kowalshyn	Rappaport	Zitterman
Dumas	Laudadio		

NOT VOTING—10

Gleeson	Kusse	Seltzer	Fineman,
Gray	O'Donnell	Valicenti	Speaker
Irvic	Pratt	Wansacz	

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

REQUEST FOR RECONSIDERATION

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

Mr. DiCARLO. Mr. Speaker, to keep things in a logical sequence, I wonder if the Chair would at this time reconsider the vote on HB 880, please?

The SPEAKER pro tempore. If the gentleman from Erie, Mr. DiCarlo, would permit, we intend to consider the motion to reconsider that with a number of other reconsideration motions of other bills that we are going to take up later.

The Chair has already started on HB 1, PN 1134, so if you will permit, we will take that motion up later for reconsideration of that bill.

Would you please come up and sign your name to a written request that the bill be reconsidered?

Mr. DiCARLO. Yes, Mr. Speaker, the reconsideration motion is up there and it is signed.

The SPEAKER pro tempore. We have one for HB 880, but we have none for HB 881 at this time.

Mr. DiCARLO. Mr. Speaker, we just voted in table HB 881, and I had asked you to reconsider the vote on HB 880.

The SPEAKER pro tempore. Well, we will do that as soon as we dispose of some of these other bills.

Mr. DiCARLO. Thank you, Mr. Speaker.

JUDICIARY BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1, printer's No. 1134**, entitled:

An Act amending the "Juvenile Act" approved December 6, 1972 (P. L. 1464, No. 333), further defining "child" "delinquent act" and "deprived child" further defining certain words changing certain references from "deprived" to "dependent" further providing for informal adjustment and consent decrees further regulating detention and shelter care and imposing certain duties on counties and the Department of Public Welfare further providing for transfers making related changes and making certain repeals.

On the question,

Will the House agree to the bill on third consideration?

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

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

Mr. RHODES. Mr. Speaker, I think the two motions that I am

going to make will make many members of this House assembly happy who do not want to spend a long time this afternoon debating HB 1.

First, I would like to make a motion to revert to the prior printer's number 1038; and, secondly, I am going to ask that we pass the bill over.

The reason for this is that HB 1 is very crucial legislation. We have been working on it for years. It is time for Pennsylvania to make a decision. A number of the members have asked to discuss some of the implications of the legislation with their home areas and their county commissioners, and what not. It is only proper that we do that.

The decision has been going back and forth all afternoon about what we are going to do about HB 1. I think it is only reasonable that we accede to those wishes.

I would urge the members, however, to keep in mind that we are talking about the lives and welfare of our children in Pennsylvania. We must be very careful to listen to the various forces in the Commonwealth that do not want change.

We have not been able to do anything about this issue for years. It is a crucial issue. I ask the members to give some very serious thought, over the next week, of where we are going to come out on this legislation. We have had children die in jails, die in detentions. We have had children sexually assaulted. This state is an outrage nationally in terms of what goes on in our juvenile facilities.

HB 1 is our effort in the House to act now on this matter. We only have a couple of months to comply with Federal law. I hope we can move expeditiously on the matter.

That is as much as I want to say on it now, Mr. Speaker.

So I would like to make a motion, if you will allow me to, first, that we revert HB 1 to the previous printer's number 1038.

What this does, in effect, Mr. Speaker, is to restore to the bill the appropriation of \$1.5 million.

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

Mr. SELTZER. Mr. Speaker, will the gentleman from Allegheny, Mr. Rhodes, permit himself to be interrogated?

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RHODES. Is the motion before the House?

The SPEAKER pro tempore. No, the Speaker has not stated the motion yet. The motion is not yet before the body.

Mr. RHODES. Would it be in order to first put the motion before the House, Mr. Speaker?

The SPEAKER pro tempore. We understand that Mr. Seltzer is going to address himself to the question and make a proposal that might facilitate the thing that you are trying to effectuate. Will the gentleman please proceed?

Mr. RHODES. Thank you very much, Mr. Speaker, for that explanation. Go right ahead, Jack.

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

Mr. RHODES. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SELTZER. Mr. Speaker, it is my understanding that the gentleman from Allegheny is attempting to revert to the prior printer's number so that HB 1 will again then carry an appropriation with it for \$1.5 million. Am I correct?

Mr. RHODES. That is correct, Mr. Speaker.

Mr. SELTZER. And then I further understand that it is the gentleman's intention to pass the bill over?

Mr. RHODES. That is correct, Mr. Speaker.

Mr. SELTZER. As an alternative to that proposal, Mr. Speaker, may I suggest that I be permitted to offer an amendment I have here which would restore the \$1.5 million to HB 1. If that were accomplished, we would then lay the bill and the amendment on the table and we would have accomplished what you proposed to accomplish. I think we could do it in an easier parliamentary manner than the one that you have suggested. We are both accomplishing the same thing.

Mr. RHODES. No, I think we had rather do it this way, Mr. Speaker, if that is all right.

Mr. SELTZER. Mr. Speaker, I call to the gentleman's attention that by reverting to a prior printer's number, until some other further action is taken, the bill will not be reprinted, and the gentleman may not have accomplished at the time what he would have hoped to accomplish, but I will certainly abide by the gentleman's wishes or the House's wishes or the Parliamentarian's wishes or anyone else.

Mr. RHODES. Mr. Speaker, in that case, would it be in order for us to agree to the amendment to add the \$1.5 million?

Mr. SELTZER. Yes, Mr. Speaker. I proposed this in our caucus. I would ask all the members in the House to agree to put it in as agreed-to amendments sponsored by you.

I have no pride of authorship. I am only interested in seeing that the enabling legislation in HB 1 carries with it an appropriation so each county may not be saddled in the future with an unnecessary expenditure.

Mr. RHODES. Mr. Speaker, the first part of the suggestion by the speaker is well taken.

Is it appropriate then for you to move to consideration of the amendment, and I can say it is an agreed-to amendment? I will cosponsor it.

The SPEAKER pro tempore. If offering of the amendment is agreeable, will the gentleman please send the amendment to the front and the clerk will read the same?

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. SELTZER offered the following amendments:

Amend Bill, page 19, by inserting between lines 16 and 17 Section 3. The sum of \$1,500,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Public Welfare to be used by the department to implement the provisions of section 14 and to provide grants to counties for the same purpose.

Amend Sec. 3, page 19, line 22, by striking out "3" and inserting 4.

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—186

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

NAYS—7

Dombrowski	Milanovich	Wansacz	Zord
Hutchinson, A.	Shuman	Zeller	

NOT VOTING—10

Beloff	Gleeson	Johnson	Fineman,
Englehart	Gray	Kusse	Speaker
Garzia	Irvis	Pratt	

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

On the question,

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

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

Mr. RHODES. Mr. Speaker, I would like then for the bill to be passed over until the next time we are in session.

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

Mr. WAGNER. If we are offering amendments, I have three amendments to offer also on this.

Mr. MANDERINO. Will the gentleman hold his amendments until the time we consider the bill? We simply wanted to put the bill in its original form and then lay it on the table or pass over it until the next time we are in session, rather than take the time of the House this afternoon to amend a bill that is not going to be up for final passage this week.

The SPEAKER pro tempore. Without objection, this bill will be passed over.

PARLIAMENTARY INQUIRY

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 parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOMBROWSKI. Can the bill be reprinted while it is on the table?

The SPEAKER pro tempore. I am informed it can be.

Mr. DOMBROWSKI. Thank you.

The SPEAKER pro tempore. And it will be.

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

Mr. ITKIN. Mr. Speaker, I would just like to point out to Representative Seltzer, who so well informed the House this afternoon that we just imbalanced the Senate's budget, we just did that again today through his assistance.

Thank you, Mr. Speaker.

On the question recurring,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for final passage.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 880

Mr. ZELLER moved that the vote by which HOUSE BILL No. 880, printer's No. 1137, was passed finally on this day be reconsidered.

Mr. LINCOLN seconded the motion.

On the question,

Will the House agree to the motion?

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

Mr. MANDERINO. Mr. Speaker, we provided in the House rules this year that *reconsiderations* would not be automatic and this House would have to deliberate and make a consideration on a roll-call vote.

This bill passed 148 to 41. It is one of the bills that is necessary so that the welfare recipients will continue to receive their cash grants without interruption. It is not a new spending pro-

gram. It is simply providing and funding those programs that are already on the books intact and have been intact for some time. I would ask every member of this House to oppose the reconsideration motion so the vote may stand.

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

Mr. RAPPAPORT. Mr. Speaker, will the gentleman from Erie, Mr. DiCarlo, consent to interrogation?

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

Mr. DiCARLO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RAPPAPORT. Mr. Speaker, is the gentleman aware of the fact—

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. WILSON. I just want to make a technical note. It is HB 881 on the board instead of HB 880, which I believe is the reconsideration.

The SPEAKER pro tempore. HB 880 is correct. The board will be changed accordingly.

HB 880 CONSIDERATION CONTINUED

Mr. RAPPAPORT. Mr. Speaker, is the gentleman from Erie aware of the fact that if HB 880 is reconsidered and not passed today that cash grants for welfare recipients will not continue beyond May 15 of this year?

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

But it is also my understanding that before HB 880 would go into effect and that deficiency appropriation would be paid that the Senate of Pennsylvania would also have to act positively on this legislation, and I do not foresee that.

Mr. RAPPAPORT. Mr. Speaker, did not the gentleman appear before the House Appropriations Committee at a hearing and make a long presentation in favor of the increase in cash grants from its present level?

Mr. DiCARLO. I did so, Mr. Speaker, and that increase is not indicated in HB 880.

Mr. RAPPAPORT. I thank the gentleman, Mr. Speaker, and ask for recognition.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RAPPAPORT. Mr. Speaker, it would appear that some members of this House at the same time want no cash grants and want an increase in cash grants. I fail to see the logic of that.

I am no prophet about what the Senate will do. I have been here long enough to know that no one can prophesy what either House will do. However, having some slight acquaintanceship with the Chairman of the Senate Appropriations Committee, I feel somewhat certain that he will do everything he can to get this bill passed so that the cash grants can continue. I would urge, Mr. Speaker, a vote against reconsideration of this bill.

Thank you.

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

Mr. BUTERA. Mr. Speaker, I think we are faced with a dilemma here today which goes much deeper than is apparent in HB 880. On the one hand, we have every right to be very critical of the system by which this House is now operating. Last year at approximately this time, a little later in the year, when we passed the 1976-77 budget, Secretary Beal criticized us publicly for ripping out these dollars from his proposed cash-grant welfare budget. We on this side complained at that time that the budget was phony and that sometime this spring we would be doing exactly what we are attempting to do here today and that we would do so in a crisis atmosphere. Well, all those predictions are now being proven true, which is very, very upsetting, I think, to each member of this House, not just to those on this side.

On the other hand, the people who depend upon us the most in this state, in the budgetary process, are the poor people who are most directly affected by this particular bill. So that if it does not pass, we are breaking the faith with those who need us the most. So we are faced with a dilemma.

I reluctantly voted for the bill as it passed the House. I knew I was trapped. I knew my prediction was coming true, that no one would pay much attention to it in public because it was not reported to the public. The system of making budgets in this state is terribly archaic. We continue to fool the public and then get trapped into a situation like this.

We have been here since January. We have known since last June that this money was going to be needed. And yet we are forced to wait until the eleventh hour, hoping that the Senate will follow suit in what we do or face the busloads of poor people who will storm this Capitol May 15 if the money runs out as is predicted.

I think we should pass this bill and, as this bill passes, of course the next bill has to pass, HB 881. We have to reconsider it even though we just defeated it. I admit that. But I think each one of us should resolve that this is the last time that those in power in this state are going to trick the rest of us into this kind of archaic behavior when it comes to budgeting.

The same thing was done yesterday in the Senate when they passed their budget. They took \$41 million out of the cash-grant budget line item. They have stated publicly they are not going to pass this bill. We all know they will because they have to.

The longer we put up with it as rank-and-file members, the longer it will continue to happen. I say that the honeymoon is over, and I speak for an entire caucus when I say that we had better get this ship on the right track soon or you are going to hear from me every single day we are in session, admonishing, admonishing, admonishing at the way this place is run.

Let us pass this. Let us acknowledge our errors of the past and then let us join together and not let them recur.

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

Mr. DiCARLO. Yes, Mr. Speaker, I will yield to the majority whip.

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

Mr. MANDERINO. Mr. Speaker, a brief comment on what Mr. Butera says: There is no question that the estimates of the caseload on the welfare rolls were estimated when we passed the budget last year, and that estimate is what causes the deficiency today, but to say that we made a mistake in the manner in which we handled that budget, I cannot agree. For instance, where is the \$29 million coming from that these two bills spend so far as the Welfare Department is concerned? It is coming, Mr. Speaker, from forced lapses in the other departments of the executive government that the executive branch of government was forced to make to pay this deficiency, because they cannot spend money we do not have.

Frankly, if we had let the caseload go at a high level when we honestly thought at that time that it would not go there, all the money in the departments would have been spent, including the additional moneys that we would have appropriated at that time for welfare.

So I am not so sure that we made a mistake as Mr. Butera would like you to believe. In any event, there is no question that he is right that HB 880 must pass unless you want to see this Capitol stormed by the people who are in most need of our compassion today. I would ask you to defeat the reconsideration motion on HB 880 and let the vote stand.

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

Miss SIRIANNI. Mr. Speaker, would Mr. Manderino care to recognize the women in the House too or just the gentlemen?

Mr. MANDERINO. Miss Sirianni, I humbly apologize.

Miss SIRIANNI. Your apologies are accepted.

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

Mr. DiCARLO. Mr. Speaker, the concern that many of us have is—and we are not begrudging the needs that the Welfare Department has asked for, and I do not want to get into the argument with both leaders on either side of the aisle as to who is at fault and who did not project enough. The fact of the matter is—we did know that the welfare caseloads were not projected high enough. That is on record. That is available. But we now face a present problem. We have two pieces of legislation which are going to put a hole of between \$60 million and \$65 million in the general operating budget. What we want to know and what we want to see and what we want to talk about is where the money is coming from. We want to see how that money is equated with the total budget of the Commonwealth of Pennsylvania that we are going to deal with and we want to be made aware.

Now I resent and I am getting a little fed up with these people using the blind, the handicapped, the poor, the elderly and disabled against us.

I think it is time. We have had enough time to look at the whole budget. We had time to review it. I think when we are voting on two pieces of legislation that are going to expend between \$50 million, \$60 million and \$70 million, we ought to know exactly where it is coming from and how it is going to be allocated.

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

Mr. WILSON. Thank you, 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. WILSON. Would the speaker tell me how much money is totaled in the contractual arrangements for the Welfare Department? What is the total amount of moneys that the Welfare Department has under their total contractual arrangements in two parts?

Mr. PIEVSKY. Contractual arrangements? We can probably get you those figures. I do not have them on hand.

Mr. WILSON. You have no idea how much the department is spending on contracts?

Mr. PIEVSKY. I did not say that, Mr. Speaker. I said I could get you those figures.

Mr. WILSON. Could you give me an answer at least in some kind of millions? Would you take an educated guess?

Mr. PIEVSKY. I would not take a guess, no.

Mr. WILSON. I thank the gentleman.

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

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WILSON. Mr. Speaker, I hold in my hand a list of the documents and contracts that the Welfare Department is handing out. You note that it is similar in size to the New York Telephone Directory. I have only had time, in the brief length of time that I have had, to get some information on only four of those contracts and I would like to speak to those today.

They total \$423,790. That is just four out of these 4 inches of documents. The first one is to the House of UMOJA - \$209,866. Do you know what this does? This provides a service for 15 youths—room, board and clothing. That is \$13,991 per youth.

It provides \$30,074 to Welfare Pride, Incorporated. Do you know what they do? They are only in Philadelphia. They train the welfare workers. It is an adjunct to the Welfare Rights Association.

There is a contract in there for \$40,000 for the Volunteer Action Group in Lackawanna County. Do you know what they do? They provide information, referral and expedite social services.

The SPEAKER pro tempore. Will the member please suspend?

Is the gentleman speaking on the motion to reconsider HB 880?

Mr. WILSON. I am speaking on the motion to—

The SPEAKER pro tempore. The matter before the House at the present time is the reconsideration motion of HB 880 which passed finally.

Mr. WILSON. The Speaker granted the latitude to all the previous speakers. I am taking that same exception, Mr. Speaker.

The SPEAKER pro tempore. Perhaps the Chair has allowed too much latitude.

May I caution the members to confine their remarks to the reconsideration motion.

Mr. WILSON. I will be very brief in my summary.

I refer you to page 8 of this bill that they want to reconsider and I think they should reconsider. It says on line 18 that they are going to provide for Public Assistance-Social Services." I suggest that \$2 million is too much for social services. I would urge the reconsideration.

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

Mr. RICHARDSON. Mr. Speaker, I just wanted to rise because I felt that there is seemingly a strong need, one, for those who are unaware of the fact, that welfare recipients and those who receive cash grants, whether they be blind or disabled or disadvantaged, in the state will suffer tremendously if HB 880 and HB 881 do not pass.

I think that on this reconsideration motion we need to consider the fact that a family of four gets \$1.19 a day to live off of in terms of buying food. If we are to break that down in terms of cents, we will find that it is not even equivalent to \$.40 a meal, which you cannot buy a cup of coffee or a donut with.

The other thing that I think we should also be aware of is the fact that \$360 a month for a family of four is nothing to live off of and that this House needs to consider whom we are talking about. If we are concerned about the plights of the poor, the disadvantaged and those who are less fortunate, then I must remind the members of this House that, as legislators, we receive \$44 per diem.

I think that if we are sincere about our motions and notions to move on trying to help the poor of this state that we should begin to deal with these two bills and then call on the Senate. I know that we do not have any jurisdiction over there, but we can call on this House to ask the Senate to convene to make sure that it is passed before the 15th of May, and that we seriously get down to some serious business.

I think we have played long enough. And when I say play, I mean the relationship to the fact that since January 4 we have been in session three times in voting weeks. We have not had the proper consideration given towards dealing with bills that relate to human services that we are supposed to be dealing with in this Commonwealth.

I would hope that we would not forget that. I would hope that as we go over the types of situations that relate to the poor people and the disadvantaged, we must remember that some of us have those members in our families who also suffer. If we are really concerned about that, we will start dealing with the fact that we have not been all about what we say we are about and begin to do something that is going to be constructive toward helping the rest of this House of Representatives move to do something before the end of this fiscal year.

It would seem to me that the way we are going, we are not even going to pass the budget any time soon. If we do not do something to aid those individuals who are in need, then when are we going to do it?

I just plead with the House today to take cognizant note of the fact that we are talking about a number of individuals who have increased the rolls because of the problems that centered around the energy crisis. A number of individuals said that they were committed to doing something to help the plight of those who are disadvantaged.

I would hope, Mr. Speaker, that before the members vote on this reconsideration motion, they would think before they act and they would act accordingly in relationship to the fact that maybe it is not due today. But we are talking about 12 million people across this state whom we are supposed to represent, some of whom are poor and disadvantaged.

Thank you.

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

Mr. ZELLER. Mr. Speaker, I hope that you are lenient with me because I timed it. It was about 3 minutes. So if you will show a little leniency, I would appreciate it.

We heard from Mr. Butera in regard to what we told Secretary Beal last year when he criticized us for ripping out the amount of approximately what we are running into now. We must remind everybody here that we reminded Mr. Beal—whom I have high respect for—at that time that we gave him a message: We told him to hold the line. Exphatically, he was told that.

All the department heads were told because, if you remember, at that time they were very concerned about those two bills that I mentioned earlier in regard to HB 1366 and SB 1542 whereas the House took control over that Federal money.

Now if they are going to continuously ignore us and just go out and do what they want to do and bring out programs such as Mr. Wilson brought out, just to name a few, then it is about time that we start getting on the ball here and do what we call and what Mr. Rappaport brought out, this legislative oversight.

That is exactly what Mr. DiCarlo is trying to do. We are trying to bring this back and we are trying to give it some legislative oversight. We are trying to do exactly what we have been telling ourselves for a long time. Now the acting majority leader says that he does not want to see that. We are not supposed to do what they have been preaching to us to do. I cannot understand that.

So without holding the House up any longer, I think it is time that we practice what we preach, because we have allowed an area, if you remember correctly, that if this keeps going on the way it is— and I think I have a minute to go—we have allowed \$614 million over what we owe the Feds right now on unemployment compensation. Think that one over. We owe them now. That is just a little item. So let us vote to have this reconsidered and then let us table it.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—85

Anderson	Greenleaf	McGinnis	Spencer
Armstrong	Grieco	Mebus	Spitz
Bittle	Halverson	Meluskey	Stairs
Brandt	Hasay	Miller	Stuban
Burd	Haskell	Moehlmann	Taddonio
Burns	Hayes, D. S.	Mowery	Taylor, E.
Cessar	Hayes, S. E.	Noye	Taylor, F.
Cimini	Honaman	O'Connell	Vroon
Davies	Hopkins	Pancoast	Wagner

DeVerter	Hutchinson, W.	Piccola	Weidner
DiCarlo	Kernick	Pitts	Wenger
Dininni	Klingaman	Pyles	Wilson
Dorr	Knepper	Ritter	Wilt
Fischer, R.R.	Lehr	Ryan	Wise
Fisher, D.M.	Levi	Scheaffer	Wright, D.
Foster, A.	Lincoln	Schweder	Wright, J. L.
Foster, W.	Lynch	Scirica	Yohn
Freind	Mackowski	Shuman	Zearfoss
Gallen	Madigan	Sirianni	Zeller
Geesey	Manmiller	Smith, E.	Zord
George, M.	McClatchy	Smith, L.	Zwikl
Goebel			

NAYS—109

Abraham	Fee	Letterman	Rappaport
Arthurs	Flaherty	Livengood	Ravenstahl
Barber	Fryer	Logue	Reed
Bellomini	Gallagher	Manderino	Renwick
Beloff	Gamble	McCall	Richardson
Bennett	Garzia	McIntyre	Rieger
Berlin	Gatski	McLane	Ruggiero
Berson	Geisler	Milanovich	Salvatore
Bittinger	George, C.	Milliron	Scanlon
Borski	Giammarco	Miscevich	Schmitt
Brown	Gillette	Morris	Shelton
Brunner	Goodman	Mrkonic	Shupnik
Butera	Greenfield	Mullen, M. P.	Stapleton
Caltagirone	Hamilton	Mullen, M. M	Stewart
Caputo	Harper	Musto	Sweet
Cassidy	Helfrick	Novak	Tenaglio
Cianciulli	Hoeffel	O'Brien, B.	Thomas
Cohen	Hutchinson, A.	O'Brien, D.	Trello
Cole	Itkin	O'Donnell	Valicenti
Cowell	Johnson	O'Keefe	Wansacz
DeMedio	Jones	Oliver	Wargo
DeWeese	Katz	Parker	Wass
Dombrowski	Kelly	Petrarca	White
Donatucci	Kolter	Pievsky	Wiggins
Doyle	Kowalshyn	Polite	Williams
Duffy	Laudadio	Pott	Yahner
Dumas	Laughlin	Prendergast	Zitterman
Engelhart			

NOT VOTING—9

Dietz	Irvis	Rhodes	Fineman,
Gleeson	Kusse	Seltzer	Speaker
Gray	Pratt		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DIETZ. Mr. Speaker, I was in the rear of the House when the vote was taken on reconsideration of HB 880. I would like to be recorded in the negative.

