

Legislative Journal

MONDAY, JUNE 13, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 43

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS)
IN THE CHAIR

PRAYER

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

O God our Father, Thou art the strength of all those who put their trust and confidence in Thee, and Thou dost supply the needs of those who look to Thee for sustenance in life itself. We pray that Thou wilt mercifully accept our prayers; and because through the weakness of our mortal nature we can do no good thing without Thee, grant us the help of Thy grace, that in keeping Thy commandments and walking in Thy way we may please Thee both in will and deed; through the power of Thy great might, the abundance of Thy boundless love and the blessedness of Thy eternal peace, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, June 7, 1977, will be postponed until printed.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip for leaves of absence.

Mr. GREENFIELD. Mr. Speaker, I request leave of absence for the gentleman, Mr. SHELTON, for the week.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leave for the gentleman from Allegheny, Mr. CESSAR, for today.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair announces to those members not on the floor of the House that the Chair is now about to take up the master roll call. The Chair will hold that master roll call open for several minutes and urges the members to report immediately to the floor of the House. The members will now proceed to vote.

The following roll call was recorded:

YEAS—198

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

NOT VOTING—2

Cessar Shelton

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

HOUSE BILLS INTRODUCED AND

REFERRED TO COMMITTEES

- No. 1284** By Messrs. MELUSKEY, GALLAGHER, O'DONNELL, Mrs. GEORGE, Messrs. HOFFFEL, GAMBLE, DUFFY, BROWN, D.R. WRIGHT, SWEET and Mrs. WISE
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), providing for a modified schedule of subsidy payments to school districts.
- Referred to Committee on Education.
- No. 1285** By Messrs. MELUSKEY, HOFFFEL, ZWIKL, WEIDNER, BROWN, RITTER, Mrs. HARPER, Messrs. DUFFY, D.R. WRIGHT, SWEET and Mrs. WISE
- An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P.L. 1257, No. 511), authorizing exemptions from certain taxes.
- Referred to Committee on Finance.
- No. 1286** By Messrs. GOEBEL, MILLER and HOPKINS
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), further providing for tax levies, budgets and contracts and making editorial corrections.
- Referred to Committee on Education.
- No. 1287** By Messrs. PITTS, ZELLER, MANMILLER, DININNI, VROON, E.H. SMITH, PYLES, McCLATCHY and KLINGAMAN
- An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, including ambulances within the operating rules relating to other emergency vehicles.
- Referred to Committee on Transportation.
- No. 1288** By Messrs. J.L. WRIGHT and BURNS
- An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P.L. 682, No. 284), adding certain requirements before which members of certain mutual insurance companies shall be liable to assessment.
- Referred to Committee on Insurance.
- No. 1289** By Messrs. J.L. WRIGHT and BURNS
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), changing dates for convention and submission of budgets; making editorial corrections.
- Referred to Committee on Education.
- No. 1290** By Messrs. OLIVER, CIANCIULLI, JONES, BORSKI, GIAMMARCO, Mrs. KELLY, Messrs. WIGGINS and DUMAS
- An Act amending the "Civil Service Act," approved August 5, 1941 (P.L. 752, No. 286), further providing for statements of cost and requiring billing in advance for certain estimated costs.
- Referred to Committee on State Government.
- No. 1291** By Messrs. OLIVER, CIANCIULLI, GIAMMARCO, WIGGINS, Mrs. KELLY and Mr. DUMAS

An Act amending the "Civil Service Act," approved August 5, 1941 (P.L. 752, No. 286), further providing for temporary appointments to extra positions.

Referred to Committee on State Government.

- No. 1292** By Messrs. OLIVER, CIANCIULLI, JOHN-SON, JONES, BORSKI, WHITE, Mrs. KELLY, Messrs. WIGGINS and DUMAS

An Act amending the "Civil Service Act," approved August 5, 1941 (P.L. 752, No. 286), further defining employe and defining regular status employe, permanent employe and temporary employe.

Referred to Committee on State Government.

- No. 1293** By Mr. SPENCER, Miss SIRIANNI, Messrs. O'CONNELL, MADIGAN, KLINGAMAN and HELFRICK

An Act authorizing the Department of General Services, with the approval of the Governor, the Department of Public Welfare and the General State Authority, to sell and convey certain land and the buildings thereon located in the Borough of Blossburg, County of Tioga to North Penn Comprehensive Health Services, Inc., and making appropriations.