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

FILM PERMITTED TO BE TAKEN

The SPEAKER pro tempore. The Chair wishes to advise the body that it has given permission to WDAU-TV, Scranton, to film the House proceedings.

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. Will you cite the rule under the House rules that requires a roll-call vote on reconsideration matters?

The SPEAKER pro tempore. I would say that that is within the discretion of the Chair as to whether it wants to have an oral or roll-call vote.

Mr. LINCOLN. The majority whip made a statement prior to the vote that under the new House rules there was a requirement that a reconsideration motion be voted on by a roll-call vote, and I would like to know the number of that rule, please.

The SPEAKER pro tempore. If the gentleman will please suspend, we will get that rule for you.

Rule 26 states: "A motion to reconsider the vote by which a bill, resolution, or other matter was passed or defeated shall be made in writing by two members. The motion shall be in order only under the order of business in which the vote proposed to be reconsidered occurred and shall be decided on a roll call vote by a majority vote..."

Mr. LINCOLN. What was that rule again, Mr. Speaker?

The SPEAKER pro tempore. House rule 26, "Reconsideration."

Mr. LINCOLN. Thank you, Mr. Speaker.

RECONSIDERATION OF VOTE

Mr. MANDERINO moved that the vote by which House bill No. 881, printer's No. 1042, was tabled on this day be reconsidered.

Mr. LAUDADIO seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—113

Abraham	Flaherty	Livengood	Renwick
Arthurs	Fryer	Logue	Rhodes
Barber	Gallagher	Mackowski	Richardson
Bellomini	Gamble	Manderino	Rieger
Bennett	Garzia	McCall	Ruggiero
Berlin	Gatski	McIntyre	Scanlon
Berson	Geisler	McLane	Schmitt
Bittinger	George, C.	Milanovich	Scirica
Borski	Giammarco	Milliron	Shelton
Brown	Gillette	Miscevich	Shupnik
Brunner	Goodman	Morris	Stapleton
Butera	Greenfield	Mrkonic	Stewart
Caltagirone	Harper	Mullen, M. P.	Sweet
Caputo	Hayes, D. S.	Mullen, M. M.	Taddonio
Cassidy	Helfrick	Musto	Tenaglio
Cessar	Hoeffel	Novak	Thomas
Cianciulli	Hutchinson, A.	O'Brien, B.	Trello
Cohen	Itkin	O'Donnell	Valicenti
Cole	Johnson	O'Keefe	Wansacz
Cowell	Jones	Oliver	Wargo
DeMedio	Kelly	Pancoast	Wass
DeWeese	Kernick	Parker	White
Dombrowski	Knepper	Petrarca	Wiggins
Donatucci	Kolter	Pievsky	Williams

Doyle	Kowalyszyn	Polite	Wright, J. L.
Duffy	Laudadio	Prendergast	Yahner
Dumas	Laughlin	Rappaport	Yohn
Englehart	Letterman	Ravenstahl	Zitterman
Fee			

NAYS—82

Anderson	Goebel	Mebus	Smith, E.
Armstrong	Greenleaf	Meluskey	Smith, L.
Bittle	Grieco	Miller	Spencer
Brandt	Halverson	Moehlmann	Spitz
Burd	Hamilton	Mowery	Stairs
Burns	Hasay	Noye	Stuban
Cimini	Haskell	O'Brien, D.	Taylor, E.
Davies	Hayes, S. E.	O'Connell	Taylor, F.
DeVerter	Honaman	Piccola	Vroon
DiCarlo	Hopkins	Pitts	Wagner
Dietz	Hutchinson, W.	Pyles	Weidner
Dininni	Katz	Reed	Wenger
Dorr	Klingaman	Ritter	Wilson
Fischer, R. R.	Lehr	Ryan	Wilt
Fisher, D.M.	Levi	Salvatore	Wise
Foster, A.	Lincoln	Scheaffer	Wright, D.
Foster, W.	Lynch	Schweder	Zearfoss
Freind	Madigan	Seltzer	Zeller
Gallen	Manmiller	Shuman	Zord
Geesey	McClatchy	Sirianni	Zwikel
George, M.	McGinnis		

NOT VOTING—8

Beloff	Irvis	Pott	Fineman,
Gleeson	Kusse	Pratt	Speaker
Gray			

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

On the question recurring,

Shall the bill pass finally?

House Bill No. 881

An Act

amending the act of July 1, 1976 (No. 17-A), entitled "An act appropriating the Federal augmentation to the Executive and Judicial Departments of the Commonwealth for the fiscal period July 1, 1976 to June 30, 1977," changing and adding appropriations, reenacting an appropriation for a judicial information system and making editorial changes.

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

Section 1. Sections 2 and 3, act of July 1, 1976 (No. 17-A), known as the "Federal Augmentation Appropriation Act of 1976," are amended by amending various appropriations, adding appropriations and reenacting an appropriation to the Court Administration for a judicial information system to read:

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal augmentation funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1976.

I. EXECUTIVE DEPARTMENT

To the Governor

* * *

(f) For the Governor's Energy Council
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$291,000 appro-

priated from Commonwealth revenues for administration:
 "Cooperative Agreement" - For *specific* energy [management] *projects* including but not limited to studies on energy conservation 175,000
 * * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$17,184,000 appropriated from Commonwealth revenues for Grants to Drug and Alcohol Programs:

(1) "National Institute on Alcohol Abuse and Alcoholism" - "Alcohol Formula Grant" [2,754,000] 2,288,000

(2) "National Institute on Drug Abuse - Statewide Treatment Services to Drug Abusers" - For drug related projects within single county authorities. [2,590,000] 2,759,000

(3) "National Institute on Drug Abuse - Drug Formula Grant" [3,828,000] 1,157,000
 * * *

To the State Civil Service Commission

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,000 appropriated from Commonwealth revenues for general government operations:
 * * *

(2) "Patient and Child Care Selection Research Project" - For research into personnel selection for patient and child care positions [32,000] 60,000
 * * *

To the Department of Commerce

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$4,759,000 appropriated from Commonwealth revenues for general government operations:
 * * *

(4) "United States Department of Commerce - Travel Advertising" - For the purchase of a page of advertising in the American Express Travel Trade Fact Book. 4,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$950,000 appropriated from Commonwealth revenues for the Pennsylvania Science and Engineering Foundation:

"Appalachian State Research Technical Assistance and Demonstration Projects" - For support of coal energy research in Pennsylvania. [50,000] 124,504
 * * *

To the State Bicentennial Commission

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,250,000 appropriated from Commonwealth revenues for general government operations:
 * * *

(3) For a mobile day care service pro-

vided by the Philadelphia Association of Retarded Citizens, Inc. 43,000
 * * *

To the Department of Community Affairs

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,300,000 appropriated from Commonwealth revenues for Economic Opportunity Assistance:
 * * *

(2) "Emergency Energy Conservation Program" - To provide funding for activities to mitigate the impact of the energy crisis on low income, including emergency energy programs, and energy conservation activities [2,000,000] 8,000,000
 * * *

To the Department of Education

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$12,328,000 appropriated from Commonwealth revenues for general government operations:
 * * *

[(26) "Regional Resource Center" - To develop a center in Montgomery County for education diagnosis and remediation program prescription for handicapped children 422,000

(27) "Area Learning Resource Center - Instructional Media and Materials Support System" - To stimulate the development of an instructional media and support system for handicapped learners and their teachers and parents 236,250

(28) "Adult Indochinese Refugee Education Program" - To reimburse schools which have been providing English as a second language programs for refugees and for State level special projects and administration 326,047]

In addition to the above amounts specifically appropriated for General Government operations, the following special competitive grants are hereby appropriated contingent upon their approval by the Federal Government and receipt by the Commonwealth:
 * * *

[(5) "Multi-handicapped Preschool Demonstration Project" - For pilot demonstration project for multi-handicapped preschool children and their parents who are ineligible for other existing programs, which would develop a parent-child relationship scale 100,000

(6) "Vocational Education Personnel Development" - To provide additional vocational education training for vocational education teachers 136,000]
 * * *

[(11) "Nutrition Education Project" - To develop a longitudinal study on management practices in local school districts participating in the National School Lunch Program 30,000]
 * * *

[(13) "Right to Education System for the Gifted and Talented" - To aid in the implementation of due process extended to the gifted and talented and to supplement ex-

emplary programs Statewide and to provide in-service training of teachers and administrators 125,000

(14) "Preschool Severely/Profoundly Handicapped Project" - To identify the most feasible methods of working with preschool severely/profoundly handicapped children to see possible benefits of early intervention on progress of these children 60,000

(15) "Model Learning Disabilities System Project (MLDS)" - To develop a low-cost effective system for providing services to the mild and moderately learning disabled elementary child 34,000

(16) "Bilingual-Bi-cultural Learning Disabilities System" - To produce and test effectiveness of a bilingual - bi-cultural itinerant teaching model for innercity learning disabled children 125,000]

[(17) "Habilitators of the Retarded In-service Training Project" - To train teachers, supervisors, and paraprofessionals presently providing a program of education and training to trainable mentally retarded school-aged persons 85,000]

* * *

(3) "College Work Study" [3,029,000]

* * *

3,198,000

To the Department of Environmental Resources

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$16,774,000 appropriated from Commonwealth revenues for general government operations:

(3) "Federal Disaster Assistance Agency" - For Reimbursement for Flood Expense 79,000

(4) "Department of the Interior - Mine Drainage Program" - For evaluating Ion Exchange Process 10,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$100,000 appropriated from Commonwealth revenues for the control and extinction of forest fires:

"Forest Fire Protection and Control" - For prevention of forest fires on State and private forests in Pennsylvania and for control of wild fires anywhere in the Commonwealth [188,000]

258,000

To the Department of Health

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$16,350,000 appropriated from Commonwealth revenues for general government operations:

[(2) "Migrant Health Grants" - To provide health services to migrant children and to expand the scope of operations to additional Pennsylvania counties 30,000]

(4) "Cooperative Health Statistics Program" - To develop and implement Health Facilities Component of Cooperative Statistics System. Review and evaluate existing

State-level health facilities statistical system to define the extent to which it is responsive to NCHS requirements and standards and needs of other data users. Plan, organize, test and implement systems modifications [129,000]

93,000

(5) "Disease Control - Project Grants" - To enlist the aid of practicing physicians, official health agencies and volunteers in an immunization program for all susceptible persons in the community, particularly children under the age of five years [173,000]

40,000

(6) "Disease Control - Project Grants" - For the carrying out of case-finding surveys and serologic follow-up services [448,000]

276,000

* * *

(11) "Appalachian Health Demonstrations" - Medical services to Pennsylvania miners [579,000]

131,000

(12) "Limitation of Federal Participation for Capital Expenditures Program" - For the review the capital expenditures for health maintenance organizations which exceed \$100,000, change service, or change number of beds [487,000]

93,000

(13) "Developmental Disabilities - Special Projects" - For the prevention and early intervention programs and services for developmentally delayed or disabled infants, and children, including identification and treatment of dental diseases, hearing, speech and language disabilities. Training of personnel and development of facilities to provide these services [644,000]

168,000

(14) "Medicare - Health Services Agency Certification" - Perform surveys and inspections to determine whether hospitals, home health agencies, laboratories, clinics, and other providers of health services meet requirements as set forth in section 1861 of the Social Security Act, and, certifying those that qualify to the Secretary of Health, Education and Welfare [3,133,000]

1,200,000

* * *

To the Historical and Museum Commission

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$5,477,000 appropriated from Commonwealth revenues for general government operations:

[(1) "Historic Preservation Act of 1966" - For survey program of historic sites and properties in Pennsylvania to provide entries for the National Register and to provide the base for a Statewide plan for historic preservation 654,000]

(3) National Historical Publications Commission 10,000

To the Department of Justice

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$393,000 appropriated from Commonwealth revenues for

the Community Advocate:

"Law Enforcement Assistance - Improving and Strengthening Law Enforcement" - To support the Community Advocate Unit's law enforcement activities in the area of alleviation of the causes and effects of community unrest and alienation of minority communities

[68,000]
50,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$686,000 appropriated from Commonwealth revenues for the Office of Management Services:

"Law Enforcement Assistance - Improving and Strengthening Law Enforcement" - To develop a detailed plan for the implementation of an Offender Based Transaction Statistics/ Computerized Criminal History (OBTS/CCH) system for Pennsylvania. This plan is to be developed by the Governor's Task force on Criminal Justice Information Systems.

[195,000]
261,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$503,000 appropriated from Commonwealth revenues for the Bureau of Investigations:

"Law Enforcement Assistance - Improving and Strengthening Law Enforcement" - To augment staffing in the Bureau of Investigations in the areas of investigation of organized crime and/or official corruption

[65,000]
68,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$510,000 appropriated from Commonwealth revenues for the Governor's Justice Commission:

(1) "Law Enforcement Assistance - Discretionary Grants" - To (i) establish a three level evaluation system for provision of data regarding projects, programs and their impact on the total criminal justice system in Pennsylvania; (ii) to develop a comprehensive data system for criminal justice in Pennsylvania, and (iii) to develop and implement a management information system

[309,000]
404,000

(2) "Law Enforcement Assistance - Juvenile Justice and Delinquency Prevention - Allocation to States" - For development and administration of a comprehensive State-wide plan for juvenile justice in accordance with the Juvenile Justice and Delinquency Prevention Act of 1974.

[137,000]
172,000

* * *

(4) "Law Enforcement Assistance - Technical Assistance to Units of Local Government" - To be used exclusively for the Governor's Justice Commission program of technical assistance to political subdivisions receiving or applying for LEAA grants

[998,000]
899,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,406,000 appropriated from Commonwealth revenues

for the Bureau of Consumer Protection:

(1) "Public Assistance - Social Services" - For provision of Consumer Education.

[300,000]
18,000

(2) "Law Enforcement Assistance - Improving and Strengthening Law Enforcement" - To support Bureau of Consumer Protection prosecutions under the Unfair Trade Practices and Consumer Protection Law

[66,000]
64,000

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$3,226,000 appropriated from Commonwealth revenues for the Bureau of Drug Control:

(1) "Law Enforcement Assistance - Discretionary Grant" - For enforcement of Narcotic and Dangerous Drug Laws in the Philadelphia and Allegheny areas.

[1,554,000]
566,000

(2) "Law Enforcement Assistance - Improving and Strengthening Law Enforcement" - To support financial investigation of high echelon drug traffickers

[171,000]
122,000

* * *

(4) "Law Enforcement Assistance - Improving and Strengthening Law Enforcement" - For support of the Organized Crime Strategies Unit

[87,000]
70,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$66,948,000 appropriated from Commonwealth revenues for the State Correctional Institutions:

(3) "Public Works and Economic Development Act (PWEDA)" - For manpower training programs at State Correctional Institutions.

[47,000]
49,000

(4) "Comprehensive Employment and Training Act (CETA)" - For review and purging of inmate records at State correctional institutions

[178,000]
377,000

* * *

To the Department of Public Welfare

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$20,204,000 appropriated from Commonwealth revenues for general government operations:

(2) "Special Programs for the Aging" - For administrative expenses in providing programs for older persons via Statewide planning, area planning and social services

[636,000]
842,074

* * *

(6) "Public Assistance - Social Services" - For administration in support of the provision of social services to needy individuals, including the aged, blind, disabled and families with dependent children

[4,172,000]
4,672,000

* * *

[(9) "Medical Assistance Programs" - To

provide medical assistance services for eligible persons at State general hospitals 1,638,000]

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$23,237,000 appropriated from Commonwealth revenues for youth development centers and forestry camps:
* * *

“Public Assistance - Social Services” - To provide social services [and] to eligible persons. [600,000]
1,820,000

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$323,271,000 appropriated from Commonwealth revenues for institutions for the mentally ill and mentally retarded:
* * *

(3) “Foster Grandparent Program” - To provide part-time volunteer opportunities for low income persons age 60 and over to render supportive person-to-person services in health, education and welfare, and related residential settings to children having special needs [564,000]
580,000

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$8,000,000 appropriated from Commonwealth revenues for the Eastern Pennsylvania Psychiatric Institution:
* * *

“Hospital/Community Training to Integrate Services” at Eastern Pennsylvania Psychiatric Institute 35,000

“Hospital Improvement - Medical Research” at Eastern Pennsylvania Psychiatric Institute 10,000

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$502,600,000 appropriated from Commonwealth revenues for cash assistance:
(1) “Public Assistance - Maintenance Assistance” - To provide cash and emergency assistance to eligible families with dependent children. [363,369,000]
387,538,000

* * *

[(3) “Public Assistance - Social Services” - For the provision of social services program for eligible persons 21,348,000

(4) “Public Assistance - Social Services - Training” - For training purposes in relation to social services programs for eligible persons 586,000]

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$286,816,000 appropriated from Commonwealth revenues for medical assistance:

“Medical Assistance” - To provide medical assistance services to eligible persons. [180,021,000]
197,468,000

* * *

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$8,058,000 appropriated from Commonwealth revenues for services for the aging:
* * *

(5) “Special Programs for the Aging - Employment” 817,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,500,000 appropriated from Commonwealth revenues for grants for Juvenile Delinquency Programs:
“Public Assistance Social Services” - To provide social services to eligible persons [2,391,000]
3,090,000

* * *

To the Pennsylvania State Police
THE FOLLOWING FEDERAL AUGMENTATION AMOUNT, OR AS MUCH THEREOF AS MAY BE NECESSARY, ARE HEREBY SPECIFICALLY APPROPRIATED TO SUPPLEMENT THE SUM OF \$27,439,000 FROM COMMONWEALTH REVENUES FOR GENERAL GOVERNMENT OPERATIONS.
“Law Enforcement Discretionary Grants - Anti-Burglary Program” - For implementation of a multi-level law enforcement approach to reducing burglaries and increasing the clearance rate of unsolved burglaries in the Commonwealth 200,000

* * *

II. JUDICIAL DEPARTMENT

To the Court Administrator
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$998,000 appropriated from Commonwealth revenues for the Office of Court Administrator:
(1) “Law Enforcement Assistance - Federal Discretionary-Pennsylvania State Judicial Information System” - For design and development of a judicial information system to interface with the comprehensive data system being developed on a Statewide basis 200,000

* * *

Section 3. The Secretary of the Budget may create the following restricted receipt accounts for the purpose of administering Federal grants only for the purposes herein designated:
Governor’s Office
(1) [“State Planning Board] “Office of State Planning and Development - Western Pennsylvania Conservancy” - For deposit

of private source funds and Federal funds received from the Bureau of Outdoor Recreation and from a Federal Grant under the Housing Act of 1954. A disbursement will be made in the form of a grant to the Western Pennsylvania Conservancy.

(2) "Federal Grant - Economic Development Council" - For deposit of a Federal Grant under the Housing Act of 1954 and the Appalachian Regional Development Office Act of 1965 to be conveyed to the Economic Development Council of North-eastern Pennsylvania.

* * *

(7) "Federal Grant - Emergency Employment Act of 1971" - For deposit of the Federal checks received under the Federal Employment Act of 1971. The funds will be kept in a holding account until disbursements are made to State and local government agencies.

(8) "Federal Grant - [State Planning Board] Office of State Planning and Development - Delaware Valley Regional Planning Commission" - For a Federal planning grant to the Delaware Valley Regional Planning Commission. This restricted receipt will be a holding account until the grant is passed onto Delaware Valley Regional Planning Commission.

* * *

Department of Environmental Resources

* * *

(7) "Federal Flood Control Payments." Provides for payments to counties in which Federally owned Flood Control Land is situated.

Section 2. This act shall take effect immediately.

On the question recurring,
Shall the bill pass finally?

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

Mr. D. M. FISHER. Is the motion to table still before the House?

The SPEAKER pro tempore. No, it is not.

Mr. D. M. FISHER. I thought we just reconsidered the vote by which the bill was tabled.

The SPEAKER pro tempore. The vote to reconsider the vote by which it was tabled is in effect a motion to take the matter off the table if an affirmative vote is recorded.

MOTION TO DIVIDE HB 881

Mr. D. M. FISHER. Mr. Speaker, I think that your interpretation of the rules is somewhat faulty, but for the sake of expediting the procedures here, I would like to make a motion to divide HB 881 on final passage.

The SPEAKER pro tempore. Will the gentleman please suspend for a moment? Will the gentleman please indicate how he wishes to divide that matter?

Mr. D. M. FISHER. Mr. Speaker, based on what we have heard here from the majority whip as to the necessity of passing this bill principally because of the amount involved with the cash grants, I would like to divide out from HB 881 the portion beginning on line 28, page 17, and continuing through to page 18, line 6.

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAPPAPORT. Mr. Speaker, I have heard of dividing an amendment. I wonder by what authority we can divide a bill.

The SPEAKER pro tempore. The motion to divide is pursuant to rule 63, "Division of a Question." "Any member may call for a division of a question by the House, if it comprehends propositions so distinct and separate that one being taken away, the other will stand as a complete proposition for the decision of the House."

Mr. RAPPAPORT. Is it the ruling of the Chair, Mr. Speaker, that a bill may be divided then?

The SPEAKER pro tempore. That is correct, sir.

RULING OF THE CHAIR APPEALED

Mr. RAPPAPORT. I appeal that ruling, Mr. Speaker.

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

Mr. RYAN. Mr. Speaker, I wonder if I might interrogate Mr. Rappaport for a moment prior to the taking of his appeal.

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

Mr. RAPPAPORT. I will, Mr. Speaker, it is always a pleasure to engage in a colloquy with the gentleman from Delaware.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, were you here when we adopted the rules of the House this year?

Mr. RAPPAPORT. Partially. I think I was away one day.