Referred to Committee on State Government.

- No. 1294** By Messrs. DeMEDIO, IRVIS, LAUDADIO, MANDERINO, Mrs. KELLY, Messrs. A.K. HUTCHINSON, PETRARCA, GRIECO, CIMINI, D.M. O'BRIEN and LOGUE

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), further providing a choice of immunization for polio.

Referred to Committee on Health and Welfare.

- No. 1295** By Messrs. BERLIN, IRVIS, WARGO, LETTERMAN, PETRARCA, DeMEDIO, ZIT-TERMAN, CASSIDY, CALTAGIRONE, GIAMMARCO, SWEET, GLEESON, STUBAN, FEE, Mrs. WISE, Messrs. DeWEESE, MILANOVICH, Mrs. SCANLON, Messrs. GRAY, PRENDERGAST, SCHWEDER, RENWICK, GALLAGHER, LIVENGOOD, STEWART and WHITE

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), creating the State Board of Athletic Training Examiners.

Referred to Committee on Professional Licensure.

- No. 1296** By Messrs. BERLIN, IRVIS, WARGO, LETTERMAN, PETRARCA, DeMEDIO, ZIT-TERMAN, CASSIDY, CALTAGIRONE, GIAMMARCO, SWEET, GLEESON, STUBAN, FEE, Mrs. WISE, Messrs. DeWEESE, MILANOVICH, Mrs. SCANLON, Messrs. GRAY, PRENDERGAST, SCHWEDER, RENWICK, GALLAGHER, LIVENGOOD, STEWART and WHITE

An Act relating to the practice of athletic training.

Referred to Committee on Professional Licensure.

No. 1297 By Mr. HASKELL

An Act creating "The General County Assessment Law," approved May 22, 1933 (P.L. 853, No. 155), increasing the compensation of certain assessors.

Referred to Committee on Finance.

No. 1298 By Mr. HASKELL, Mrs. KERNICK, Messrs. WILSON, WAGNER and Miss SIRIANNI

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P.L. 1333, No. 320), permitting persons who signed a nomination petition to withdraw their names.

Referred to Committee on State Government.

No. 1299 By Messrs. BRUNNER, ENGLEHART, BELLOMINI, L.E. SMITH, MEBUS, RAPPAPORT, ZWIKL and S.E. HAYES

An Act amending the "Goods and Services Installment Sales Act," approved October 28, 1966 (1st Sp. Sess., P.L. 55, No. 7), further providing for service charges.

Referred to Committee on Business and Commerce.

No. 1300 By Messrs. IRVIS, GREENFIELD, BARBER and VROON

An Act amending the "Liquor Code," approved April 12, 1951 (P.L. 90, No. 21), further providing for licenses for performing arts facilities.

Referred to Committee on Liquor Control.

No. 1301 By Messrs. LINCOLN, COWELL, DiCARLO, DUFFY, ZEARFOSS, BURNS, WILT, HASKELL, CALTAGIRONE, POTT, ZORD, MILLER, SHUMAN, NOYE, ZWIKL, O'KEEFE, DOYLE, TRELLO, D.S. HAYES, GEESEY, HOPKINS, GLEESON, GARZIA, LYNCH, Mrs. TAYLOR, Messrs. GAMBLE, KLINGAMAN, SALVATORE and WAGNER

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

Referred to Committee on State Government.

No. 1302 By Messrs. NOYE, ZEARFOSS, BRANDT, MOWERY, POLITE, WENGER, ARMSTRONG and BURD

An Act providing that employment shall not be conditional upon membership or nonmembership in, nor upon the payment or nonpayment of money, to a labor organization and providing remedies and penalties.

Referred to Committee on Labor Relations.

No. 1303 By Messrs. FREIND, PITTS, REED, MANMILLER, D.M. O'BRIEN, NOYE, PICCOLA, HOPKINS, ZEARFOSS, GEESEY, W.D. HUTCHINSON, DIETZ, VROON, BURD, R.R. FISCHER, ANDERSON, PAN-

COAST, O'KEEFE, WENGER, WILT, POTTS and BRANDT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, authorizing wiretaps and electronic eavesdropping by certain persons under certain conditions and providing for the admissibility of evidence obtained thereby.

Referred to Committee on Judiciary.

No. 1304 By Messrs. FREIND, PITTS, REED, MANMILLER, D.M. O'BRIEN, NOYE, PICCOLA, HOPKINS, ZEARFOSS, GEESEY, W.D. HUTCHINSON, DIETZ, VROON, BURD, R.R. FISCHER, ANDERSON, PANCOAST, O'KEEFE, WENGER and WILT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for certain authorized interceptions of telephone and telegraph communications and for eavesdropping, and for the admissibility and use of material obtained thereby.

Referred to Committee on Judiciary.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 623

An Act amending the act of December 5, 1972 (P.L. 1280, No. 284), entitled "Pennsylvania Securities Act of 1972" increasing the administrative powers of the Pennsylvania Securities Commission. (Messrs. Kury, Scanlon, Romanelli, Zemprelli, Andrews, Dwyer and Jubelirer).

Referred to Committee on Business and Commerce.

SENATE BILL No. 769

An Act amending the act of December 30, 1974 (P.L. 1160, No. 369), entitled "Capital Budget Act for Fiscal Year 1973-1974 Highway Project Itemization Supplement" adding a project in Bedford County. (Messrs. Jubelirer, Lynch, Nolan and Manbeck).

Referred to Committee on Transportation.

SENATE BILL No. 783

An Act repealing the act of June 3, 1907 (P.L. 394, No. 285), entitled "An act supplementary to an act entitled 'An act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions' approved the seventeenth day of February Anno Domini one thousand nine hundred and six; providing for the continuance in office of the registration commissioners of consolidated cities." (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 784

An Act repealing the act of April 10, 1867 (P.L. 1129, No. 1070), entitled "An act to prohibit political processions after dark ten days next preceding any general election in the city of Philadelphia." (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 785

An Act amending the act of April 17, 1866 (P.L. 969, No. 939), entitled "An act to prevent frauds at elections in the City of Philadelphia" eliminating provisions providing for the collection of poll taxes in Philadelphia. (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 786

An Act repealing a part of the act of April 11, 1848 (P.L. 476, No. 344), entitled "An act fixing the place of holding elections in Piney township and regulating the boundaries of Toby township election districts in the county of Clarion and also regulating certain other election districts" relating to commissioners in Philadelphia furnishing lists of delinquent taxpayers. (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 787

An Act repealing a part of the act of April 21, 1855 (P.L. 264, No. 281), entitled "A supplement to the act Consolidating the city of Philadelphia" relating to the designation of polling places in Philadelphia. (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 788

An Act repealing a part of the act of May 13, 1856 (P.L. 567, No. 587), entitled "A further supplement to the act consolidating the city of Philadelphia" relating to changing polling places in Philadelphia. (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 789

An Act repealing a part of the act of April 17, 1869 (P.L. 49, No. 38), entitled "An act further supplemental to the act relative to the elections of this Commonwealth" relating to the assessment of a tax for election expenses in Philadelphia. (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 790

An Act repealing parts of the act of April 3, 1851 (P.L. 320, No. 218), entitled "An act regulating boroughs" relating to the holding of borough elections and the qualifications of borough electors. (Messrs. Smith and Wood).

Referred to Committee on State Government.

SENATE BILL No. 847

An Act amending the act of May 2, 1945 (P.L. 382, No. 164), entitled "Municipality Authorities Act of 1945" further providing for the membership of the board of a joint authority. (Mr. Lewis).

Referred to Committee on Local Government.

HOUSE RESOLUTION INTRODUCED**AND REFERRED**

By Messrs. O'KEEFE, RUGGIERO, STAPLETON, BURD, SCHEAFFER and MADIGAN

HOUSE RESOLUTION No. 111

The House of Representatives direct the Liquor Control Board members to uphold their oath of office and enforce the laws and the penalties provided in a consistent manner as they apply to the illegal practice of patrons furnishing and consuming alcoholic beverages in unlicensed establishments.

Referred to Committee on Rules.

MRS. K. LEROY IRVIS PRESENTED

The SPEAKER. The Chair requests order in the House so that the Speaker may present to the House the true speaker in my family.

Even though the Chair holds the title of Speaker of the House, the true speaker in my family is seated at the rear of the hall of the House, and I should like to have the honor of presenting at this time my wife Cathy who is visiting us for the first time since I was elected Speaker.