Mr. RYAN. You probably missed my wonderful debate with the Speaker of the House, Mr. Fineman, when I took your very position and lost. And it is my distinct recollection—and within moments I will have the official transcript because I have just sent for it—that the Speaker pro tempore is absolutely correct if he goes back and relies on the ruling of Mr. Fineman. And I will be happy to show Mr. Rappaport not only that ruling of Mr. Fineman but probably his vote sustaining Mr. Fineman's position when that was appealed at that time. I have the transcript here if the gentleman wishes to examine it.

Mr. RAPPAPORT. Mr. Speaker, may I remind the gentleman that foolish consistency is the hobgoblin of small minds. Therefore, I appeal the ruling of the Chair.

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

Mr. RYAN. Mr. Speaker, the gentleman is absolutely correct in his position in that I have noticed over the years that he has been so inconsistent so consistently.

Mr. MANDERINO. How are you going to vote today, Mr. Ryan? Are you going to be consistent or inconsistent?

Mr. RYAN. I am going to follow the rules of our Speaker from about a month ago.

Mr. MANDERINO. That means you are going to be inconsistent.

MR. RENWICK REQUESTED TO PRESIDE

The SPEAKER pro tempore. During consideration of the motion appealing the Speaker's decision, would Mr. Renwick please come to the Chair?

**THE SPEAKER PRO TEMPORE (WILLIAM F. RENWICK)
IN THE CHAIR**

The SPEAKER pro tempore. The question is, ladies and gentlemen, Will the decision of the Speaker be sustained? Those voting in the affirmative will vote to affirm; those voting in the negative will vote "no." Those voting in the affirmative will vote to rule the sustaining of the Chair.

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

Mr. RITTER. Mr. Speaker, let me see if I have it straight as to what it is we are going to be voting on. Mr. Fisher made a motion or asked if HB 881 could be divided, and my understanding is that the Speaker pro tempore said it could not, or it could?

The SPEAKER pro tempore. No, the Speaker pro tempore said it could.

Mr. RITTER. He could divide?

The SPEAKER pro tempore. Any question may be divided. This is the ruling of the Chair.

Mr. RITTER. And that is the question we are being asked to decide now?

The SPEAKER pro tempore. Right.

Mr. RITTER. Thank you.

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

Mr. RYAN. On the question, Mr. Speaker, I would refer the gentleman to pages 57 and 58 of the Legislative Journal in its temporary form, dated March 23, 1977. (Reading:)

Mr. RYAN. Now it is my understanding, and this is my parliamentary inquiry, that if we have a bill before us, we cannot divide that question on the bill; we can divide it on an amendment?

That was my question, which is Mr. Rappaport's, I believe. (Reading:)

The SPEAKER. That is not correct. The rules of the House say that any question may be divided.

Mr. RYAN. Do the rules of the House provide that any bill before this House can be divided, Mr. Speaker, without an amendment?

The SPEAKER. The rules of the House say that any question may be divided.

Mr. RYAN. Mr. Speaker, it is my recollection that in the past the Chair has ruled that a bill before the House cannot be divided, that the method that a person takes to do this is by amending that bill?

The SPEAKER. No, that is not correct. Let me read rule 63—

and he goes on to read it. And then I said, "Well, this is going to be interesting for the balance of the year—

Mr. WILLIAMS. Mr. Speaker, point of order.

Mr. RYAN. Mr. Speaker, I have the floor.

POINT OF ORDER

The SPEAKER pro tempore. On the point of order, the Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, the speaker's comments, I might suggest, are by way of persuading the Chair and the legislature to sustain the position of the Chair. I understood that what is on the floor, through Mr. Ritter and through me, is a precise description from the Chair as to what the issue is. Therefore, the argument by Mr. Ryan, I think, is out of order

on the issue of what the question is, and I would like to pursue—

The SPEAKER pro tempore. What we are doing, Mr. Williams, is letting Mr. Ryan state his position, period.

Mr. WILLIAMS. Yes, Mr. Speaker. I have no objection to his stating his position at the proper time, once we understand what the question is. And Mr. Ritter's inquiry and my inquiry is to what the issue is, after which I suppose he can state his position in relationship to what the issue is.

Mr. Speaker, it is my understanding that the Chair has said that a bill may be divided into—

The SPEAKER pro tempore. The question is, Shall the decision of the Speaker be sustained?

Mr. WILLIAMS. That is correct.

The SPEAKER pro tempore. On the question—

Mr. WILLIAMS. We want to know what the decision is.

The SPEAKER pro tempore.—on whether or not a bill is divisible. Now this is what we are acting on right now.

Mr. WILLIAMS. Fine. Okay.

The SPEAKER pro tempore. You can debate this, Mr. Williams.

Mr. WILLIAMS. I do not want to debate it; I just want to get the question clear. I do understand that you said that the question is whether a bill is divisible, and that is clear. My question to that is: Are we also acting on the question of whether or not this particular bill or the questions in the bill are also divisible?

All right. The Parliamentarian says "no," so that issue is yet to be decided. Is that correct?

The SPEAKER pro tempore. That is right.

Mr. WILLIAMS. Thank you.

The SPEAKER pro tempore. Mr. Ryan may continue.

Mr. RYAN. Mr. Speaker, on the question, I am referring to the House the decision of the House on this very question on March 23 when the Speaker ruled as he ruled here today, and I will finish my comments quickly. I stated at that time: (Reading:)

Well, this is going to be interesting for the balance of the year, so I want to make sure that I have this perfectly clear. The Chair is advising us today that anytime there is a bill before this House that a member can move to have that bill divided and stated as separate questions?

At that time, the Speaker ruled that that was so; it was put to a vote a little later on that day and the Chair was upheld. And if it was good enough on March 23 for the majority of this House, I think it should be good enough today, on my birthday, April 27.

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

Mr. MORRIS. I would like to point out that the ruling of the Chair which Mr. Ryan is talking about could not affect bills. The question at issue before the House at that time had to do with a resolution. There was no question of bills actually before the Chair for a ruling; the question involved a resolution.

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

Mr. RYAN. I am sorry, I did not hear what Mr. Morris said.

Mr. Speaker, I agree with you but, however, you and I do not agree with Mr. Fineman because on that date I specifically asked if that was the case with a bill on final passage, and at that time Mr. Fineman ruled that it could be divided on final passage. Now I refer you again to pages 57 through 60 of the Legislative Journal for March 23, 1977, and that is your Speaker's ruling.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I, too, was involved in that debate and, as I recall toward the end of it, I finally had to appeal the ruling of the Chair that I could not appeal.

We have all had a lot of fun with this and it is an intricate parliamentary debate that we are in now, but when we are doing this, I would like you to look—because this is a key vote—at what is behind this. On the one hand, you have the poor people of this Commonwealth on welfare whose grants will run out on May 15 if we do not pass this bill or part of it. On the other hand, you will have all of these other things in this bill that we have not had an adequate time to examine to determine whether they should be passed or not. I think that this is an intelligent rule use of what is otherwise, I thought, a bad ruling, at the time.

Therefore, I would urge you to affirm the ruling of the Chair, to vote in the affirmative, so that the needs of the poor people of this Commonwealth can be met, but at the same time so that this General Assembly has the time to exercise its function of watching over the public funds.

Thank you.

The SPEAKER pro tempore. The question recurs, Will the House sustain the ruling of the Chair? Those voting "aye", vote to sustain. Members will proceed to vote.

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

Mr. WILLIAMS. The Speaker, before the board is closed, would the Speaker clarify the issue before the House so that everybody will be absolutely clear on the effect of their vote?

The SPEAKER pro tempore. Nothing is before the House except the calling of the roll.

Mr. WILLIAMS. The calling of the roll?

The SPEAKER pro tempore. The taking of the vote right now.

Mr. WILLIAMS. Mr. Speaker, I am confused. Mr. Speaker, I want to know what the taking of the roll implies.

On the question,

Will the House sustain the ruling of the Chair?

The following roll call was recorded:

YEAS—152

Abraham	Garzia	Manderino	Schweder
Anderson	Gatski	Manmiller	Scirica
Armstrong	Geesey	McCall	Seltzer
Bennett	Geisler	McClatchy	Shuman
Bittinger	George, C.	McGinnis	Sirianni
Bittle	George, M.	Mebus	Smith, E.
Borski	Gillette	Meluskey	Smith, L.

Brandt	Goebel	Milanovich	Spencer
Brown	Goodman	Miller	Stairs
Brunner	Greenfield	Milliron	Stapleton
Burd	Greenleaf	Miscevich	Stewart
Burns	Grieco	Moehlmann	Stuban
Butera	Halverson	Mowery	Sweet
Caltagirone	Hamilton	Mrkonic	Taddonio
Cassidy	Harper	Mullen, M. M.	Taylor, E.
Cessar	Haskell	Musto	Taylor, F.
Cimini	Hayes, D. S.	Novak	Tenaglio
Cole	Hayes, S. E.	Noye	Thomas
Cowell	Helfrick	O'Brien, D.	Trello
Davies	Hoeffel	O'Connell	Valicenti
DeVerter	Honaman	O'Keefe	Vroon
DeWeese	Hopkins	Pancoast	Wagner
DiCarlo	Hutchinson, W.	Parker	Wansacz
Dietz	Itkin	Piccola	Wargo
Dininni	Katz	Pievsky	Wass
Dorr	Kernick	Pitts	Weidner
Doyle	Klingaman	Polite	Wenger
Duffy	Knepper	Pott	Wilson
Fee	Kolter	Pyles	Wilt
Fischer, R. R.	Lehr	Ravenstahl	Wright, D.
Fisher, D. M.	Letterman	Reed	Wright, J. L.
Flaherty	Levi	Renwick	Yahner
Foster, A.	Lincoln	Rhodes	Yohn
Foster, W.	Livengood	Ritter	Zearfoss
Freind	Logue	Ryan	Zeller
Fryer	Lynch	Salvatore	Zitterman
Gallen	Mackowski	Scheaffer	Zord
Gamble	Madigan	Schmitt	Zwikl

NAYS—37

Arthurs	Englehart	Laughlin	Richardson
Barber	Gallagher	McIntyre	Rieger
Bellomini	Giammarco	McLane	Ruggiero
Berson	Hasay	Morris	Scanlon
Cianciulli	Hutchinson, A.	O'Brien, B.	Shelton
Cohen	Johnson	Oliver	Spitz
DeMedio	Jones	Petrarca	White
Dombrowski	Kelly	Prendergast	Wiggins
Donatucci	Kowalyshyn	Rappaport	Williams
Dumas			

NOT VOTING—14

Beloff	Gray	Mullen, M. P.	Wise
Berlin	Irvis	O'Donnell	
Caputo	Kusse	Pratt	Fineman,
Gleeson	Laudadio	Shupnik	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the ruling of the Chair was sustained.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAUDADIO. Mr. Speaker, I missed that roll call on the appeal of the ruling of the Chair. I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman. His remarks will be spread upon the record.

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BERLIN. On HB 881, on appeal of ruling, I wish to be voted in the affirmative on the Chair's decision.

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

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DeMEDIO. Mr. Speaker, I would like the record to show that I was erroneously voted in the negative on the motion sustaining the decision of the Chair.

The SPEAKER pro tempore. Thank you, Mr. DeMedio. The remarks will be spread upon the record.

Mr. RITTER. Mr. Speaker, point of order.

The SPEAKER pro tempore. Just a minute, Mr. Ritter. We will recognize you.

MR. DeMEDIO REQUESTED TO PRESIDE

The SPEAKER pro tempore. Will Representative DeMedio return to the Speaker's rostrum?

Mr. RITTER. Before you go, Mr. Speaker, I have an inquiry for you.

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 did I hear you correctly when you said, "The appeal is sustained"? That is what I thought you said, and that is not what the vote indicated. Mr. Speaker I heard you say, "The appeal is sustained." That is not what the vote indicated. The ruling of the Chair was sustained; the appeal was denied.

The SPEAKER pro tempore. The ruling of the Chair was sustained. That is exactly what we said.

Mr. RITTER. Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (A. J. DeMEDIO) IN THE CHAIR

The SPEAKER pro tempore. The Chair thanks the gentleman, Mr. Renwick.

PARLIAMENTARY INQUIRY

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

Mr. ITKIN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ITKIN. Mr. Speaker, on the division of the question, if we now approve one part of the question which has not been divided and it should pass, what happens to the other part?

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

Mr. MANDERINO. Mr. Speaker, let me clarify that. If the question is divided and some parts pass and some parts do not,

those parts that pass will be the will of this House and will be sent to the Senate; those parts that fail will have to be the subject of other legislation.

Mr. ITKIN. Thank you, Mr. Speaker.

HB 881 DIVIDED

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

Mr. D. M. FISHER. Mr. Speaker, I believe we are then back to the stage where I was attempting to divide the question in HB 881 from page 17, line 28, through page 18, line 6. The reason for this division on final passage is that in lieu of what the majority whip has stated, the necessity of having this particular aspect of the Federal augmentation passed by May 15, and in line with what the minority leader, Mr. Butera, said, I think that we should consider on final passage these particular lines of HB 881 and send them over to the Senate for their further action. However, I believe that the other aspects of HB 881, to which I personally have many questions and to which other members have questions, we should not act on.

I do not know where we stand parliamentarywise, but if we are on the lines from page 17 to page 18 that I have asked to be divided, I would ask for an affirmative vote on final passage on those particular lines.

The SPEAKER pro tempore. Will the member, Mr. Fisher, please repeat the sections that he is requesting division on?

Mr. D. M. FISHER. Page 17, beginning at line 28, through page 18, ending at line 6.

The SPEAKER pro tempore. Is the gentleman now moving that the House vote on these sections only? Is that the question before the House that the gentleman is presenting?

Mr. D. M. FISHER. I am making the motion, on the lines in question that were cited, that the House vote on final passage on those nine lines, yes, plus—

The SPEAKER pro tempore. Does the gentleman have additional matter in his question to the Chair or in his answer to the Chair?

Mr. D. M. FISHER. No, Mr. Speaker.

POINTS 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. Mr. Speaker, I raise two questions: One, I do not know that the members know exactly what they voted on on the appeal because I do not think the question was properly placed before the House; number two, if you overruled that decision, I at this time raise the question as to whether or not the gentleman's motion is germane.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Fisher, is moving that we divide HB 881 and that we act on line 28, on page 17, beginning at line 28 on page 17, and ending on line 6, on page 18.

Would the gentleman from Philadelphia restate his objection or point of order? Are you rising a point of order as to the germaneness of the matter?

Mr. RICHARDSON. I will repeat and say that that is exactly what I said. I also said that I did not think—and this was my first part of it—the question that was placed before the House was a clear one in relationship to the appeal of the Chair. I do not know that those members who voted knew whether they were voting to sustain the decision of the Chair, whether an “aye” vote was to sustain or whether a “no” vote was to sustain. I raise that question.

The SPEAKER pro tempore. The members have already voted that the ruling of the Chair was proper, that the bill is divisible.

The motion now before the House is that we divide the sections which I just recited, beginning at line 28 on page 17 and ending on line 6 on page 18. The Chair has ruled that that is a proper division.

Now the question is, Will the House agree to the bill as divided by the gentleman? All in favor of said division will vote in the affirmative; all those opposed to the division as stated will vote in the negative.

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

Mr. RICHARDSON. Can I interrogate Mr. Fisher for a moment? Mr. Speaker, may I interrogate the mover of this motion?

The SPEAKER pro tempore. Will the member please suspend so that I might clarify the matter which is now before the House?

We have decided that the bill is divisible. Therefore, the question presently is whether the bill as divided will be passed or not by the House, will be finally passed. Once we call for the vote, that will be the decision being made. Those in the affirmative will be voting to pass the bill as divided, and those in the negative that they do not favor passage.

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. GALLAGHER. The question before the House now is on the sections of this bill that that gentleman presented to you?

The SPEAKER pro tempore. That is correct.

Mr. GALLAGHER. What else is around that section.

The SPEAKER pro tempore. Well, that still may be divided by the House by further motions regarding those other portions of the bill, but presently before the House is the passage of the sections recited by the gentleman, Mr. Fisher.

Mr. GALLAGHER. Mr. Speaker, to rephrase the question so you better understand it, if the House adopts the division presented by Mr. Fisher, is there a bill number and a title with that? I did not hear him present the title of the division section or the bill number. So we would adopt, I would think, just those pages and those lines or nothing.

The SPEAKER pro tempore. The House bill number would remain the same; the printer's number would remain the same. It would seem to me that the effect of his motion is to strike all other sections of the bill, at least temporarily, if there are no further motions to reinstate other sections.

Mr. GALLAGHER. Mr. Speaker, I think that the gentleman did not present that question to the House in that manner and I think it is very important that we all understand that his question, his division of this bill would let just those sections that he cited stand by themselves and nothing else, and you are not, in a sense, adopting a bill, even though it is a question before the House.

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, it is my understanding that the Fisher motion or the Fisher request that the bill be divided by including those sections that he has indicated also carries with it the request that the bill keep its same printer's number, keep its same title, and keep the bill intact in that manner, and the vote would be on the caption of the bill, the title of the bill, and just those sections that he enumerated. The effect of passage of that, as I understand it, is that that part of the bill has been passed. The rest of the bill is still before us for consideration. It has not been stricken; it has not gone; it is not necessary for additional motions to be made except to consider the rest of the sections.

The SPEAKER pro tempore. The gentleman is correct.

On the question,

Will the House agree to Part I of the bill?

The following roll call was recorded:

YEAS—173

Abraham	Gallagher	Lynch	Richardson
Anderson	Gallen	Mackowski	Rieger
Armstrong	Gamble	Manderino	Ruggiero
Arthurs	Garzia	Manmiller	Ryan
Barber	Gatski	McCall	Salvatore
Bellomini	Geisler	McClatchy	Scanlon
Bennett	George, C.	McGinnis	Schmitt
Berlin	George, M.	McIntyre	Schweder
Berson	Giammarco	McLane	Scirca
Bittinger	Gillette	Mebus	Seltzer
Bittle	Goebel	Meluskey	Shelton
Borski	Goodman	Miller	Shupnik
Brandt	Greenfield	Milliron	Smith, E.
Brown	Greenleaf	Miscevich	Stairs
Brunner	Grieco	Moehlmann	Stapleton
Burd	Halverson	Morris	Stewart
Burns	Hamilton	Mowery	Stuban
Butera	Harper	Mrkoncic	Sweet
Caltagirone	Haskell	Mullen, M. P.	Taddonio
Caputo	Hayes, D. S.	Mullen, M. M.	Taylor, E.
Cassidy	Hayes, S. E.	Musto	Taylor, F.
Cessar	Helfrick	Novak	Tenaglio
Cianciulli	Hoeffel	Noye	Thomas
Cimini	Honaman	O'Brien, B.	Trello
Cohen	Hopkins	O'Brien, D.	Valicenti
Cole	Hutchinson, A.	O'Connell	Vroon
Cowell	Hutchinson, W.	O'Donnell	Wagner
Davies	Itkin	O'Keefe	Wansacz
DeMedio	Johnson	Oliver	Wargo
DeWeese	Jones	Pancoast	Wass
DiCarlo	Katz	Parker	Wenger
Dininni	Kelly	Petrarca	White
Dombrowski	Kernick	Piccola	Wiggins
Donatucci	Klingaman	Pievsky	Williams
Dorr	Kolter	Pitts	Wilson
Doyle	Kowalyszyn	Polite	Wilt
Duffy	Laudadio	Pott	Wright, D.
Fee	Laughlin	Prendergast	Wright, J. L.
Fisher, D. M.	Lehr	Pyles	Yahner

Flaherty	Levi	Rappaport	Yohn
Foster, A.	Lincoln	Ravenstahl	Zearfoss
Foster, W.	Livengood	Reed	Zitterman
Freind	Logue	Renwick	Zord
Fryer			

NAYS—18

DeVerter	Letterman	Shuman	Weidner
Dietz	Madigan	Smith, L.	Wise
Fischer, R. R.	Milanovich	Spencer	Zeller
Geesey	Ritter	Spitz	Zwinkl
Hasay	Scheaffer		

NOT VOTING—12

Beloff	Gray	Pratt	Fineman,
Dumas	Irvis	Rhodes	Speaker
Englehart	Knepper	Sirianni	
Gleeson	Kusse		

The question was determined in the affirmative and Part I of the bill was agreed to.

On the question,
Will the House agree to the balance of the bill?

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

Mr. MANDERINO. Mr. Speaker, please do not send the bill to the Senate before we complete work on the bill.

Mr. Speaker, I would ask that the House consider the balance of the bill and I would like to speak on the balance of the bill.

Last year we took, for the first time, the task of appropriating Federal funds. In the main, this particular bill amends a bill that we passed which allocated those Federal funds.

POINTS 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 inform the House specifically what piece of legislation we are dealing with? Did we not just pass HB 880?

Mr. MANDERINO. We did not pass 880; we passed a section of 881.

The SPEAKER pro tempore. We passed a portion of 881. That portion has been passed. Now we are dealing with the remainder of HB 881.

Mr. DiCARLO. Mr. Speaker, I would like to move to lay the remainder of HB 881 on the table.

Mr. MANDERINO. Mr. Speaker, I have the floor and I have not yielded it to anyone for any purpose.

The SPEAKER pro tempore. The gentleman was only recognized for a point of order. The Chair now again recognizes the majority whip, the point of order having been disposed of.

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. Does not the motion prevail?

The SPEAKER. No, the motion does not. The gentleman was merely given the floor to state his point of order. The gentleman was not recognized for purposes of making a motion, so the floor now returns to the majority whip.

Mr. DiCARLO. I will yield, Mr. Speaker, and wait. Thank you.

Mr. MANDERINO. Mr. Speaker, when we took upon the task in this General Assembly to appropriate the Federal funds, we did appropriate the Federal funds, and this General Assembly, I think, was following at that time the recommendation of the committee of the Pennsylvania Economy League that wrote a report regarding the fact that the legislature should be the body responsible to the people and the one appropriating Federal funds. We did, to the best of our ability at that time, appropriate the Federal funds. We appropriated moneys as we thought they would be coming by grants, by proposals, that had been made, by laws that had been passed by the Congress which would entitle us to Federal funds for certain types of appropriations. HB 881 is an amendment to that bill which appropriated those Federal funds and, in essence, amends that bill to conform the allocation of Federal funds, in some cases by increasing amounts and in some cases by decreasing amounts to those agencies that we already appropriated money to from the Federal funds. We have made increases where the proposals have brought more money than was anticipated to the Commonwealth to these agencies; we have decreased where the Federal funds are not sufficient coming from the Federal Government to pay the amount to those agencies that we had originally anticipated.

If you will look at the bill, the amounts going to the agencies and bureaus, et cetera, are, in some cases, \$50,000, \$5,000, \$43,000, \$2,000,000, but in each case the items are augmentations or decreases necessitated by the receipt of Federal funds either in amounts more than we had expected or less than we had expected.

The Appropriations Committee of the House has worked meticulously, earnestly and deliberately to put the proper amounts into this bill so that the agencies that are to receive this money can continue to operate and operate on a budget of money that is appropriate, considering the moneys we are receiving and able to allocate to them. I think that what we are doing today, if we do not pass this section of the bill, is saying to the Appropriations Committee, we do not think you did your job. They are not starting new programs. They are not hiring new people or giving money to departments to hire new people or to agencies. Some of these, Mr. Speaker, are not necessarily governmental agencies; they are nonprofit corporations; they are commissions that may be arms of government; some of them are local governments which are expecting the augmentations; and there are agencies which should know that the moneys that we appropriated are not there or the grants were not received.

Other than that, there are about four items in this bill, only four items, aside from the Federal funds, aside from the item that you just passed that entails state money. I am sorry, those are not in here at all; those were only in HB 880, and HB 881 deals with just Federal funds. But we did, in HB 880, appropri-

ate to some departments some deficiencies that were not large in amount considering their budget, but that was in HB 880.

I think that we play havoc with these agencies that must operate on a budget. They are entitled to the augmentations that are coming from the Federal Government. I think that the Appropriations Committee has done its job well. There may not be the urgency at this time to pass the bill as there was for the welfare, but we are into the month of May very shortly. We are talking about last year's moneys; we are not talking about the new fiscal year. We are talking about an amendment to the appropriation bill that we passed prior to this year. I think we ought to make these adjustments. They are the proper adjustments.

I would ask every member of the Democratic caucus and, I would hope, my colleagues on the other side, to join me in passing the remainder of HB 881.

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

Mr. SELTZER. Thank you, Mr. Speaker.

I do not necessarily feel as strongly about the passage of the remainder of the bill as the majority whip, but there are several sections of this bill which I feel very strongly should be passed also today.

I refer to page 18, lines 15 through 21, which is directly below that part which we have already passed. This is the section that refers to medical assistance. This would provide the additional \$17 million of Federal funds in the medical assistance programs. This, in my opinion, is just as needed as the cash grants were on the division of the question we just passed a few moments ago.

I also call to the attention of the members of the House that it is very imperative that page 1 be a part of what we are doing because without page 1, we really do not have a bill.

More important than any of this, if we do not pass the last page, which is the effective date of this act, the money will not be provided until 60 days afterward anyway and the people still will not get their money.

Now when you do these things, there is not much left that we have not done. So even though I do not agree with Mr. Manderino, and I hate to disagree with my friend, Mr. Fisher, if the House would do what I have suggested, there is not much left to do. So, Mr. Speaker, I ask that the question at least be divided further that we pass page 1 and we pass the last page with the effective date and we pass that part which is for medical assistance.

Mr. MANDERINO. Mr. Speaker, if there is not much left, why do you not let my motion stand to pass the balance of the bill?

The SPEAKER pro tempore. Will the gentleman, Mr. Seltzer, agree to answer the question posed by the majority whip?

Mr. SELTZER. Will the gentleman repeat his question?

Mr. MANDERINO. If there is not much left, Mr. Speaker, would you not agree that we ought to just pass the entire balance of the bill or at least vote on it?

Mr. SELTZER. Mr. Speaker, I did not raise the question originally and I will abide by whatever the majority of this House determines it wants to do.

Mr. MANDERINO. Mr. Speaker, let us consider the balance of the bill.

MOTION TO TABLE BALANCE OF HB 881

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

Mr. D. M. FISHER. Thank you, Mr. Speaker.

In response to what the majority whip has stated here, let us go back about 45 minutes ago or an hour before we got into this whole question of division and the other extraneous questions and reconsiderations. There were a number of speakers who took the floor and asked the Appropriations Committee Chairman, Mr. Pievsky, very specific questions about the appropriations in here. Now I had specific questions about certain appropriations and I do not think we have the answers here today.

Granted, last year near the end of June or the beginning of July, the General Assembly passed legislation which gives us input in considering and passing an appropriation to the Federal augmentations. But to go about this in this manner, to have a bill that is reported out from the Appropriations Committee on April 18, as I understand it, without any thorough public hearings, to come before the House today and not have specific answers to questions, I do not think does any justice to the budgetary process that we enacted last June.

For that reason, Mr. Speaker, I move that the balance of HB 881 be laid on the table.

The SPEAKER pro tempore. The question is on the motion to lay the remainder of HB 881 on the table.

The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, as strongly as I can urge you—as Mr. Seltzer pointed out, there are important sections of this bill that still must be passed today—I would urge a negative vote.

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

Mr. ITKIN. Mr. Speaker, if you lay it on the table, then how can you take it from the table subsequently? If it is on the table, at some future time you ought to be able to take it from the table. I do not think a tabling motion is an appropriate motion; I think it is a motion that is out of order.

The SPEAKER pro tempore. Whether the motion is appropriate or is not appropriate, it has been made and it is before the House, and I believe that it should be disposed of.

Mr. ITKIN. Well, let me ask you this, Mr. Speaker: If the tabling motion passes and at some subsequent time I ask to remove that part from the table, it seems to be extremely confusing. I do not think that once it goes on the table it can come back off. I think that the tabling motion is an incorrect parliamentary request at this time. I think that you can vote against that part, but—

The SPEAKER pro tempore. Unquestionably it is somewhat confusing, but I believe we have expertise that will dispel all that confusion.

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

Mr. GREENFIELD. Mr. Speaker, I hate to see this House go

into total chaos and confusion. If you vote on this motion to table, you are going to have two bills going over with the same number, if it is ever passed. I would, therefore, appeal the ruling of the Chair. It cannot be done; it is ridiculous.

The SPEAKER pro tempore. The remark of the gentleman is correct, however, the members will take into consideration the fact they will have in effect two bills, one which will go over to the Senate for its concurrence and the remainder on the table. It is the ruling of the Chair that the members will consider these factors when they decide on whether or not they should vote for the tabling motion.

Mr. GREENFIELD. Mr. Speaker, again I object to the ruling of the Chair because if it is ever taken off the table and voted in the affirmative, we then have another HB 881 going over to the Senate. How can that be possible?

Mr. Speaker, in essence what we are doing today, if we vote as Mr. Manderino suggests, is to allow this part to go over; we send it over in total. If we do not, we have done the same thing as amending the bill and striking out the balance of it and we have eliminated that. It will then have to come back in a new bill for the additional amount. Therefore, I would object to the ruling of the Chair and ask for a vote appealing the Chair's ruling.

The SPEAKER pro tempore. The Chair rules that this is merely a logical consequence of the fact that the rule permits divisions of bills. If the rule permits divisions of bills, then it follows as a matter of course that a portion of the bill that is divided may be tabled.

PARLIAMENTARY INQUIRY

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 parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Mr. Speaker, since we now adopted the one portion, those two pages of HB 881 dealing with public assistance grants, if, in fact, we would reject—

The SPEAKER pro tempore. Will the members who are standing around on the floor having discussions please take their seats? Can we have some order here? Some of these points of order and decisions that are being posed are rather difficult and the Chair and the Parliamentarian are having difficulty hearing those. Let us have some order in the House. Mr. Ritter has the floor and he is entitled to be heard.

The gentleman may proceed.

Mr. RITTER. On the parliamentary inquiry, Mr. Speaker, the way the situation is, as I see it now, that all we have done is approved lines 28, 29 and 30 on page 17 and lines 1 through 6 on page 18.

Now assuming that we would reject the rest of the bill, then what can we send to the state Senate when we do not have a page 1, as Mr. Seltzer pointed out, and we do not have a last page which gives an effective date? How can we send to the Senate lines 28 through 30 and lines 1 through 6 on page 18? How can we do that?

Mr. GREENFIELD. I have a right to be heard, Mr. Speaker, and I think I am being ignored. I am sure I am.

The SPEAKER pro tempore. Will the gentleman, Mr. Ritter, yield so that the gentleman from Philadelphia, Mr. Greenfield, can make whatever remarks he has in mind?

Mr. RITTER. Yes.

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

Mr. GREENFIELD. I did appeal the ruling of the Chair, Mr. Speaker, and you are going on with the debate in that manner, and I am asking for a roll-call vote.

The SPEAKER pro tempore. The Chair made no ruling. There was a motion to table before the Chair, and the Chair merely is stating the motion for the action of the body.

Mr. GREENFIELD. You ruled that a motion to table was in order, Mr. Speaker, and I am appealing that ruling.

The SPEAKER pro tempore. I merely suggested that that is a logical conclusion to the rule that permits division.

Mr. GREENFIELD. Are you saying that we can table the remainder of the bill?

Mr. GREENFIELD. Mr. Speaker, I think that Mr. Ryan has been proven correct.

Mr. RICHARDSON. Mr. Speaker, point of order.

The SPEAKER pro tempore. Will the gentleman please be at ease for a moment? We will get to you as soon as we—

Mr. RICHARDSON. Well, recess the House then until you can get it together.

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. Mr. Speaker, first I would like to have some order so that I can say what I have to say.

The SPEAKER pro tempore. Before you state your point of order, I would like to point out to the members that if the motion to table prevails, the bill, the part that was divided, will remain on the table and in effect we will have done nothing—

Mr. RICHARDSON. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. —but put the whole bill on the table, and the members should consider this when they vote on the motion to table.

Now, Mr. Richardson, will you state your point of order?

Mr. RICHARDSON. Yes, as soon as you get some order in the House, because nobody heard what you said.

Mr. D. M. FISHER. Mr. Speaker, will the gentleman, Mr. Richardson, yield, please?

The SPEAKER pro tempore. Will the gentleman from Philadelphia please yield for one moment for Mr. Fisher of Allegheny County? He wishes to make a motion.

Mr. RICHARDSON. No, sir, not until we have some order in the House so we can hear what is going on.

I think we are playing with the lives of the people of Pennsylvania, and I have a point of order and I would like to be recognized, Mr. Speaker.

The SPEAKER pro tempore. The Chair is having difficulty hearing the gentleman.

Mr. RICHARDSON. I just said very clearly that we need some order so you can hear what I am asking.

Mr. MANDERINO. Mr. Speaker, would you recognize Mr. Fisher, please?

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

Mr. RICHARDSON. Excuse me, Mr. Speaker, I had a point of order. I was recognized and I did not yield the floor.

Point of order, Mr. Speaker.

Mr. D. M. FISHER. Mr. Speaker, in an attempt to—

Mr. MANDERINO. If Mr. Richardson would suspend for a minute, I think this can be cleared up. Will you just suspend for one minute? Mr. Fisher wants to—

MOTION TO TABLE BALANCE OF BILL WITHDRAWN

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

Mr. D. M. FISHER. Mr. Speaker, in an attempt to try to clarify this situation that may be beyond clarification, I would like to withdraw my motion to lay the remainder of the bill on the table, but I would like to yield to the gentleman, Mr. Seltzer, who wants to make a further motion.

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

Mr. RICHARDSON. Mr. Speaker, my point of order. I yielded for Mr. Fisher.

The SPEAKER pro tempore. Mr. Richardson, we are trying to dispose of the matter and I will get to your point of order, if you feel that it is necessary after what transpires and develops. Then you will be in a better position to know whether you still want to make your point of order.

Mr. RICHARDSON. You cannot tell me when my point of order is in order.

The SPEAKER pro tempore. The Chair has recognized Mr. Seltzer. Will you please yield for a moment?

Mr. RICHARDSON. No, at the will of the majority leader, I have yielded to Mr. Fisher. I do not yield to anyone else.

The SPEAKER pro tempore. Will you please state your point of order then, Mr. Richardson?

Mr. RICHARDSON. Mr. Speaker, I have raised the point that, number one, any bill, according to the rules of this House, that is up and that is before this House must have an amendment. If there is an amendment to divide the question, then it is in the proper order. If there is no amendment to a bill, then you cannot divide the question on the bill.

You can divide a question which is written and in front of you, which is why we have rules. If you do not have that in front of you, Mr. Speaker, then you are not dividing anything. You have just divided HB 881 in half, which means you have nothing. I am saying to you, Mr. Speaker, that that is why I raised the germaneness of the division from the very beginning, which you ruled out of order.

This House is in a chaotic state only because of the fact that the Chair has ruled out of order my germaneness. I say again that we should vote the entire HB 881 up or down and then we will not have these questions. If Mr. Fisher has an amendment that he wants to place to this bill, it should have been drawn up.

We are in a state now where we have nothing in front of us. We do not know what is divided, what page or anything. I submit respectfully, Mr. Speaker, that you deal with the rules of the House as they are written. That is what is the problem. We do not have any written information in front of us or amendment that would divide the question. That must be done first.

The SPEAKER pro tempore. The gentleman from Philadelphia is reminded that the question of division of the bill, upon advice of the Parliamentarian, was decided by the chair that that is permissible under the rules of the House. So, therefore, that matter is no longer before the House.

Mr. RICHARDSON. Yes, it is.

The SPEAKER pro tempore. An appeal was taken from the ruling of the Chair and that appeal of the ruling of the Chair was sustained.

Mr. RICHARDSON. Not on the division of the question, Mr. Speaker, where you had no written information in front of you to divide an entire bill and gut it out which leaves no number.

The proper motion that was made in terms of the division of this particular question of HB 881 was done incorrectly. Perhaps, maybe there is a proper way to do it, but it was not presented to the members of this House.

The SPEAKER pro tempore. The matter before the House presently is the remainder of the bill.

The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I am going to further confuse things.

It has been my feelings since the Speaker made his ruling originally that a bill was divisible, that a bill is not divisible. It has never been divisible.

The rules of this House have said that any question is divisible. The real question is: Is a bill a question? If you answer that in the negative, that a bill is not a question, you will avoid all this chaos.

In due respect to Mr. Ryan, I believe he was right when he said that a bill had never been divided and never should be divided except by the amendment process.

Mr. Fineman's colloquy on opening day did not speak to whether a bill should be divided in the particular matter that he was ruling on. He repeated once or twice the rule that any question can be divided. I believe that the Speaker on that day made a mistake when he said that a bill could be divided. I do not think a bill should be able to be divided, and I would ask a reconsideration of the vote by which it was ruled in this House that a bill could be divided. I would hope that my colleague, Mr. Ryan, would support me.

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

Mr. RYAN. I am going to join Mr. Manderino in that request. However, I am going to also read into the record that this question was asked and answered specifically on March 23.

Mr. MANDERINO. I agree that that was answered in the manner that Mr. Fineman in the Chair said that he thought a bill could be divided. That was not the question that was before him that day.

Mr. RYAN. No, but the further question was raised: Is this true of a resolution or a bill, then?—and I refer to page 59,

—which he answered in the affirmative.

Mr. MANDERINO. I am asking this House now to state by its vote that a bill cannot be divided.

The SPEAKER pro tempore. Will the gentlemen please suspend?

May the Chair suggest that a motion to suspend the rule in question, the Chair already having decided on that—

Mr. MANDERINO. I am asking the Chair to make a ruling that the word “question” in our rule does not include a bill and that a bill cannot be divided. I am asking you to make that ruling. If you make that ruling and it is appealed, we will vote on it. If there is no appeal, then I would ask that the ruling stand. I would ask the Chair to make that ruling.

The SPEAKER pro tempore. The ruling has already been made. It puts the Chair in the position—

Mr. MANDERINO. Mr. Speaker, I am asking the Chair to make a ruling at this time that a bill cannot be divided.

Mr. RYAN. I join in the request of Mr. Manderino.

Mr. WILLIAMS. I join in the request of Mr. Ryan.

The SPEAKER pro tempore. The Chair, upon advice of the Parliamentarian, is suggesting that the majority whip put the question to the House where it properly belongs.

Mr. MANDERINO. Mr. Speaker, I ask you to put to the House the question of whether a bill is divisible under our rules which say that any question can be divided.

The SPEAKER pro tempore. Before your point of order, the Chair wishes to place before the House the proposition as to whether or not a bill is divisible.

Those voting in—

Mr. ZELLER. Mr. Speaker, now wait a minute. You recognized other people here. What am I, some kind of an outcast? I have a point of order. If you can recognize some people from Philadelphia, you can recognize the guy from Emmaus.

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZELLER. Thank you, sir.

I would like to know who the Speaker is around here now. Is the Speaker Mr. Manderino or you? He has been giving you orders.

The SPEAKER pro tempore. The gentleman is out of order.

The Chair is still trying to control this meeting.

The Chair puts before the House for its vote the proposition as to whether or not a bill is divisible.

All those who feel that it is will—

Mr. ZELLER. Thank you, sir.

The SPEAKER pro tempore. —vote in the affirmative. All those who do not feel that the bill is divisible will vote in the negative.

The Chair recognizes the minority whip.

Mr. BUTERA. Mr. Speaker, I wonder if you could get absolute order and then explain what the Chair's ruling is, and then whether an appeal has been taken from the Chair's ruling. It becomes very important on this particular question for the

Chair to make very clear what its ruling is, if it is changing the former ruling, redefining it or whatever. And then everybody will know what they are voting on.

Mr. WILLIAMS. Mr. Speaker, on that note, if I might, might I suggest that in line with Mr. Manderino's suggestion, that it would be perfectly—

The SPEAKER pro tempore. The Chair has not recognized the gentleman. If the members would only—

Mr. WILLIAMS. Mr. Speaker, would you recognize me? I have been waiting since before Mr. Zeller. Mr. Speaker, may I be recognized? Mr. Speaker, can I get an answer on whether I will be recognized? I have tried that. Mr. Speaker, may I be recognized?

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

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I think that it is perfectly proper, legal and appropriate that the Chair at this point can either reconsider its ruling of before, that a bill is divisible, or the opposite. As Mr. Butera said, once you make that ruling—

The SPEAKER pro tempore. In order to resolve the whole matter, the Chair at this time is making the ruling that a bill—

The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, let me pose the question, as a point of parliamentary inquiry. Is a bill before this House divisible?

The SPEAKER pro tempore. The Chair rules that a bill is divisible.

RULING OF CHAIR APPEALED

Mr. MANDERINO. Mr. Speaker, I appeal the ruling of the Chair.

MR. RENWICK REQUESTED TO PRESIDE

The SPEAKER pro tempore. On the appeal from the ruling of the Chair that a bill is divisible, the Chair will have Mr. Renwick take over on the appeal.

THE SPEAKER PRO TEMPORE (WILLIAM F. RENWICK) IN THE CHAIR

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

Mr. WILLIAMS. Mr. Speaker, on the question on appeal, it seems to me, and I agree with Mr. Ryan from the beginning until the end, that it is absolutely, totally inconsistent to be able to divide a bill. Otherwise, there are no use at all for the amendment process. Every bill that we have can be amended by the question of dividing the question.

Mr. Speaker, I, therefore, say that no matter what the arguments are on either side, we must realize that there is no need for an amendment process if you can divide a bill.

The SPEAKER pro tempore. We are going to resolve that question immediately.

The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I understand the question before the House now is, will the ruling of the Chair be sustained?

The SPEAKER pro tempore. Exactly.
 Those voting in the affirmative vote to sustain the ruling of the Speaker. Those voting in the negative, vote not to sustain.
 Mr. MANDERINO. Mr. Speaker, I ask that all members vote in the negative.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the minority leader. For what purpose does the gentleman rise?

Mr. BUTERA. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BUTERA. Mr. Speaker, I do not think anyone has enjoyed what we have gone through in the last hour. It should not even have occurred.

So that we do not have a repeat performance, would you advise this House what the rule of this House will be, the precedent, if we vote to overrule the Chair's ruling?

Specifically, in the future, if someone attempts to divide a bill, what will the Chair's ruling have to be based upon precedent?

The SPEAKER pro tempore. It will be the ruling that a bill is not divisible.

Mr. BUTERA. Then I, too, urge that the members vote in the negative.

The SPEAKER pro tempore. Thank you.

On the question,

Will the House sustain the ruling of the Chair?

The following roll call was recorded:

YEAS—5

Fisher, D. M. Ritter	Wagner	Zeller	Zord
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NAYS—192

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

DeWeese	Jones	Parker	Wargo
DiCarlo	Katz	Petrarca	Wass
Dietz	Kelly	Piccola	Weidner
Dininni	Kernick	Pievsky	Wenger
Dombrowski	Klingaman	Pitts	White
Donatucci	Knepper	Polite	Wiggins
Dorr	Kolter	Pott	Williams
Doyle	Kowalyszyn	Pratt	Wilson
Duffy	Laudadio	Prendergast	Wilt
Dumas	Laughlin	Pyles	Wise
Fee	Lehr	Rappaport	Wright, D.
Fischer, R. R.	Letterman	Ravenstahl	Wright, J. L.
Flaherty	Levi	Reed	Yahner
Foster, A.	Lincoln	Renwick	Yohn
Foster, W.	Livengood	Rhodes	Zearfoss
Freind	Logue	Richardson	Zitterman
Fryer	Lynch	Rieger	Zwinkl

NOT VOTING—6

Englehart	Gray	Kusse	Fineman,
Gleeson	Irvis		Speaker

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the ruling of the Chair was not sustained.

QUESTION OF INFORMATION

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

Mr. RYAN. Mr. Speaker, what happened to that one that we divided and passed?

The SPEAKER pro tempore. We are going to reconsider that vote, Mr. Ryan, in order to get it in the right perspective.

THE SPEAKER PRO TEMPORE (A. J. DeMEDIO) IN THE CHAIR

The SPEAKER pro tempore. The Chair thanks the gentleman, Mr Renwick.

It would seem, in view of the fact that the ruling was not sustained, a motion now would be in order to reconsider the motion by Mr. Fisher that permitted the division in the first place of sections of HB 880.

PARLIAMENTARY INQUIRY

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

Mr. GALLEN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GALLEN. Mr. Speaker, along with this ruling is a resolution now divisible? Or was it ever?

The SPEAKER pro tempore. That matter is not before this body at this time. Therefore, it is moot.

Mr. GALLEN. I think it is important, Mr. Speaker, that we clarify it.

The SPEAKER pro tempore. It is a moot question. It is not before the body, and I believe we should not go into it. We have so much before the body as it is without going into other speculative matters.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. The Chair recognizes the gentle-

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

Mr. D. M. FISHER. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. D. M. FISHER. Thank you, Mr. Speaker.

I would like the record to reflect that on the motion to appeal from the ruling of the Chair, I voted in the affirmative to sustain the ruling of the Speaker strictly because I made the motion to divide. However, when I saw that the Speaker voted in the negative, I would like the record to reflect that my position was also in the negative, that a bill cannot be divided.

Now, with that in mind, I would then withdraw, if there is a motion to divide that I originally made before the House, I would withdraw the motion to divide. But at the same time I would like to reiterate my motion that started the whole thing, to put HB 881 on the table.

PART I OF HB 881 RECONSIDERED

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

Mr. MANDERINO. Mr. Speaker, this General Assembly has taken action on a portion, and I think we would have to reconsider that vote by which we passed that portion of HB 881. I now ask or move that we reconsider that vote on HB 881.

The SPEAKER pro tempore. The motion before the House is to reconsider the vote by which HB 881 was passed finally as to line 28 on page 17 and the end of line 6 on page 18.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—189

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

Dininni	Kernick	Polite	White
Dombrowski	Klingaman	Pott	Wiggins
Donatucci	Knepper	Pratt	Williams
Dorr	Kolter	Prendergast	Wilson
Doyle	Kowalyshyn	Pyles	Wilt
Duffy	Laudadio	Rappaport	Wise
Dumas	Laughlin	Ravenstahl	Wright, D.
Fee	Lehr	Reed	Wright, J. L.
Fisher, D. M.	Letterman	Renwick	Yahner
Flaherty	Levi	Rhodes	Yohn
Foster, A.	Lincoln	Richardson	Zearfoss
Foster, W.	Livengood	Rieger	Zitterman
Freind	Logue	Ruggiero	Zord
Fryer	Lynch	Ryan	Zwilk
Gallagher			

NAYS—4

Fischer, R. R.	Mowery	Ritter	Zeller
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NOT VOTING—10

Beloff	Gray	McGinnis	Fineman,
Englehart	Irvis	O'Donnell	Speaker
Gleeson	Kusse	Shelton	

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

**MOTION TO DIVIDE HB 881 WITHDRAWN
MOTION TO TABLE HB 881**

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

Mr. D. M. FISHER. Mr. Speaker, since the motion for final passage of that portion was reconsidered, I would now like to withdraw my motion to divide, but at the same time make a motion to put HB 881 on the table.

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

Mr. MANDERINO. I think we have debated the bill. I would ask everyone to oppose the motion to lay on the table so we can get along with passage of the bill.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—87

Anderson	George, M.	Mebus	Spencer
Armstrong	Goebel	Meluskey	Spitz
Bittle	Halverson	Miller	Stairs
Brandt	Hamilton	Moehlmann	Taddonio
Burd	Hasay	Noye	Taylor, E.
Burns	Haskell	O'Brien, D.	Taylor, F.
Butera	Hayes, S. E.	O'Connell	Thomas
Cessar	Helfrick	Pancoast	Vroon
Cimini	Honaman	Piccola	Wagner
Davies	Hopkins	Pitts	Wass
DeVertter	Hutchinson, W.	Polite	Weidner
DiCarlo	Katz	Pott	Wenger
Dietz	Klingaman	Pyles	Wilson
Dininni	Knepper	Reed	Wilt
Dorr	Lehr	Ritter	Wise
Fischer, R. R.	Levi	Ryan	Wright, J. L.
Fisher, D. M.	Lincoln	Salvatore	Yohn
Foster, A.	Mackowski	Scheaffer	Zearfoss
Foster, W.	Madigan	Scirica	Zeller
Freind	Manmiller	Seltzer	Zord
Gallen	McClatchy	Sirianni	Zwilk
Geesey	McGinnis	Smith, L.	

NAYS—107

Abraham	Gallagher	Lynch	Rhodes
Arthurs	Gamble	Manderino	Richardson
Barber	Garzia	McCall	Rieger
Bellomini	Gatski	McIntyre	Ruggiero
Bennett	Geisler	McLane	Scanlon
Berlin	George, C.	Milanovich	Schmitt
Berson	Giammarco	Milliron	Schweder
Bittinger	Gillette	Miscevich	Shelton
Borski	Goodman	Morris	Shuman
Brown	Greenfield	Mowery	Shupnik
Brunner	Greenleaf	Mrkonic	Smith, E.
Caltagirone	Grieco	Mullen, M. P.	Stapleton
Caputo	Harper	Mullen, M. M.	Stewart
Cassidy	Hoeffel	Musto	Stuban
Cianciulli	Hutchinson, A.	Novak	Sweet
Cohen	Itkin	O'Brien, B.	Tenaglio
Cole	Johnson	O'Donnell	Trello
Cowell	Jones	O'Keefe	Valicenti
DeMedio	Kelly	Oliver	Wansacz
DeWeese	Kernick	Parker	Wargo
Donatucci	Kolter	Petrarca	White
Doyle	Kowalshyn	Pievsky	Wiggins
Duffy	Laudadio	Pratt	Williams
Dumas	Laughlin	Prendergast	Wright, D.
Fee	Letterman	Rappaport	Yahner
Flaherty	Livengood	Ravenstahl	Zitterman
Fryer	Logue	Renwick	

NOT VOTING—9

Beloff	Gleeson	Iris	Fineman,
Dombrowski	Gray	Kusse	Speaker
Engelhart	Hayes, D. S.		

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 Erie, Mr. DiCarlo.

Mr. DiCARLO. Would either of the gentlemen, Mr. Manderino, or Mr. Pievsky, answer just a couple of questions?

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

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DiCARLO. Okay. Could you clear up, as least for the members on our side of the aisle, the moneys that are being appropriated under HB 881, the Federal augmentation bill? Are these moneys coming out of this year's budget, last year's budget, or are they surpluses? What is the money that we are voting on today?

Mr. MANDERINO. It is this current year's budget, and this budget will end on June 30.

Mr. DiCARLO. Okay. They are moneys that will expire June 30 of this fiscal year?

Mr. MANDERINO. Yes.

Mr. DiCARLO. Are they moneys that have lapsed? Are they moneys that have been blue-lined?

Mr. MANDERINO. In this bill, they are all Federal moneys. They are moneys coming from the Federal Government on proposals, on grants, and on legislation that they passed. As I explained, in some cases they are coming in greater amounts that we budgeted to the various agencies because we have taken

over the budgeting process. In other cases, they are less money.

Mr. DiCARLO. All right. Mr. Speaker, some of the programs are in here. As I read the bill, a lot of them look like new appropriations to me. I do not understand them. I want you to clear them up. Are these the items that Governor Shapp blue-lined or vetoed that we went to court about?

Mr. MANDERINO. I understand there is one item that Governor Shapp vetoed.

Mr. DiCARLO. All right, Mr. Speaker, where did the rest of the items come from?

Mr. MANDERINO. We made appropriations to various agencies based on the money that they were to get from the Federal Government. Do you understand it so far?

Mr. DiCARLO. Yes. If you would have done this in caucus, we probably would not have to do this.

Mr. MANDERINO. We appropriated moneys in amounts to those agencies that we felt they would receive from the Federal Government. In prior years the Governor, by executive order, gave those moneys.

Mr. DiCARLO. Okay.

Mr. MANDERINO. We now began to appropriate them last year. Some of the agencies are entitled to more money than we appropriated because the grants were higher, because Federal legislation was such that when interpreted gave them more money than we appropriated to them. We have allowed for that in the bill by increasing their appropriation by those amounts.

In some cases the money coming from the Federal Government going to these various agencies and bureaus, local governments, nonprofit corporations, was less than we had appropriated to them, and we are deleting those figures from our appropriation bill.

Mr. DiCARLO. All right.

Mr. Speaker, let me ask you, for example: Do you have the bill in front of you? Page 11, lines 25 and 26 - "National Historical Publications Commission 10,000."

Now that is underlined and that is inserted. Is that brand new language that was just put in? Is it a brand new program?

Mr. MANDERINO. This was a \$10,000 grant that that particular agency applied for, received from the Federal Government. The Federal Government sends it through state government, and we are appropriating it to them.

Mr. DiCARLO. All right.

What about on page 4, lines 27, 28, and 29? You have a sum of \$43,000 for a mobile day care service provided by the Philadelphia Association of Retarded Citizens. Is that a brand new appropriation or was that in the original budget?

Mr. MANDERINO. It is my understanding that that is money that the Bicentennial Commission has appropriated to that Philadelphia Association of Retarded Citizens to take and transport the retarded to various functions of the Bicentennial. These people applied for Federal moneys for those purposes and received the grant, and we are passing that through by this legislation.

Mr. DiCARLO. They did not receive the moneys before this?

Mr. MANDERINO. Mr. Speaker, the Bicentennial Commission granted, it is my understanding, this sum, \$43,000, to the Retarded Association for the transportation purposes that I ex-

plained. The Retarded Association—okay?—has applied for Federal funds to be reimbursed, and it is my understanding that this money will then go back to the Bicentennial Commission. Now when it gets to them, it will either be used to pay bills that they have or will be lapsed by them if it is unused.

Mr. DiCARLO. I do not even want to try and go over that again.

Page 3—

Mr. MANDERINO. If there is anything you do not understand, just ask another question.

Mr. DiCARLO. Page 3, lines 23, 24, and 25, under State Civil Service Commission, it says: "Patient and Child Care Selection Research Project." For research into personnel selection for patient and child care positions." Would you explain the number that is in brackets and then the number under that? What does all that mean? Does that mean they had an appropriation of \$32,000 and now you are increasing that appropriation to \$60,000?

Mr. MANDERINO. Again, if you will notice the figure of \$32,000—and that is the figure that we appropriated—they actually received on their proposal and grant from the Federal Government a \$60,000 item, and we are correcting the figure to conform to the grant that they received.

Mr. DiCARLO. Mr. Speaker, I guess my concern is that I have been under the impression that this bill was a deficiency appropriation bill.

Mr. MANDERINO. Only insofar as the cash grants in welfare were concerned and the four other items that were in HB 880; not in HB 881.

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

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

Mr. ZELLER. May I interrogate the majority whip?

The SPEAKER pro tempore. Will the majority whip consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, at the outset here did you say to us that this bill, HB 881, does not cost us anything?

Mr. MANDERINO. Does not do what?

Mr. ZELLER. It does not cost us anything, Mr. Speaker?

Mr. MANDERINO. No; I never said that.

Mr. ZELLER. What does it cost us? Would you mind telling the members here the figure?

Mr. MANDERINO. Are you talking about state funds?

Mr. ZELLER. Yes.

Mr. MANDERINO. In state funds, it is my understanding that the figure is \$23 million.

There are no state funds in this bill. The \$23 million was in HB 880. There are no state funds in HB 881.

Mr. ZELLER. I was informed earlier that there is \$23 million in this bill.

Mr. MANDERINO. That is in HB 880.

Mr. ZELLER. No; No; \$46 million in HB 880; \$23 million in HB 881. Let us get the facts straight.

Mr. MANDERINO. Mr. Speaker, the \$23 million that you are

referring to is the difference between the augmentations that we are putting in and the deletions that we are making. There is actually \$23 million more going to all of these agencies, all from Federal funds.

Mr. ZELLER. Nothing from the state?

Mr. MANDERINO. Nothing from the state.

Mr. ZELLER. That is not what the man told me earlier. I do not—

Mr. MANDERINO. He said there were augmentations of \$23 million. But they were from Federal funds. He may not have said that. You may have misunderstood.

Mr. ZELLER. Thank you.

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

Mr. CAPUTO. I just wanted to say that we need this bill. We need it; let us pass it.

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

Mr. FREIND. Mr. Speaker, would the majority whip consent to brief interrogation?

The SPEAKER pro tempore. Will the majority whip consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. FREIND. Mr. Speaker, since we apparently have \$23 million more than we bargained for, I wonder if you would be agreeable to holding this bill over so we could draft an amendment to refund the special prosecutor in Philadelphia?

Mr. MANDERINO. Mr. Speaker, the agencies that are receiving moneys under this bill are the agencies that we budgeted for in the past, agencies which have received grants. All this bill does with the Federal funds is adjust those grants made by adding and by deleting where they received either more or less in Federal funds than we appropriated.

Mr. FREIND. Are there not new items in there, Mr. Speaker?

Mr. Speaker, are there not new items in this bill?

Mr. MANDERINO. There may be new items in the bill, but they are items where the individual agency, municipality, or bureau made application for Federal funds. The applications were processed, and the moneys are now being appropriated to them.

Mr. FREIND. Well, let me ask you this, Mr. Speaker: What would happen if an amendment were put into this bill to fund the special prosecutor's office and the amendment passed?

Mr. MANDERINO. There would be no funds to pay for it.

Mr. FREIND. Even if funds were deleted somewhat from other programs in this bill?

Mr. MANDERINO. If money is granted for one particular purpose by the Federal Government, you cannot divert that money to something else once the grant has been approved. That is my understanding, Mr. Speaker.

Mr. FREIND. So you are saying it is technically impossible to do that. Is that correct, Mr. Speaker?

Mr. MANDERINO. Mr. Speaker, you have tried every which way to do what you are talking about, but you cannot do it in this bill.

Mr. FREIND. Thank you, Mr. Speaker. I appreciate the compliment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Reed.

Mr. REED. I have just one quick question for Mr. Manderino.

The SPEAKER pro tempore. Will the majority whip consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. REED. Mr. Speaker, on pages 14 and 15 there are three sections which struck my eye.

On page 14 under "Law Enforcement Assistance - Discretionary Grant" - For enforcement of Narcotic and Dangerous Drug Laws in the Philadelphia and Allegheny areas, a decrease appears to be in the neighborhood of 60 percent. Then on page 15—

Mr. MANDERINO. Which item are you talking about?

Mr. REED. Page 14.

Mr. MANDERINO. The last item on the page?

Mr. REED. Yes.

Mr. MANDERINO. \$1,554,000 to \$566,000?

Mr. REED. Right.

And on page 15 at the top of the page, parts (2) and (4) represent decreases in the financial investigation of high echelon drug traffickers in Pennsylvania and support of the Organized Crime Strategies Unit.

I am curious particularly with regard to some of the current problems that have been well publicized in the Office of Drug Law Enforcement, Pennsylvania State Police, and other agencies. What is the rationale behind those reductions, and in one case, the case of page 14, a rather drastic reduction? I am curious what is behind that.

Mr. MANDERINO. Mr. Speaker, I understand your question has to do with the last item on page 14 and the first two items on page 15?

Mr. REED. Correct.

Mr. MANDERINO. There are two different answers, really.

The last item on page 14 is a decision that has to be made to appropriate that less money because the Federal Government has funded much of this program directly with the counties and did not go with all of the grant money that we expected through the Governor's Justice Commission. The figures that we have here are what the Governor's Justice Commission has available for that program because the Federal Government chose to fund directly through the counties.

Mr. REED. Was that decision made by the Justice Commission or by the Federal Government? Who made it first?

Mr. MANDERINO. It is my understanding that the Federal Government made that decision first.

Now on the top of page 2, those adjustments were necessary simply because the Governor's Justice Commission gave us those figures, that being the only amount of money that was available in those categories.

Mr. REED. In other words, the Justice Commission made that decision?

Mr. MANDERINO. Yes.

Mr. REED. Thank you.

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—133

Abraham	Gallagher	Logue	Rieger
Arthurs	Gamble	Lynch	Ruggiero
Barber	Garzia	Mackowski	Salvatore
Bellomini	Gatski	Manderino	Scanlon
Beloff	Geisler	McCall	Schmitt
Bennett	George, C.	McIntyre	Schweder
Berlin	Giammarco	McLane	Scirica
Berson	Gillette	Milanovich	Seltzer
Bittinger	Goebel	Milliron	Shelton
Borski	Goodman	Miscevich	Shupnik
Brandt	Greenfield	Morris	Stapleton
Brunner	Greenleaf	Mrkonic	Stewart
Burd	Grieco	Mullen, M. P.	Stuban
Burns	Harper	Mullen, M. M.	Sweet
Butera	Hasay	Musto	Taylor, F.
Caltagirone	Haskell	Novak	Tenaglio
Caputo	Helfrick	Noye	Thomas
Cassidy	Hoeffel	O'Brien, B.	Trello
Cessar	Hopkins	O'Donnell	Valicenti
Cianciulli	Hutchinson, A.	O'Keefe	Wagner
Cohen	Hutchinson, W.	Oliver	Wansacz
Cole	Itkin	Pancoast	Wargo
Cowell	Johnson	Parker	Wass
Davies	Jones	Petrarca	White
DeMedio	Kelly	Pievisky	Wiggins
DeWeese	Kernick	Pratt	Williams
Dombrowski	Knepper	Prendergast	Wilson
Donatucci	Kolter	Rappaport	Wilt
Doyle	Kowalshyn	Ravenstahl	Wright, D.
Duffy	Laudadio	Reed	Wright, J. L.
Dumas	Laughlin	Renwick	Yahner
Fee	Letterman	Rhodes	Yohn
Flaherty	Livengood	Richardson	Zitterman
Fryer			

NAYS—60

Anderson	Gallen	Meluskey	Smith, E.
Armstrong	Geesey	Moehlmann	Smith, L.
Bittle	Halverson	Mowery	Spencer
Brown	Hamilton	O'Brien, D.	Spitz
Cimini	Hayes, S. E.	O'Connell	Stairs
DeVerter	Honaman	Piccola	Taddonio
DiCarlo	Klingaman	Pitts	Taylor, E.
Dietz	Lehr	Polite	Vroon
Dininni	Levi	Pott	Weidner
Dorr	Lincoln	Pyles	Wenger
Fischer, R. R.	Madigan	Ritter	Wise
Fisher, D. M.	Manmiller	Ryan	Zearfoss
Foster, A.	McClatchy	Scheaffer	Zeller
Foster, W.	McGinnis	Shuman	Zord
Freind	Mebus	Sirianni	Zwikl

NOT VOTING—10

Englehart	Gray	Katz	Fineman,
George, M.	Hayes, D. S.	Kusse	Speaker
Gleeson	Irvis	Miller	

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 recognize the gentle-

man from Dauphin, Mr. Reed. From what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. REED. Mr. Speaker. I would like to correct my vote. On HB 881, I inadvertently voted in the affirmative. I would like the record to show that I wish it to be in the negative.

Thank you.

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

HOUSE BILL NO. 486 RECOMMITED

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

Mr. MANDERINO. Mr. Speaker, on the calendar today—and I am not sure on what page—we have HB 486 which has been on the calendar for a considerable length of time. I think this is the last day.

The proponents of the bill, along with persons who object to certain sections and wording of the bill, have been working on amendments to that bill and have not achieved a final agreement. I would ask at this time for the purposes of amendments, and they tell me they think they can work out their problems and report the bill back to the House, that that bill be recommended to the Committee on Business and Commerce.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—185

Abraham	Gatski	McCall	Scheaffer
Anderson	Geesey	McClatchy	Schmitt
Armstrong	Geisler	McGinnis	Schweder
Arthurs	George, C.	McIntyre	Scirica
Barber	George, M.	McLane	Shelton
Bellomini	Giammarco	Mebus	Shuman
Bennett	Gillette	Meluskey	Shupnik
Berlin	Goebel	Milanovich	Sirianni
Bittinger	Goodman	Miller	Smith, E.
Bittle	Greenleaf	Milliron	Smith, L.
Borski	Grieco	Miscevich	Spencer
Brandt	Halverson	Moehlmann	Spitz
Brunner	Hamilton	Morris	Stairs
Burd	Harper	Mowery	Stapleton
Burns	Hasay	Mrkonic	Stewart
Butera	Haskell	Mullen, M. P.	Stuban
Caputo	Hayes, D. S.	Mullen, M. M.	Sweet
Cassidy	Hayes, S. E.	Musto	Taddonio
Cessar	Helfrick	Novak	Taylor, E.
Cianciulli	Hoeffel	Noye	Taylor, F.
Cimini	Honaman	O'Brien, B.	Tenaglio
Cole	Hopkins	O'Brien, D.	Thomas
Cowell	Hutchinson, A.	O'Connell	Trello
Davies	Hutchinson, W.	O'Donnell	Valicenti
DeMedio	Johnson	O'Keefe	Vroon
DeVerter	Jones	Oliver	Wagner
DeWeese	Katz	Pancoast	Wansacz
DiCarlo	Kelly	Parker	Wargo
Dietz	Kernick	Petrarca	Wass
Dininni	Klingaman	Piccola	Weidner
Dombrowski	Knepper	Pitts	Wenger
Donatucci	Kolter	Polite	White
Dorr	Kowalshyn	Pott	White
Doyle	Laudadio	Pratt	Wiggins
Duffy	Laughlin	Prendergast	Williams
Dumas	Lehr	Ravenstahl	Wilson
			Wilt

Fee	Letterman	Reed	Wise
Fisher, D. M.	Levi	Renwick	Wright, D.
Flaherty	Lincoln	Rhodes	Wright, J. L.
Foster, A.	Livengood	Richardson	Yahner
Foster, W.	Logue	Rieger	Yohn
Freind	Lynch	Ritter	Zearfoss
Fryer	Mackowski	Ruggiero	Zeller
Gallagher	Madigan	Ryan	Zitterman
Gallen	Manderino	Salvatore	Zord
Gamble	Manmiller	Scanlon	Zwikl
Garzia			

NAYS—10

Berson	Cohen	Itkin	Pyles
Brown	Fischer, R. R.	Pievsky	Rappaport
Caltagirone	Greenfield		

NOT VOTING—8

Beloff	Gray	Kusse	Fineman,
Englehart	Irvis	Seltzer	Speaker
Gleeson			

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

SUPPLEMENTAL CALENDAR

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

Mr. MANDERINO. Mr. Speaker, there is a supplemental calendar on the members' desks, containing HB 444. I ask that we take up at this time HB 444 which is before us for concurrence in Senate amendments. This bill was discussed today in both caucuses, and I would like to call it for a vote.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned HOUSE BILL NO. 444 entitled:

An Act amending the act of January 25, 1966 (1965 P. L. 1546, No. 541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning making an appropriation and providing for the administration of this act" providing for the maximum monetary amount of a scholarship award and defining the capacity of minors.

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

Amend Title, page 1, line 7, by inserting after "act," the following: "providing for the maximum monetary amount of a scholarship award and"

Amend Section 1 page 1 line 11, by striking out after "1." the word "The" and inserting immediately thereafter "Subsection (a) of section 7,,"; line 17, by inserting after "act," the following: "amended December 18, 1969 (P. L. 383, No. 169)"; line 18, by striking out after "amended" the words "by adding a section"

Amend Bill, page 1, by inserting after line 18 the following:

Section 7. (a) All scholarship awards will be based on the applicant's financial need, the minimum scholarship award being one hundred dollars (\$100) per academic year, the maximum

scholarship [being one thousand two hundred dollars (\$1,200)] shall not exceed one thousand five hundred dollars (\$1,500) per academic year and the maximum scholarship award shall be established annually by the board of directors of the agency at a maximum level not to exceed one thousand five hundred dollars (\$1,500) so as to keep expenditures within the funds available through reenactment of appropriations as provided for under the act of March 28, 1974 (P. L. 228, No. 50), relating to the forward funding of PHEAA grant program and/or from funds appropriated or made available from state, federal or other sources for grants during any fiscal year.

Amend Bill page 2, by inserting after line 13 the following:
Section 2. The Act is amended by adding a section to read:

Amend Bill, page 2, line 22, by striking out after "Section" the number "2" and inserting in lieu thereof "3"

On the question,

Will the House concur in the Senate amendments?

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

Mr. MANDERINO. Mr. Speaker, I move that this House do concur in the amendments placed in HB 444 by the Senate.

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

Mr. S. E. HAYES. I yield to the gentleman, Mr. Milliron, Mr. Speaker.

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

Mr. MILLIRON. Mr. Speaker, would the majority whip consent to interrogation?

The SPEAKER pro tempore. Will the majority whip consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MILLIRON. Mr. Speaker, I left caucus early today; you had said the bill was discussed there. Could you tell me, if you know, the intent of the Senate on increasing the limits to \$1,500? What I am getting at is, is there an intention or does it currently include, in the Senate budget that has been sent to us or voted on, an increase in available PHEAA funds?

Mr. MANDERINO. No; there is specific language in the amendment, Mr. Speaker, that was placed in by the Senate that they must operate within the appropriation that has been given to them.

Mr. MILLIRON. My question then, Mr. Speaker, and I had the bill in front of me.

I know in my district I have had a problem or a number of calls, as I am sure many other legislators have, that the amount that the eligible students are getting is going down and down because we have more students who are applying. Also several years ago the regulations of PHEAA - Pennsylvania Higher Education Assistance Agency - were changed where our veterans would receive the maximum amount. I have no complaint on that, but due to this influx of veterans receiving the full \$1,200, like I said, the other students who were not veterans were receiving a lesser amount. Again, there were other reasons. If there are no additional moneys in there, I do not see the

purpose of increasing the maximum amounts students can get.

The PHEAA brochures or information sheets that they send us state that, I think, the average grant is somewhere in the vicinity of around \$800; I am not sure. I do not recall totally. But I cannot see the reason for raising the limit when your middle-income families, with several children in college, which families are making \$13,000-\$14,000 are only receiving \$600 and \$700 now. I do not see the benefits of an increase for the large number of our students going to college.

Due to that, I would request one of two things. Do we get an explanation as to why it happened and either pass concurrence over until we come back or nonconcur and get an explanation by a conference committee?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, Mr. Manderino asked me to reply to Mr. Milliron.

Mr. Speaker, what this does is give the agency the opportunity to adjust their awards based on a maximum of \$1,500 with the amount of money that has been allocated last year and which is automatically reallocated without any additional funds to reach the figure of \$1,500.

Some of the reasons for that is that the economy and the tuitions in our schools or colleges and universities have gone up. Then our formula to reach that need now is to use \$1,500, and we used roughly one third of tuition, room and board or no more than 80 percent of the maximum.

Under the veterans' program this year, there were not that many veterans who had applied so that the agency had accumulated \$2.3 million to go to a \$1,500 maximum for everybody who had applied for this year. That would cost \$1,800,000. We already have \$2,300,000 in the agency. That is why we can say honestly and truthfully that there is no money needed to come up to the \$1,500 figure.

But to get to \$1,500 for a person who achieved an award of \$1,500, he would have to be applying to a university like the University of Pennsylvania where the tuition is \$4,600 or \$4,800. Our calculation, based upon the family income and how many dependent children, he would then possibly arrive at a figure of \$1,500 when the tuition would be \$4,600. He would then have to go out and get a student loan. He would have to apply for a BEOG - Basic Educational Opportunity Grant - application for a Federal grant.

That is what it is all about. We are trying to hit that level of the increased tuition in our state colleges and our private colleges and universities around the state with the funds that the agency now has and without any additional appropriation money because of the lack of veterans applying and a surplus of \$2,300,000 in the agency.

Mr. MILLIRON. Mr. Speaker, the Education Committee Chairman said exactly what I had thought but I was not sure of myself.

PHEAA does not have enough money now to adequately give money to the middle-class income families to help their children. Now what Mr. Gallagher just said was that so these students can go to the more expensive schools and we can pick up the one-third of their tuition, we want to raise the cap.

In my district, and there may be students there, but I do not know of one single student in my district who is a nonveteran—and I have no complaint with the veteran getting that amount. I was not aiming this at the veteran—but I know of not one single student who is getting \$1,200, the limit.

I certainly feel that we do not have enough money in the PHEAA program now, and by taking the cap off it we are just going to be giving those students at more expensive schools more money and the students that have to go to Penn State and have to go to Pitt and have to go to the other schools because of an income barrier are going to get less.

If this would be a great program and I would support it and I will support an amendment to the budget to increase the total PHEAA budget, but I do not support taking the same amount of money and redistributing it with a larger cap.

Mr. GALLAGHER. Mr. Speaker, I think the gentleman misunderstood what I was saying. Let us go back again. To reach \$1,200—and there is nobody in your district who could reach \$1,200 because we are using one-third of tuition, room and board based upon the family income. If your students in your district are going to the state colleges, they are not entitled to more than one-third, and that is for everybody in the state and that is the way it is now. If we go to \$1,500, we would use one-third of \$1,500, which would help the people in your district, not the people just going to the private, highly expensive tuition schools.

Mr. Speaker, we would have to show him precisely how the formula is computed to get to this figure. We do not rarely use the maximum amount unless the tuition was that expensive or unless the family was at \$6,000. For the tuition, room and board on their \$6,000 family income with three or four dependent children, they could get \$1,200 because their income was that low. If their income was at \$10,000 or \$11,000 or \$12,000 with the number of dependents at two or three, then they might get between \$600 and \$700 or \$800 going to a state college, which would be close to the one-third of the tuition, room and board. The balance they would have to get like everybody else does, whether they are going to a rich school or a poor school: They have to go and borrow the money through a state-guaranteed loan or go to the Federal Government for the BEOG. It is not that we, the agency, gives full tuition to any school. It is impossible to give full tuition to any school.

So I think what we are trying to do here is just meet the economy because the tuition is going up, whether they be the private or public colleges and universities.

The funds that we have now are adequate to meet the applications that are on record now. We are supposed to start making the awards between May 1 and May 15. So to calculate all that is why it is urgent that we do it now before next Sunday or this Sunday coming.

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

Mr. PYLES. Mr. Speaker, I wonder if the sponsor of the bill would stand for some interrogation.

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

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PYLES. Mr. Speaker, is it true that for at least the last 2 or 3 years the appropriation for the PHEAA grant program has been about the same, has been stagnant at around \$67 million?

Mr. GALLAGHER. Yes, it has been, Mr. Speaker. It has been the same amount for the last 3 years, and if the General Assembly decides to appropriate more funds, fine. The agency has asked for more funds.

Mr. PYLES. Is it then true, Mr. Speaker, that if we raise the ceiling for the individual so that PHEAA may give grants up to a maximum of \$1,500, there is a possibility that less of our children in the State of Pennsylvania may get grants, having the same ceiling on the total amount of money?

Mr. GALLAGHER. No; the same amount of students that applied last year and which is about the same amount this year would still be getting a grant and they would not be getting any less than they got before.

At our last board meeting—and everybody in the House knows there are eight House members, Republicans and Democrats, in this chamber who are on that board—we adopted new rules and regulations to calculate the family needs, what we anticipate the family to be able to pay for, how to calculate how much for a working mother, how much for more than one child in a college and to deduct from the family income down to a level that we could apply the grant decision and also allow the cap on salary up to \$20,000. That was done 2 weeks ago by the members of this House and the Senate who are members of the agency. We are doing this based upon about 139,000 applications that are on record right now. May 1 is the deadline. There are more coming in, but we have enough funds on hand to handle that.

Now if the General Assembly wants to increase the amount to bring it all the way up to \$1,500—it is not always up to \$1,500—if you want to do that when the general appropriation bill comes over, make sure you offer your amendments to raise it to the amount that the agency recommended.

Mr. PYLES. Mr. Speaker, are you saying that even though we may approve this as amended by the Senate, that the PHEAA board does not have to, by its rules and regulations, actually raise it to \$1,500?

Mr. GALLAGHER. No, we do not have to go up to \$1,500. It is a maximum that we are allowed to give. As I tried to explain to Mr. Milliron, if we have a family income of \$6,000 and they are going to the University of Pittsburgh or Temple University and the tuition is over or about \$1,050, that family could get up to \$1,200 right now until this is adopted. That kind of family could. Now it is obvious that they need more than \$1,200. Even if they got that, they would have to go out and get a loan and have to apply for the Federal BEOG program.

Mr. PYLES. Thank you, Mr. Speaker.

I am led to believe, from the explanation that even though we may approve a cap change from \$1,200 to \$1,500 for each individual student, that much of the determination as to the number of our students and our young citizens who get grants and the amount they get is greatly controlled by the procedures and rules and regulations by the board. Therefore, I am concerned that these rules and regulations promulgated may put the General Assembly in a position of requiring and mandating

more appropriations without any due recognition as to the needs of the total number of students we have.

Thank you.

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

Mr. JOHNSON. Mr. Speaker, I would like to ask Mr. Gallagher a question, please.

The SPEAKER pro tempore. Would the gentleman, Mr. Gallagher, consent to interrogation?

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. JOHNSON. Mr. Speaker, you are telling this body that there is money left over in PHEAA for 1976-77?

Mr. GALLAGHER. Mr. Speaker, what I was telling the General Assembly was that because of the lack of large numbers of veterans applying for the veterans' grants under the PHEAA agency, we have remaining \$2.3 million in the fund. And to meet the cap of \$1,500 with 139,000, almost 140,000, applications, it would cost the agency \$1,800,000. So that we have \$2,300,00 in the agency and we have enough to handle this right now.

Now should we have an extraordinary increase in other colleges and universities in their tuitions or we have a lot of late applications, then we will be coming here asking the General Assembly for additional funds to meet those applications. At the present time we can handle the applications we have on record right now.

Mr. JOHNSON. Thank you, Mr. Speaker.

Mr. Speaker, I want to bring it to the attention of the House that I have contacted that agency quite a bit on funding for the kids in my area and they have told me repeatedly that there have not been any monies for these kids if they are filed at a certain time. I am surprised to find from Mr. Gallagher there is money still over there, but I know in my area that kids have been turned down because they have run out of money. If Mr. Gallagher is telling me there is money still there, it seems like somebody is playing games with me.

I cannot go along with an increase of the appropriation to \$1,500 when I know I have been denied \$1,200 for kids. In my area most of the kids get the BEOG, which a lot of kids in private colleges are not eligible for. They get \$600 from BEOG and then they are allowed to get the rest from PHEAA.

If my area cannot get money now for these kids, then how can I vote to increase the appropriation when they told me there is not enough money? I am going to vote "no" on this resolution.

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

Mr. SCHWEDER. Mr. Speaker, I would like to speak briefly to some of the concerns that Mr. Milliron expressed.

What we are attempting to do in this bill is not to incur more debts than we can pay for. But right now as it currently stands, we provide \$2,000 to every student who goes to a state-owned college or university in this state without any criteria for what the relative worth of their family is or their family income.

What we are attempting to do here is to try and bridge the gap for those people who are in dire need of assistance to give

them the opportunity to choose any college or university in this state that they wish to attend.

What we are doing if we are really out to protect the middle-income people in this State is, we are gradually, over the years, forcing an economic condition which eventually will force all middle-income students to attend state-owned colleges and universities in this state because they cannot afford to attend other schools. In the long run, if we drive those schools out of business, we will be forced to offer in all the state-owned schools all different programs that are currently in a private sector, which will be a much greater expense to the Commonwealth in years to come.

So what this is attempting to do is to merely raise the level for those people who are in need and show the full financial need to try and bridge the gap between the private and the public schools of this Commonwealth. I ask for concurrence in this bill.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate Mr. Gallagher.

The SPEAKER pro tempore. Will the gentlemen, Mr. Gallagher, consent to interrogation?

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I raise the question concerning the problem that I raised in the Education Committee meeting, and at that time I think some people from PHEAA where there. I raised the question as to how would the \$1,200, which is presently a maximum and assuming that did not exceed \$1,500, affect the overall cash-grant flow for those individual persons, specifically students who are going to school in our districts. It was stated at that meeting to those individual persons that there would be a cut, and I would like to know, although it looks good on pieces of paper here saying it is going from \$1,200 to \$1,500, how specifically is it going to help aid the students of this Commonwealth of Pennsylvania? I would like to know the answer to that question, Mr. Speaker.

Mr. GALLAGHER. Mr. Speaker, I will try to give the gentleman the answer and I hope he will understand it. When we start to calculate the grant, we have a maximum of \$1,200. The agency has decided over a number of years that we would use one-third of \$1,200. Then we have to take into consideration the family income, the tuition, room and board, et cetera. But the maximum we can give for any given grant would be \$1,200 at the present time. What would happen if there is \$1,500? That would mean that we would have that much leeway in the method of adjusting because of the increased tuition and the room and board increase because of the economy.

So what we are doing here is between an additional \$100, \$200, or \$300 that the average student, who is now a recipient, could be getting in that category. It may be \$100; it may be \$200 or \$150 or may it be \$300 less, much less than the \$1,500. It would still be no more than 80 percent whether it be \$1,200 or whether it be \$1,500.

So that in essence, Mr. Speaker, the applicants in your district, if they are going to the state colleges and state-related

universities, will be getting maybe \$50, \$75, \$100 or \$150 more than they are getting under the present system. So in your area it would be dependent upon the family income, the college he is going to and the number of dependent children he has. All those things have to be considered before the grant is awarded. Under this system of raising it \$300 more it is to the benefit of all the applicants, not just to a selected few.

Mr. RICHARDSON. Mr. Speaker, is it true that the formula that is being used now—let me rephrase this. What is specifically the formula that is being used now to determine how a person will get that \$50, \$100, or \$150 that you are referring to? How is that determined by the agency?

Mr. GALLAGHER. Well, again I will try to go back. First they fill out an application, and on that application we want to know what their family income is; we want to know how many dependent children they have; we want to know what type of accredited college or university in the United States it is, and particularly in Pennsylvania, when we arrive at those figures. And they vary by family, by student and by application. It varies.

So the best way that I can do it is to say, if they earn \$6,000 and they had three dependents and they were going to a state college, like if they were going to Kutztown, West Chester, Cheyney in the Philadelphia area, they would be getting no more than 80 percent of \$1,500 if this bill is adopted. With a \$6,000 family income, they would be getting the maximum but no more than 80 percent of \$1,500. In addition to that, they have the opportunity for a BEOG application for a Federal grant. The Federal grant takes into consideration the same method that Pennsylvania does. They supplement that grant that we do. That is one of the reasons why we have additional funds and we are able to handle more applicants, because we mesh together what they get from Pennsylvania and what they get from the Federal Government. We help them to get a student guaranteed loan opportunity so that they can mesh together their needs and their dollars to go to college.

It is hard for me, Mr. Speaker, to say that this applies to everybody in your district, because maybe some of them are making \$6,000, \$8,000, \$10,000, \$12,000. Some might have one dependent child; some might have six dependent children. It varies but that is the way it is calculated.

Mr. RICHARDSON. Well, that is my concern: Specifically, when you have an emancipated student who does not have any dependents and who does not have any individual whom they are allotting in terms of salaries, and even with that we do not even get the maximum awards in our district at all.

I am saying to you that it would seem to me that if there is a maximum ceiling now of \$1,200 for in-state and \$800 for out-of-state education, you could tell us why it is that there seems to be a difference when it comes down to the students whom we call over to PHEAA and ask specifically about in terms of the amount of money that they are getting when it is not based on \$6,000, when it is based on no other income at all, Mr. Speaker. That affects most of the members of this House.

Mr. GALLAGHER. Mr. Speaker, if they had no income at all, they would be entitled to a grant. But they would not get \$1,500. They would not get \$1,200. They would get no more than 80 percent, usually one-third of their tuition, room and

board, and they would apply for the BEOG application and for the state guaranteed loan application. So that it is beyond me to hear you say that there are people in your district who are not getting anything.

Mr. RICHARDSON. Well, there are.

Mr. GALLAGHER. Well, you had better let us know who they are and help them to apply properly because if they do not have any income at all and have no dependents and they are independent people, they are what we call emancipated students.

Mr. RICHARDSON. I just said that.

Mr. GALLAGHER. Emancipated from their parents, they are entitled to apply and they are entitled to the funds but they are not going to get \$1,200 under the present program.

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

It would just seem to me, Mr. Speaker, that the bill that is presently before us—and I have tried to get some answers based on the fact that it would seem to me that although the legislation in this form, based on the financial needs of the applicant—says that it is going from \$1,200 to \$1,500 but does not clearly answer how we are going to get that maximum ceiling cap that is presently being applied for those individual students who are going to school. It seems to be that there is some *subterfuge or some information* that is not being given to us, which is not allowing us to get a clear understanding of how there is a formula that says that you are allowed 80 percent of that particular maximum. That is what you get. I am not clear on how you do that. I am not clear that a number of the other legislators are. I think that people will vote for it because \$1,200 increased to \$1,500 sounds like a lot of money.

I have tried to get the answers from you at the meeting of the Education Committee. And I tried to find out how we are going to best serve the students who are asking. As I understand it, although that \$1,500 maximum is there, there are a number of our people in our district who are going to be affected by this rise because a certain amount of individuals will get money and a certain amount of individuals will not get that money.

I think that perhaps maybe in the Speaker's wisdom, he should try to clarify and clean that up because a number of us are concerned about the fact that some people will get money while other students will not.

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

Mr. COWELL. Mr. Speaker, would Mr. Gallagher submit to another question or two, please?

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

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. COWELL. Mr. Speaker, I am just slightly disturbed about one thing: If we look at the budget that the Senate sent over, I guess today, we find that the aid that goes to our private institutions under the Institutional Assistance Grants do not increase as it has been explained to me. As we look at the funds that are being given to our state-related schools and our state-college system, they do not go up very much; maybe a couple thousand dollars here and there, but certainly far less than those institutions requested.

My concern is that before we have finally settled that particular issue on how the big budget, the general fund budget, is going to impact on students attending private schools, students attending our state-related schools as well as students attending the institutions that belong to our state system, we are taking up this question that I think is very valid and very important, but it is also very slanted. Because as it has been admitted already by the speaker, it is going to impact on a limited number of students, basically students attending private colleges.

What I am concerned about is, one, that limited impact before the big picture is settled; and, secondly, I am concerned, Mr. Speaker, with the impression that I think is being left with this House, that there is extra money in PHEAA.

I am afraid that when we get around to the budget question, if we decide to accept what the Senate has sent us, if we do not increase IAG and if we do not substantially increase the moneys for our state schools and state-related schools, people are still going to be left with the impression that, well, PHEAA is in pretty good shape because we had extra money. We will probably at that point fail to grapple with the question of how we are really going to help some of those students who do have the true need then attending all of these institutions.

Mr. Speaker, that was a long buildup to the question, but the question is, can you more specifically explain to us just what the financial status of PHEAA is right now? Perhaps you could explain that in terms of noting the impact of HB 444 and the number of students who would be affected by it. I think a lot of people are left with the impression that there is a lot of extra money and that this is going to provide all kinds of extra dollars for a large number of students. Is that true?

Mr. GALLAGHER. No, Mr. Speaker.

Firstly, I explained earlier that there was \$2,300,000 in the PHEAA account because of the veterans not applying to the veterans' section of the PHEAA application agency.

In other words, the General Assembly appropriated that we are going to give veterans \$1,200. That we by the General Assembly. The regulations we are not applying to veterans by the agency.

We did not have that many veterans as were funds appropriated. So this year, in this fiscal year, we find out because of that lack of application by veterans, we have \$2,300,000 in the agency. Now that is one situation why it is there. It is not because we were stringent on other applicants.

The other part of it is that about 2 years ago or better, this General Assembly passed into law that we would get the same amount every year, effective May 1, whether or not it was adopted by the General Assembly; we would automatically get the same amount of money and that was when it was around \$63 million or \$65 million, something in that vein, which I think was almost 2½ or 3 years ago.

So we are at that level. We got Supplemental Security Income, Federal fund money. We will also receive from the now General Services Agency the premium profit from insurance. Whenever the state purchases insurance, instead of a broker getting a commission, that commission money comes into the agency. Those are the kinds of funds that we deal with.

Now you say that because of making that fact public that peo-

ple will say, well, we do not have to appropriate any more money to PHEAA than what they have now. Now if we are going to stay with the same regulations, that is correct; we will not have to appropriate anymore money. But if you want to go up and see to it that the students get a full \$1,500 maximum, then we would have to appropriate at least \$8 million to \$9 million more to the agency to reach that actual \$1,500. Instead of using 80 percent of \$1,500, we would use 100 percent of \$1,500 or \$1,200, or whatever the General Assembly adopts into law.

We have been at \$1,200 since 1965 when this went into effect. That is 12 years we have been at \$1,200. We have not raised that cap. We are asking that it be raised this year because of the economy and because the public colleges and universities have not announced yet what their tuition is going to be. They are talking about \$50 to \$75 to \$100 increase in the public colleges and universities.

The private colleges and universities have not announced to us yet what their tuition is going to be. They are going up. They are talking about it in the same vein. Basically, private schools would go up \$75, to almost \$200 more on tuition and room and board.

The agency unanimously as a board has adopted a recommendation to the Budget Secretary and to the General Assembly and to the Appropriations Committee Chairman of the House and Senate that we would ask them to give us, I think, roughly \$11 million more than we normally would receive, not because of the cap but just because of the economy and the impending tuition rise in the state colleges and the private colleges.

Mr. COWELL. Mr. Speaker, I would make one request of Representative Gallagher and the other members of this House who happen to sit on the PHEAA board, and that is that they monitor this situation closely, particularly as the state budget takes shape, and that they report back to this House before we get too far down the line and about that same time that the budget does take shape. I am concerned that particularly if we accept the budget that has been sent over by the Senate or anything similar to it as it again impacts on higher education in this Commonwealth, there will be an awful lot of students in private schools, particularly at out state institutions and our state-related institutions, who will find themselves suddenly confronted with huge tuition increases. I think that we can deal with that at least in part. If we choose not to deal with it in the budget in terms of appropriations to those institutions, we can at least deal with it in part through a higher PHEAA appropriation. So, Mr. Speaker, I would make that request of the members of the PHEAA board and I think that type of information would be very helpful to us as we consider the budget in later weeks.

Thank you.

Mr. GALLAGHER. Mr. Speaker, I accept that recommendation from Mr. Cowell and will see that the agency tries to provide the General Assembly with that information.

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

Mr. BITTINGER. Mr. Speaker, Mr. Pittenger was the former

Secretary of Education. My name is Bittinger.

And my question has been answered. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. CESSAR. Thank you, Mr. Speaker.

Would the gentleman, Mr. Gallagher, consent to a brief interrogation?

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

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. CESSAR. Mr. Speaker, approximately 4 years ago the cap on the grants was \$800. Is that correct?

Mr. GALLAGHER. Would you repeat that?

Mr. CESSAR. I will rephrase it. Four years ago the cap on the grants was \$800. Is that correct?

Mr. GALLAGHER. It was, I guess, about 4 years ago for out-of-state, \$800; now it is \$600 for out-of-state.

Mr. CESSAR. No, the maximum grant, Mr. Speaker?

Mr. GALLAGHER. The maximum has been \$1,200 since 1965.

Mr. CESSAR. And it has never changed?

Mr. GALLAGHER. It never changes; it is set by law.

Mr. CESSAR. My understanding was that approximately 3 or 4 years ago we did cut back and the maximum grant was \$800.

Mr. GALLAGHER. The maximum grant could be \$800, depending on what kind of a situation the student is in, but the maximum grant by law is \$1,200.

Mr. CESSAR. All right. What were we paying at that time?

Mr. GALLAGHER. What?

Mr. CESSAR. Were we paying \$800?

Mr. GALLAGHER. At times we were paying \$800, depending upon the family income, how many dependent children, what college or university they are going to.

Mr. CESSAR. All right. At that time, Mr. Speaker, did we make a change in the cap?

Mr. GALLAGHER. No, we never—

Mr. CESSAR. Not for any of the schools, private or state-related?

Mr. GALLAGHER. The scholarship agency has never made a change in the cap. It is set by law by the General Assembly, and we cannot make that change by agency. It has to be by the General Assembly, by law. It is part of the law, and we are allowed only to go up to \$1,200. Over the years, based upon how much money is appropriated to the agency, we have had to set the adjustment through rules and regulations to meet the amount which was appropriated to us. At times we have used one-third, one-quarter, sometimes 60 percent, based upon what the General Assembly appropriated to the agency, but at no time could we give more than \$1,200. That is set by law.

Mr. CESSAR. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, I would relinquish the floor to the lady, Mrs. Wise. She has been waiting.

The SPEAKER pro tempore. The Chair recognizes the lady from Centre, Mrs. Wise.

Mrs. WISE. Thank you.

Mr. Speaker, there are two points here that have not been brought out that I think are important to bring out: Number one, every youngster must reapply every year and must then get a reallocation depending on his or her own financial status, the family change, and the need that is based according to what has happened to the college or university; number two, Mr. Cowell was quite right, most of these colleges and university tuitions are going to go up far more than \$50. What this does, if we raise the level to \$1,500, is to give more flexibility to the putting together of loans and grant packages, because many colleges have their own loan and grant packages which are only given as they match an amount from the Pennsylvania Higher Education Assistance Agency or the Basic Education Opportunity Grant, or all the rest. This will, in fact, make more money available to the low-income youngster, whether he is going to a state college, state-related university or to a private school. It may make less available to a higher-income youngster.

I think it is very needed and overdue, and I would urge you to support it.

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

Mr. LAUGHLIN. Mr. Speaker, would Mr. Gallagher please consent to a brief interrogation?

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

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, the grants from last year that were ruled or decided by the PHEAA board to be late, were there any grants that were applied for late that were not paid?

Mr. GALLAGHER. Yes, there were some grants that were awarded to those who were late, until we ran out of money.

Mr. LAUGHLIN. In other words, Mr. Gallagher, what you are saying is that those applications which came in late when the PHEAA fund went completely down were not awarded. Is that correct?

Mr. GALLAGHER. That is correct.

Mr. LAUGHLIN. And now today you are suggesting that we raise the grant of those who are receiving the maximum funding, and at the same time we may well experience the circumstance of late applicants who are in need, nonetheless, being denied money because we have increased, in fact, the amount that we are giving on a maximum grant? Is that correct?

Mr. GALLAGHER. No, that is not really correct.

Mr. LAUGHLIN. Would you explain it then, sir, if it is not correct?

Mr. GALLAGHER. It depends on how many applicants are coming in late after May 1. For example, I think you all received a memo from the agency indicating that the agency will accept late applicants from members of the General Assembly up to May 9, as long as they are dated May 1. That is to try to take care of that situation. It depends upon how many late applicants we have. At the same time, while we have this sur-

plus that I am talking about now, that surplus did not appear until after the deadline for the regular students. The regular students have to apply by May 1. Veterans can apply at any time, and we noticed that this year in January and February that they were not applying. They did not meet the September quota or the January quota of applicants for all the state colleges because the colleges accept them in September and January. A veteran can apply at any time. We would not know that until they stopped reapplying. At the same time you have the regular student applicant applying and having a deadline of May 1. Last year I think we had about 3,000 or 4,000 late applicants, and we tried to handle as many as we could under those dollars that were in the fund appropriated by the General Assembly. We could not touch that veterans' money because we still could anticipate veterans applying at any time. Now we are finding that they are not applying and that type of application is not coming in in great numbers as it was in the beginning when we first created it.

Mr. LAUGHLIN. Mr. Speaker, thank you for the lengthy answer, but you really did not address yourself to the question. The question, sir, is, what amount of money was left over this year? Your response was \$2 million. When I asked you if all late applicants had been awarded a grant, you told me "no." Now that indicates very clearly to me that there were people who applied last year late who did not receive money. I cannot see how you could say anything but that, based on the figures you are giving me.

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

Mr. BELLOMINI. Let me see if I can clear this just a little bit for Representative Laughlin. The fact is that we are talking about late applicants. The money that you brought out was the \$2.3 million. That is for veterans only, for applications of veterans only.

Now to get back to the late applications: As the department handles the late applications, they write a letter to the student who is involved. If there is money available this coming January, then according to the date they send their late application in, they will be considered. Now you know that many times people apply to a college and attend college one month, three months, and they drop out of college. Well, they only receive a third of their grant or a half of their grant, and that money is replaced and brought back to the department and this is applied to the amount of money that is left over. And these students who are applying with late applications will receive the amounts of money—and I repeat again—according to the date they send in their late applications. I hope I cleared that.

Mr. LAUGHLIN. Really, no, Mr. Speaker, you did not clear anything; all you did was explain something I already knew. What I am saying to you, sir, is this: that we have a \$2.3 million surplus. We had late applicants last year, according to Mr. Gallagher's testimony, not awarded money, yet we have a \$2.3 million surplus.

Now that money that was appropriated for PHEAA came from the funds that we appropriated last year in the budget, if you recall. That money was available to take care of these late applicants, yet it was not. Now that means that we have \$2.3

million this year and we are once again going to raise the appropriation that we give each individual student on a maximum basis and, at the same time, we are once again, very probably, going to be turning down legitimate applications of those who file late, students who are in need, students who definitely need help to go to college.

I do not think that the members of the PHEAA Board—that means yourself and Mr. Gallagher—should be raising the figure of the maximum rate without total consideration of what you are doing to other students who apply for loans, or grants, rather, to go to college.

Let me say this to you, Mr. Speaker, that as far as I am concerned, I would ask you and Mr. Gallagher to go back to the PHEAA Board and possibly devise a new set of guidelines for appropriating the money on the need factor for the students; possibly adjusting those need factors to make money available to the students in that middle bracket, in that lower bracket, without giving so much, the \$300 consideration, to the maximum bracket, rather than to go the way you are going.

I would ask the members of this House at this time to vote this bill down or to vote it down as based on the Senate amendment and possibly get a conference committee, wherein we can do something with it to help all of our students rather than to just deal with that group which is in the upper group as far as finances are concerned.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bellomini.

Mr. BELLOMINI. I would just like to make it clear to the assembly that the \$2.3 million that was left over was legislated for just veterans only. Now at that time, if Mr. Laughlin is explaining that we should have used that money, then we in the legislature should have taken action at that time to help the late students. Right now we have not done this, so precisely at this time there is separate legislation for \$2.3 million. I feel today that we should support HB 444 for the reason that they are using the maximum figure because I think there will be more money involved in the PHEAA system this year.

Thank you.

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

Mr. LAUGHLIN. Mr. Speaker, that \$2.3 million that Mr. Bellomini mentioned is going to be funds that would lapse otherwise. That money could well have been reestablished and reappropriated within that section to take care of late people who are applying for grants. It could as well have been addressed to this new year that they are talking about to give consideration to those who are in the middle group and the lower group who need additional help by revising those guidelines. I do not believe for one minute that we are doing the right thing by raising the ceiling before we take care of those who are in need.

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

Mr. KOWALYSHYN. Mr. Speaker, would the gentleman, Mr. Gallagher, consent to interrogation?

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman may proceed.

Mr. KOWALYSHYN. Mr. Speaker, I would like to ask you whether my understanding of your explanation of this situation is correct? I understand that this is a first \$300 step-up of grants to students. It is in the form of a \$300 step-up for a very limited group, the veterans who have undersubscribed the amount that was estimated that they would need.

Now, you mentioned that it would take an additional \$8 to \$9 million to be appropriated in next year's budget. Do you mean that that will be required if you are going to have a \$300 step-up all the way down the line for the regular students? Do you have in mind to be fair and to give a step-up to the regular students? That would require \$8 to \$9 billion additional, as you stated, in next year's budget.

Mr. GALLAGHER. No, Mr. Speaker. I said that the agency had recommended to the Budget Secretary \$8 to \$11 million additional not because of the \$1,500 cap. This is just on the present law of \$1,200 because of the economy and because if we wanted to go beyond one-third of tuition, room and board and if the agency wanted to go that high or go higher but still go up to no more than 80 percent of the cap, that would cause us to come to the General Assembly, which they have already done by letter to the Appropriations Committee and the Budget Secretary, for a recommendation of the budget to be a \$8 to \$11 million additional.

The money that I spoke of, the \$2.3 million, I will read it to you right from the agency, "The partial program for 1977-78, adjusted for reduced veteran applicants and increased offset of BEOG, has been established by the PHEAA Board with completion of 77-78 program is to come from remaining \$2.3 million without additional state appropriations." It is because of the reduced veterans applications and because of the BEOG offset that we are able to have \$2.3 million for 1977-78. That we have adjusted by regulations of the board, how to meet it at \$1,200 max or \$1,500 max. This can be done without coming to you.

Thus, the reaction that we got from the Appropriations Committee, the Budget Secretary and the Governor's budget, himself, was that we get the same amount that we got in the last 3 years.

Mr. KOWALYSHYN. Mr. Speaker, I understand what your answer is is that I am only talking about veterans. You have said nothing about your intentions with regard to the regular student grants. Is that correct?

Mr. GALLAGHER. Mr. Speaker, I am trying to explain to you why we have \$2.3 million for 1977-78. It is because of the reduced veteran applications and because of the increased offset of BEOG that we are able to take \$2.3 million, the agencies, in-house, and distribute that among the regular applicants. Now do you understand that? We want to expend that among the regular applicants, not just the veterans, but the regular applicants, because there is an offset from BEOG and because there were reduced applications from veterans. Because of that we can go up to the maximum, raising it from \$1,200 to \$1,500, without coming to the General Assembly and saying, to meet that "max" of \$1,500 we need this money. We can do it in-house but they will not—very few if any would—get the maximum of

\$1,500. You have to have a ceiling to work with. We have to have the leeway to work under it, and we always work under it. We have always been under \$1,200. For in-state we have been at a maximum for out-of-staters at \$600. It is very difficult to explain it like this unless I have a blackboard and you would show me the case in point. I could then show you exactly how much they would get and why they would get it.

Mr. KOWALYSHYN. Well, Mr. Speaker, we have been informed, and we certainly understand, that expenses for a college student, no matter which category it is, have been increasing. Therefore, there would be merit in a step-up for them. I understand that your position is that in order to have a \$300 step-up for the regular students down the line, you called it a figure of \$8 to \$9 million more in next year's budget. Is that correct?

Mr. GALLAGHER. Mr. Speaker, that is only if we are going to go above the amount and the percentage that we do now. If we were going to go up to \$1,500 maximum for everybody, we would need additional moneys to do that. We used the maximum of \$1,200 right now; that is the law, \$1,200. We do that with the moneys appropriated by the General Assembly. We have to adjust the regulations and the methods in reaching the amount of the awards. If we are going to come in here and ask you for additional money, we would ask you for additional money and then we could go up to a maximum of \$1,500. The maximum is used for calculations in determining the grants, not that everybody is going to get \$1,500.

Mr. KOWALYSHYN. Thank you.

Mr. Speaker, I would like to state that it is still my conclusion that this bill is only a first step in increasing the amount of grants all the way down the line to college students in each category, and at the moment the case is limited to the veterans group. The regular students will be coming in for a same \$300 increase in grants because the expenses have increased. That will require, and we have had an estimate from Mr. Gallagher, somewhere between \$8 and \$9 million additional in next year's budget.

Thank you.

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

Mr. WILT. Mr. Speaker, I would like to reassure the members of the House, especially Mr. Kowalyszyn as a member of that board, that I have no intentions of coming here as a member of that board and asking this House for any additional dollars. I do, however, support HB 444.

Mr. Gallagher has tried to outline for you where the additional moneys are coming from so that we can increase the grants. There is a piece of confusion about the reserves or the surplus as Mr. Laughlin has referred to them. The impression is that there is \$2.3 million that was not expended in last year's appropriation or budget, and this is just not so. We are talking about next year's fiscal year. By the projections of the bureau, by PHEAA, we know that our requirements for veterans will be down, thus leaving for next year \$2.3 million more than we had this year. Take and add to that the increase which we get from BEOG, which is the Federal program that gives us the latitude in the program to raise the maximum to \$1,500 if it is so needed by various select groups of students.

I ask my colleagues on this side of the aisle to vote for it. It is a legitimate thing, with my personal commitment that you are not committing yourselves to any additional moneys for PHEAA in this fiscal year.

On the question recurring,

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

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

YEAS—166

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

NAYS—29

Barber	George, M.	Laughlin	Shelton
Cassidy	Goebel	Milliron	Stewart
Cessar	Hamilton	O'Brien, D.	Wagner
Dininni	Harper	Rhodes	White
Doyle	Johnson	Richardson	Williams
Dumas	Katz	Salvatore	Wright, D.
Fisher, D. M.	Kowalshyn	Schmitt	Zord
Fryer			

NOT VOTING—8

Beloff	Irvis	Novak	Fineman,
Gleeson	Kusse	Valicenti	Speaker
Gray			

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

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. OLIVER. Mr. Speaker, on the vote on concurrence in amendments inserted by the Senate to HB 444, I voted in error. I would like for the record to show that I voted in the negative.

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

CALENDAR

LABOR RELATIONS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 676, printer's No. 1015**, entitled:

An Act prohibiting public employers from firing public employees who lose time from employment in the line of duty as volunteer firemen and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. RITTER offered the following amendment:

Amend Sec. 2, page 1, line 11, by striking out "shall" and inserting may

On the question,

Will the House agree to the amendment?

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

Mr. RITTER. Mr. Speaker, the reason for the amendment is that the bill presently—and I have no quarrel with the intent of the legislation—mandates that any employe of the Commonwealth or any political subdivision, school district, authority, et cetera who takes time off from his job to fight fire shall be compensated, shall be paid his salary, for those particular days or hours. I think it ought to be a "may" provision. I think that that ought to be a matter of negotiation between the employe and the employer.

When we passed HB 677, we did not mandate the private employer, rightfully so, because I guess we could not if we wanted to. I think that we ought to be consistent and if we are saying to the private employer that you may employ if you choose, I think that we ought to give the same discretion to our local municipalities, to our school districts and, yes, even to the Commonwealth itself. That is the reason I have offered the amendment, to simply say that you may compensate but that we are not going to guarantee that you are going to get paid your salary. I ask support for the amendment.

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

Mr. BURNS. Mr. Speaker, I oppose the amendment. I just think that these gentlemen who are out risking their lives fighting fires should not lose wages from a public institution, which we can regulate.

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

Mr. CAPUTO. Mr. Speaker, will the gentleman, Mr. Ritter, agree to a short interrogation?

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

Mr. RITTER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman indicates that he will. The gentleman may proceed.

Mr. CAPUTO. Mr. Speaker, would the gentleman take a look at HB 676, line 11, which he seeks to amend?

Mr. RITTER. I have it.

Mr. CAPUTO. Mr. Speaker, after looking at it, does he think that by changing the word "shall" there to "may" that the municipality or the Commonwealth could negotiate whether or not they paid these volunteer firemen?

Mr. RITTER. I think so, Mr. Speaker. I think that with the word "shall", there is no question but that they would have to pay a salary.

Mr. CAPUTO. You know if the word "shall" was the verb to the "municipalities shall not pay," I would agree with them. But I do not think that he is getting across his idea about the amendment he is offering.

It merely says that an employe working at a fire may not lose compensation, and if he shall not lose compensation, in that sense the words "shall" and "may" are both the same.

Mr. RITTER. Well, I do not know about the semantics, Mr. Speaker, but I took the word "shall" out because it seemed to me that that was absolute.

Mr. CAPUTO. Well, I think, Mr. Speaker, that if the gentleman intends to amend the bill so that the municipality or the Commonwealth shall have the prerogative of deciding whether or not to pay, or making it part of their contracts or negotiations with employes, then he should have the sentence changed around to say that specifically.

HOUSE BILL NO. 676 TABLED

Mr. CAPUTO. Under the circumstances, I would move to lay HB 676 on the table until Mr. Ritter could come up with a proper amendment.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—105

Abraham	Flaherty	Manderino	Schmitt
Anderson	Foster, A.	McIntyre	Scirica
Arthurs	Foster, W.	Mebus	Shelton
Barber	Fryer	Meluskey	Shupnik
Bellomini	Gallagher	Miller	Smith, L.
Bennett	Geisler	Moehlmann	Spencer
Berlin	George, M.	Mowery	Stapleton
Berson	Goodman	Mullen, M. P.	Sweet
Borski	Halverson	Musto	Taddonio

Brunner	Harper	Novak	Taylor, F.
Burd	Hasay	O'Connell	Thomas
Caltagirone	Haskell	Oliver	Trello
Caputo	Hayes, S. E.	Parker	Vroon
Cianciulli	Helfrick	Pievsky	Wargo
Cole	Hoeffel	Prendergast	Wass
Cowell	Hutchinson, W.	Rappaport	White
DeMedio	Kelly	Ravenstahl	Wiggins
DeVerter	Klingaman	Reed	Williams
DeWeese	Kowalyshyn	Renwick	Wilt
Dietz	Laudadio	Rhodes	Wise
Dombrowski	Laughlin	Richardson	Wright, D.
Donatucci	Lehr	Rieger	Yahner
Dorr	Levi	Ritter	Yohn
Doyle	Livengood	Ruggiero	Zeller
Duffy	Logue	Scanlon	Zitterman
Dumas	Lynch	Scheaffer	Zwikl
Fee			

NAYS—74

Bittinger	Goebel	McClatchy	Schweder
Burns	Greenleaf	McLane	Seltzer
Cassidy	Grieco	Milanovich	Sirianni
Cessar	Hamilton	Milliron	Smith, E.
Cimini	Hayes, D. S.	Miscevich	Spitz
Cohen	Honaman	Mullen, M. M.	Stairs
Davies	Hopkins	Noye	Stewart
DiCarlo	Hutchinson, A.	O'Brien, B.	Stuban
Dininni	Itkin	O'Brien, D.	Taylor, E.
Fischer, R. R.	Katz	O'Keefe	Tenaglio
Fisher, D. M.	Kernick	Pancoast	Wagner
Freind	Knepper	Petrarca	Wansacz
Gallen	Kolter	Piccola	Weidner
Gamble	Letterman	Pitts	Wenger
Garzia	Lincoln	Polite	Wilson
Gatski	Mackowski	Pott	Wright, J. L.
Geesey	Madigan	Pyles	Zearfoss
George, C.	Manmiller	Salvatore	Zord
Gillette	McCall		

NOT VOTING—24

Armstrong	Giammarco	Kusse	Shuman
Beloff	Gleeson	McGinnis	Valicenti
Bittle	Gray	Morris	
Brandt	Greenfield	Mrkoncic	Fineman,
Brown	Irviss	O'Donnell	Speaker
Butera	Johnson	Pratt	
Englehart	Jones	Ryan	

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHUMAN. Mr. Speaker, had I been in my seat, I would have voted "yes" on the motion to table HB 676.

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

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I got caught when you closed the roll. I intended to vote in the negative on the motion to table HB 676.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the gentleman's remarks will be noted on the record.

JUDICIARY BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of **House bill No. 825, printer's No. 1091**, entitled:

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

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

NAYS—1

Schmitt

NOT VOTING—13

Beloff	Gray	Jones	Fineman,
Englehart	Greenfield	Kusse	Speaker
Giammarco	Harper	O'Donnell	
Gleeson	Irvis	Valicenti	

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

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

HOUSE RESOLUTION NO. 46

Mr. **GOEBEL** called up **HOUSE RESOLUTION NO. 46**.

House urge Pennsylvania Historical and Museum Commission designate St. Boniface Church, Pittsburgh as an historical landmark.

On the question,
Will the House adopt the resolution?

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

Mr. **GOEBEL**. Mr. Speaker, I would just like to clarify a couple of things.

I am not a member of that parish nor a Roman Catholic and I have no axes to grind on this resolution, HR 46, except that I, being a lover of the arts and sciences, concur with this petition signed by 2,350 other people of the Pittsburgh area who want that Saint Boniface Church preserved. I will leave my remarks at that, Mr. Speaker, unless there are any other questions to be asked.

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

Mr. **CAPUTO**. Mr. Speaker, the members of the General Assembly will probably note that I was cosponsor of this resolution. Since becoming cosponsor, I have been bombarded by advocates from both sides of the question. Representative Goebel has done a terrific job and has fought long and hard to represent certain people, former parishioners of this church, people whose children were baptised there and people who have been baptised there and engaged in weddings and other activities of the church.

I can understand the feelings of these people because I once belonged to a parish, St. Peter's Italian Parish in the city of Pittsburgh, which was razed as a result of urban redevelopment, and I headed a committee seeking to preserve that church on the same basis and the same grounds as Mr. Goebel has presented the resolution to this House. However, since I put my name on this, I have also, as I have said, been bombarded by people on both sides. I think before voting on this, the House members should know, number one, that the adoption of this resolution is not going to have any real force and effect on either the Pennsylvania Historical Commission or the Federal Historical Commission, that is the Historical and Museum Commission. Our feelings on the matter are not going to have any bearings on what they eventually decide to do with this.

But I would like to point out to the members the position that we are in today. This church has already been taken over by the

Commonwealth, the Department of Transportation, who has paid \$2 million for it, which we will not get back despite what the Historical Museum Commission does about it. If they do adopt it as an historical monument, the Commonwealth of Pennsylvania will be in the business of keeping a church, but it will not be utilized as a church for services because, as you know, the Commonwealth is not going to be able to run a Roman Catholic Church.

In addition to that, I have received information from the Department of Transportation that in the event that this became a Historical and Museum Commission, it would require at least one more year of delay in the highway project that has been the subject of dispute, arguments, meetings and conferences of the city of Pittsburgh and the people interested for some 8 or 9 years. This project was started under a former Governor and I think that it has been going on through three Governors now. Now they are ready to start the project and they say they can start it this summer. A delay or a finding by the Historical Commission that this is not a historical mission, that it cannot be razed, would result in an additional \$9 million of cost by the Commonwealth of Pennsylvania plus \$500,000 in design engineering, because they would have to go around the church with this expressway, this six-lane expressway.

I do not want to belabor you. I know it is late and I know that you are tired. But I would like to point out to you that yesterday I received a call from Washington, D. C. The advocates of the program—and I think Mr. Goebel will bear me out—are trying to set up an appointment with somebody in the President's Office or somebody in the Department of Transportation in Washington and somebody in the Historical Museum Commission in Washington to try and get a redetermination of the historical significance of this church because it has been turned down by both the Pennsylvania Historical Museum Commission and the Federal Commission.

MOTION TO RECOMMIT HR 46 TO RULES COMMITTEE

The SPEAKER pro tempore. The Chair recognizes Mr. Caputo.

Mr. CAPUTO. Under the circumstances, and in the firm hope that these people can get some relief because I certainly feel for them, I would suggest and I so move that HR 46 be recommitted to the Rules Committee until we find out how those people do with the government.

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

Mr. GOEBEL. Mr. Speaker, I would like to comment on some of the points that Mr. Caputo has brought out and why a motion to recommit is actually signing the death knoll to this building. This building is scheduled to go down August 19. If it is going to be scrapped and made into a \$2 million pile of dust, they are going to need time to get the—

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. MISCEVICH. Is Mr. Caputo's recommittal debatable?

The SPEAKER pro tempore. Not on the merits of the resolution itself, but the gentleman may address himself to the recommittal question.

Mr. GOEBEL. That is what I was attempting to do.

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

Mr. CAPUTO. Mr. Speaker, so that Mr. Goebel, who has done so much work on this, can explain his position, if it is necessary, I will move to waive the rules so that he can express his comments.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Goebel, may proceed.

Mr. GOEBEL. Thank you, Mr. Speaker.

Mr. Speaker, I will try to keep my comments to a minimum because I know that it has been a long day, but I have waited, too, just to get my comments out, very patiently. So I hope that you will bear with me.

To clarify what is going to happen if we do proceed with this resolution: It is going to mandate on the Historical Commission of Pennsylvania a review. Now they have turned it down once because, specifically, they said that it was not 50 years old. Well, it is now 50 years old and the specific objection has been removed. The age of this building is not the thing; it is the beauty of the architecture and its uniqueness.

Now, there are meetings being set up. President Carter has been assessed a special assistant, Janice Peterson, to Pittsburgh, she looked at the church on Sunday and she is interested in saving it. But, Mr. Speaker, it has to go through a procedure. We have to get the Historical Commission of Pennsylvania to approve the recommendation to the national level. So I think if we can do this, it is not going to save the church, but it is going to continue the review and it is going to be a little more difficult for PennDOT to rip it down.

I would like to further have a couple comments to show what the sentiment is in Pittsburgh about the building. In the Pittsburgh Press, 1976, it says, "In both architecture and construction the church's inspiration and craftsmanship is irrefutable. No longer available this building reflects an era of craftsmanship gone forever." Columbia University says, "it would be difficult to equate the value in dollars and cents. Natural and skilled craftsmen from Spain would have to be imported to produce a copy of the St. Boniface roof construction." St. Boniface remains the most notable church of Byzantine inspiration in the city of Pittsburgh, and the pendentive Dome is the only one of its kind in Pittsburgh."

I could go on. There are other Pittsburgh Post-Gazette articles.

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

Mr. MISCEVICH. On a point of personal inquiry: I would like to interrogate Mr. Goebel for one question.

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

Mr. GOEBEL. Certainly.

The SPEAKER pro tempore. The gentleman may proceed.
 Mr. MISCEVICH. What is the position of the Catholic diocese?

Mr. GOEBEL. This does not involve the position of the Catholic diocese.

Mr. MISCEVICH. But what is their position?

Mr. GOEBEL. The position of the Catholic diocese is this, and I was going to get around to each one of the points that Mr. Caputo brought up. They have other plans for a church, uniting three parishes together, and they have already sold the church 6 years ago to PennDOT. PennDOT holds the deed. They bought a package of four churches for \$5 million. They do not want it back and that is fine.

Now Professor Nebolsine of the Preservation Committee—he is a professor of the University of Pittsburgh—is engaged actively in preserving this church. He has two other religious organizations interested in buying it. There is an archbishop of a Byzantine Greek Orthodox Church who is interested in it. The building could be sold. It does not have to be made into a \$2-million pile of scrap.

This is one of the things that would be determined: What is the state going to do with the building then? There are going to have to be meetings set up between the Historical Commission of Pennsylvania, between the Preservation Committee and between PennDOT.

If they can resolve that they can reasonably move this road, shift it a little bit, the alignment, and that there is a use for it, then perhaps it can be preserved. Perhaps a decision will be that they cannot do it and that it would be torn down after all.

The building is 25 feet from the center of the highway to the front door of the church. To maintain the six lanes, the 60-foot bus lane in the middle and the 18-foot berm, the road would have to be aligned 100 feet to the right. This is possible. We can have the road and we can have the church also. It is actually criminal to destroy this building.

Mr. MISCEVICH. How many people are you affecting by trying to preserve this church as an historical site? How many human beings is it prohibiting from moving into new residences and tying up the project of Interstate 276 that has been on the boards for 15 years now?

Mr. GOEBEL. I will tell you what has tied up this project. It has been the ineptness of PennDOT and the plan of a highway that can go cohesively through a community, and when PennDOT can decide that it can go through a community without wrecking it and destroying it and can leave the churches up and the buildings up and not destroy a neighborhood like they did on the north side of Pittsburgh, then we will not have these situations.

So far we have had five people commit suicide in the East Street Valley because rather than move their homes and relocate, that is what they did.

Mr. MISCEVICH. Well, we should get a move so that it does not happen again. I urge everybody to vote "no" on this resolution and get on with the business.

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

Mr. MANDERINO. Mr. Speaker, I want to speak in favor of

recommittal. My reasons, however—and I will give them very briefly and it will not take me more than 2 minutes—are very different from those of Mr. Caputo's.

I had several calls from people, whom I am sure Mr. Goebel had calls from over the weekend, Doctor Kraus and Attorney Kane from Pittsburgh, who are working to preserve the church. I promised them that I would make inquiry into the situation so far as the historical and the architectural significance of the building and, likewise, the cost of relocating the highway which would have to be done in order to save the church.

These are the facts: There would be a 3-year delay on the East Street Highway. It would cost the state \$9 million to go around or above the church. We have already paid them \$2 million. There is no way to get that money back. And from the Historical and Museum Society, I received a letter that was dated 1975, when they last reviewed it. It in part says it had no historical significance, which Mr. Goebel says is not the reason for wanting to preserve it. He says the architecture and the beauty was.

I suggest that you listen to these words:

No evidence has been brought forward to suggest any historical significance to the church and only the architecture need be considered. The unfortunate blending of Roman, Gothic and Art Deco styles is neither unique or typical of a particular school. The tile dome is a rather modest example of its kind, and is overshadowed by several more impressive ones in Pittsburgh.

I ask that all members vote for recommittal.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—94

Abraham	Gallagher	McCall	Ruggiero
Arthurs	Gamble	McIntyre	Scanlon
Barber	Garzia	McLane	Schweder
Bellomini	Gatski	Meluskey	Shelton
Berlin	Geisler	Milliron	Shuman
Berson	George, C.	Mowery	Shupnik
Bittinger	George, M.	Mrkonic	Stapleton
Borski	Giammarco	Mullen, M. P.	Stewart
Brunner	Gillette	Mullen, M. M.	Stuban
Caputo	Goodman	Musto	Sweet
Cianciulli	Hoeffel	Novak	Tenaglio
Cohen	Hutchinson, A.	O'Brien, B.	Trello
Cole	Jones	O'Keefe	Valicenti
Cowell	Kelly	Oliver	Wansacz
DeMedio	Kernick	Petrarca	Wargo
DeWeese	Kolter	Pievsky	White
Dombrowski	Kowalyszyn	Prendergast	Wiggins
Donatucci	Laudadio	Rappaport	Williams
Doyle	Laughlin	Renwick	Wise
Duffy	Letterman	Rhodes	Wright, D.
Dumas	Lincoln	Richardson	Yahner
Englehart	Livengood	Rieger	Zitterman
Fee	Logue	Ritter	Zord
Fryer	Manderino		

NAYS—95

Anderson	Geesey	McClatchy	Seltzer
Armstrong	Goebel	McGinnis	Sirianni
Bittle	Greenleaf	Mebus	Smith, E.

Brandt	Grieco	Milanovich	Smith, L.
Burd	Halverson	Miller	Spencer
Burns	Hamilton	Miscevich	Spitz
Butera	Hasay	Moehlmann	Stairs
Caltagirone	Haskell	Noye	Taddonio
Cassidy	Hayes, D. S.	O'Brien, D.	Taylor, E.
Cessar	Hayes, S. E.	O'Connell	Taylor, F.
Cimini	Helfrick	Pancoast	Thomas
Davies	Honaman	Parker	Vroon
DeVerter	Hopkins	Piccola	Wagner
DiCarlo	Hutchinson, W.	Pitts	Wass
Dietz	Itkin	Polite	Weidner
Dininni	Katz	Pott	Wenger
Dorr	Klingaman	Pyles	Wilson
Fischer, R. R.	Knepper	Ravenstahl	Wilt
Fisher, D. M.	Lehr	Reed	Wright, J. L.
Flaherty	Levi	Ryan	Yohn
Foster, A.	Lynch	Salvatore	Zearfoss
Foster, W.	Mackowski	Scheaffer	Zeller
Freind	Madigan	Schmitt	Zwinkl
Gallen	Manmiller	Scirica	

NOT VOTING—14

Beloff	Greenfield	Kusse	Pratt
Bennett	Harper	Morris	
Brown	Irvis	O'Donnell	Fineman,
Gleeson	Johnson		Speaker
Gray			

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

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—91

Anderson	Gallen	Manmiller	Schmitt
Armstrong	Geesey	McClatchy	Scirica
Bittle	Gillette	McGinnis	Seltzer
Brandt	Goebel	Mebus	Shupnik
Burns	Greenleaf	Meluskey	Sirianni
Butera	Grieco	Miller	Smith, E.
Caltagirone	Halverson	Moehlmann	Smith, L.
Cassidy	Hamilton	Mowery	Spencer
Cessar	Hasay	Musto	Taylor, E.
Cimini	Hayes, D. S.	Noye	Taylor, F.
Cowell	Hayes, S. E.	O'Brien, D.	Thomas
Davies	Helfrick	O'Connell	Vroon
DeVerter	Honaman	Pancoast	Wagner
DiCarlo	Hopkins	Parker	Weidner
Dietz	Hutchinson, W.	Piccola	Wenger
Dininni	Itkin	Pitts	Wilson
Dorr	Katz	Polite	Wright, J. L.
Fischer, R. R.	Klingaman	Pyles	Yahner
Fisher, D. M.	Knepper	Ravenstahl	Yohn
Flaherty	Lehr	Reed	Zearfoss
Foster, A.	Levi	Ryan	Zeller
Foster, W.	Lynch	Salvatore	Zwinkl
Freind	Madigan	Scheaffer	

NAYS—102

Abraham	Gatski	McIntyre	Scanlon
Arthurs	Geisler	McLane	Schweder
Barber	George, C.	Milanovich	Shelton
Bellomini	George, M.	Milliron	Shuman
Bennett	Giammarco	Miscevich	Spitz
Berlin	Gleeson	Morris	Stairs
Berson	Goodman	Mrkonic	Stapleton
Bittinger	Greenfield	Mullen, M. P.	Stewart
Borski	Harper	Mullen, M. M.	Stuban

Brunner	Haskell	Novak	Sweet
Burd	Hoefel	O'Brien, B.	Taddonio
Caputo	Hutchinson, A.	O'Keefe	Tenaglio
Cianciulli	Johnson	Oliver	Trello
Cohen	Jones	Petrarca	Valicenti
Cole	Kelly	Pievsky	Wansacz
DeMedio	Kernick	Pott	Wargo
Dombrowski	Kolter	Pratt	Wass
Donatucci	Kowalyszyn	Prendergast	White
Doyle	Laudadio	Rappaport	Wiggins
Duffy	Laughlin	Renwick	Williams
Dumas	Letterman	Rhodes	Wilt
Fee	Lincoln	Richardson	Wise
Fryer	Livengood	Rieger	Wright, D.
Gallagher	Logue	Ritter	Zitterman
Gamble	Manderino	Ruggiero	Zord
Garzia	McCall		

NOT VOTING—10

Beloff	Englehart	Kusse	Fineman,
Brown	Gray	Mackowski	Speaker
DeWeese	Irvis	O'Donnell	

The question was determined in the negative and the resolution was not adopted.

REMAINING BILLS NOT CALLED UP

The SPEAKER pro tempore. Remaining bills on today's calendar are not called up.

ANNOUNCEMENT

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

Mr. MANDERINO. Prior to the windup, let me announce for those members who are still present that the Senate adjourned this week without sending a resolution of adjournment to us.

This requires us to be at least in token session on Monday, as I understand the Constitution of Pennsylvania. So we will open up on Monday in token session at the usual time as called for by our rules.

For the Democratic members who are still here, you will be receiving a letter over the weekend which will ask you to report on Monday so that we may caucus on the bill that the Senate has sent us dealing with the budget. You will receive a letter.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1075 By Messrs. PIEVSKY, JOHNSON, COHEN, RIEGER, OLIVER, Mrs. SCANLON, Messrs. GIAMMARCO, JONES, BORSKI, McINTYRE, WIGGINS, DUMAS, BARBER, GREENFIELD, WHITE, Mrs. HARPER, Messrs. CIANCIULLI and RICHARDSON

An Act providing for the creation of the Public School Finance Assistance Authority and providing for its powers and duties; and imposing additional powers and duties on the Department of Education.

Referred to Committee on Education.

No. 1080 By Messrs. LAUGHLIN, MILANOVICH, DeWEESE, KOLTER, ZELLER,

SCHWEDER, ZITTEMAN, WANSACZ,
LIVENGOOD, PYLES, DOMBROWSKI,
MANDERINO, A. K. HUTCHINSON,
DeVERTER, A. C. FOSTER and POLITE

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), excluding certain structures.

Referred to Committee on Local Government.

No. 1081 By Messrs LAUGHLIN, MILANOVICH,
DeWEESE, BRUNNER, ZELLER,
SCHWEDER, ZITTEMAN, WANSACZ,
KOLTER, LIVENGOOD, PYLES,
DOMBROWSKI, MANDERINO, A. K.
HUTCHINSON, A. C. FOSTER and
POLITE

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), excluding certain structures.

Referred to Committee on Local Government.

COURT RULES REPORT PRESENTED

The SPEAKER pro tempore. The Chair presents the following Communication from Chief Justice Michael J. Eagen of the Pennsylvania Supreme Court:

COURT RULES REPORT NO. 1 OF 1977

RESOLUTION A

Resolved, That Court Rules Report No. 1 of 1977, transmitted to the General Assembly under date of , 19 , which is incorporated herein by reference, be approved.

RESOLUTION B

Resolved, That Court Rules Report No. 1 of 1977, transmitted to the General Assembly under date of , 19 , which is incorporated herein by reference, be disapproved.

The General Assembly of Pennsylvania

COURT RULES REPORT

No. 1 Session of 1977.
TRANSMITTED TO THE GENERAL ASSEMBLY, , 1977.

COURT RULES REPORT NO. 1 OF 1977

The Chief Justice of Pennsylvania hereby reports to the General Assembly of the Commonwealth of Pennsylvania for its consideration an order amending or adopting certain general rules as follows:

ORDER

AND NOW, this 22nd day of April, 1977, upon recommendation of The Advisory Committee on Appellate Court Rules, and notice of proposed rule making having been duly given, 6 Pa.B. 3022, it is ordered pursuant to 42 Pa.C.S. § 503(b) (relating to procedures) and 42 Pa.C.S. § 1725 (relating to fees and charges) that:

1. Rule 2701 of the Pennsylvania Rules of Appellate Procedure is hereby amended to read as attached hereto, and Rules 2704 through 2707 of the Pennsylvania Rules of Appellate Procedure, attached hereto, are hereby adopted and promulgated by the Supreme Court of Pennsylvania.

2. As provided by Section 24(a) of the act of July 9, 1976 (No. 142), known as the "Judiciary Act of 1976," all existing fees and charges are hereby superseded to the extent that they are inconsistent with the rules promulgated hereby.

3. The Chief Justice shall forthwith report this Order and the related Explanatory Note of The Advisory Committee on Appellate Court Rules to the General Assembly pursuant to 42 Pa.C.S. §§ 503(b) and 1725.

4. The amendments to the Pennsylvania Rules of Appellate Procedure attached hereto shall become operative 30 days after (a) the date of approval of the last of the two Houses of the General Assembly to act thereon, or (b) the expiration of the 120 day period specified in 42 Pa.C.S. § 503(b) (5), as the case may be. In no event shall such amendments become operative prior to July 1, 1977. Such amendments shall apply to further proceedings in all matters then pending. Where thereafter any filing is made in a pending matter the fee, if any, for such filing shall be determined on the same basis as if (i) the matter had been originally commenced after such amendments had become operative and (ii) the applicable composite filing fee had theretofore been paid.

BY THE COURT:
Michael J. Eagen
Chief Justice

Rule 2701. Payment of Fees Required.

A person upon filing any paper shall pay any fee therefor prescribed by law. The clerk may permit papers to be filed without the payment of the fee therefor, but shall require such to be paid promptly thereafter. If the fee is not paid promptly after demand therefor, the clerk may mark the paper stricken from the docket under this rule.

Note: Former Supreme Court Rule 70 (first sentence), former Superior Court Rule 61 and former Commonwealth Court Rule 117 (first sentence) literally required the payment of the fee in advance of filing. In view of the filing by mail procedures instituted by these rules, a limited opportunity is afforded to permit the prompt correction of the failure to include a check with the letter of transmittal or the failure to draw the check in the proper amount.

A party who intends to proceed in forma pauperis should transmit a copy of his application under Rule 552 (application to lower court for leave to appeal in forma pauperis) to the appellate prothonotary so that Rule 554(b) (appeal taken before application acted on) will operate to defer the requirement for fees in the appellate court.

Rule 2704. Fees in Lower Courts.

The fee for filing a notice of appeal in the lower court under Rule 905 (filing of notice of appeal) shall be \$25. Except as otherwise prescribed by Rule 1734(a) (2) (appropriate security), no other fee shall be payable in the lower court with respect to filings made or services performed under these rules, including filings under Chapter 17 (effect of appeals; supersedeas and stays), and the preparation, transmission and remand of the record.

Note: This rule institutes a composite appeal fee in the lower court, and supersedes separate fees for applications for supersedeas, making up and transmitting the record (including postage), filing opinions on remand, filing the record on remand, etc.

Rule 2705. Fees in Appellate Courts on Appeal.

The fee for docketing an appeal in an appellate court under Rule 907 (docketing of appeal) or for filing a petition for allowance of appeal, petition for permission to appeal or petition for review or an application under Rule 3309 (applications for extraordinary relief) shall be \$25. Where a petition for allowance of appeal or a petition for permission to appeal has been filed under these rules and is granted no fee shall be payable in the lower court and no additional fee shall be payable upon docketing the appeal in the appellate court. Except as prescribed by Rule 2704 (fees in lower courts), no other fee shall be payable in an appellate court with respect to filings made or services performed (including the furnishing to the parties all notices and copies of opinions as required by these rules) in a matter in which a fee has been paid in such appellate court under this rule.

Note: This rule institutes a composite appeal fee in the appellate court. The reference to Rule 2704 in the last sentence of the rule covers the situation where a notice of appeal to the Supreme Court is filed in the

Commonwealth Court under Rule 1101 (appeals as of right from the Commonwealth Court).

Rule 2706. Other Fees in Appellate Courts.

Except as otherwise prescribed by Rule 2704 (fees in lower courts) and Rule 2705 (fees in appellate courts on appeal) the fees to be charged in an appellate court shall be as follows:

Commencement of an action or other matter (composite fee):	\$25.00
Certification or exemplification of any paper or papers of record (not including copy fees):	\$10.00
Copy of any opinion of the court (including all concurring and dissenting opinions, if any) furnished to any nonparty:	\$5.00
Copy fee for uncertified copy of any other paper of record, per page:	\$1.00
Filing any paper, except in a pending matter in which the composite fee has been paid:	\$10.00
Satisfaction of judgment or other order:	None
Searches, per five years:	\$10.00

Note: This rule applies primarily to filings in connection with the original jurisdiction of the Commonwealth Court.

Rule 2707. Application of Fees to Government Units.

(a) **General Rule.**—A government unit shall be exempt from the fees prescribed by this chapter.

(b) **Copy fees.**—When a substantial number of copies of a document or a copy of a substantial number of documents is requested by a government unit, the prothonotary of the appellate court involved may charge the government unit the estimated cost of reproduction.

WELCOMES

The SPEAKER pro tempore. The Chair wishes to welcome to the House, Father Murray, president of Duquesne University, and Mr. Peter Caputo, legislative liaison for Duquesne University. They are the guests of the Allegheny County Delegation.

The Chair also wishes to welcome to the House the teachers and eighth-grade students from the Whitehall Coplay Middle School. They are the guests of the gentleman from Lehigh, Mr. Meluskey, and the Lehigh County Delegation.

The Chair is pleased to welcome to the hall of the House, Mr. Arthur Miller, Indiana County Planning Director, and Mr. Mike Novak, an intern. They are the guests of the gentleman from Indiana, Mr. Wass.

ADJOURNMENT

Mr. GAMBLE moved that this House do now adjourn until Monday, May 2, 1977, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 6:24 p.m., e.d.t.) the House adjourned.