SENATE MESSAGE**TIME OF NEXT MEETING**

The clerk of the Senate presented the following extract from the Journal of the Senate, which was read:

In the Senate,
June 13, 1977.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 20, 1977 and when the House of Representatives adjourns this week it reconvene on Monday, June 20, 1977.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS REREPORTED FROM COMMITTEE**HB 1250, PN 1473**

By Mr. WARGO

An Act making an appropriation to the Pennsylvania Academy of the Fine Arts of Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1251, PN 1474

By Mr. WARGO

An Act making an appropriation to the Division of Education of the Philadelphia Museum of Art, Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1252, PN 1507

By Mr. WARGO

A Supplement to the act of April 1, 1863, (P.L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriations and providing a method of accounting for the funds appropriated.

Rereported from Committee on Rules.

HB 1253, PN 1476

By Mr. WARGO

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P.L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in

the higher education system of the Commonwealth; **** making appropriations for carrying the same into effect, providing for a basis for payments of such appropriations, and providing a method of accounting for the funds appropriated.

Rereported from Committee on Rules.

HB 1254, PN 1477

By Mr. WARGO

A Supplement to the act of July 7, 1972 (P.L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; **** making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation, and providing a method of accounting for the funds appropriated.

Rereported from Committee on Rules.

HB 1255, PN 1508

By Mr. WARGO

A Supplement to the act of November 30, 1965 (P.L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; **** making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation and providing a method of accounting for the funds appropriated.

Rereported from Committee on Rules.

HB 1256, PN 1479

By Mr. WARGO

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1257, PN 1480

By Mr. WARGO

An Act making an appropriation to the Philadelphia College of Textiles and Science.

Rereported from Committee on Rules.

HB 1258, PN 1481

By Mr. WARGO

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County, Pennsylvania. (Mr. Pievsky).

Rereported from Committee on Rules.

HB 1259, PN 1482

By Mr. WARGO

An Act making an appropriation to the Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1260, PN 1483

By Mr. WARGO

An Act making an appropriation to the Johnson School of Technology of Scranton, Pennsylvania.

Rereported from Committee on Rules.

HB 1261, PN 1484

By Mr. WARGO

An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown, Pennsylvania.

Rereported from Committee on Rules.

HB 1264, PN 1487

By Mr. WARGO

An Act making appropriations to the Trustees of Drexel University of the Commonwealth of Pennsylvania at Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1265, PN 1488

By Mr. WARGO

An Act making an appropriation to the Carnegie Museum at Pittsburgh, Pennsylvania, for maintenance and the purchase of apparatus, supplies and equipment. (Mr. Pievsky).

Rereported from Committee on Rules.

HB 1266, PN 1489

By Mr. WARGO

An Act making an appropriation to the Museum of the Philadelphia Civic Center, Philadelphia, Pennsylvania, for maintenance and the purchase of apparatus, supplies and equipment.

Rereported from Committee on Rules.

HB 1267, PN 1490

By Mr. WARGO

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum. (Mr. Pievsky).

Rereported from Committee on Rules.

HB 1268, PN 1491

By Mr. WARGO

An Act making an appropriation to the Academy of Natural Sciences of Philadelphia at Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1269, PN 1492

By Mr. WARGO

An Act making an appropriation to the Philadelphia Musical Academy, Philadelphia, Pennsylvania for maintenance and general operation.

Rereported from Committee on Rules.

HB 1270, PN 1493

By Mr. WARGO

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic. (Mr. Pievsky).

Rereported from Committee on Rules.

HB 1271, PN 1494

By Mr. WARGO

An Act making an appropriation to the City of Harrisburg, Pennsylvania.

Rereported from Committee on Rules.

HB 1272, PN 1495

By Mr. WARGO

An Act making an appropriation to the Trustees of the Buhl Planetarium and Institute of Popular Science, Pittsburgh, Pennsylvania.

Rereported from Committee on Rules.

HB 1273, PN 1496

By Mr. WARGO

An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1274, PN 1497

By Mr. WARGO

An Act making appropriations to the Thomas Jefferson University of Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1275, PN 1498

By Mr. WARGO

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Rereported from Committee on Rules.

HB 1276, PN 1499 By Mr. WARGO
 An Act making appropriations to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.
 Rereported from Committee on Rules.

HB 1277, PN 1500 By Mr. WARGO
 An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.
 Rereported from Committee on Rules.

HB 1278, PN 1501 By Mr. WARGO
 An Act making appropriations to the Philadelphia College of Art, Philadelphia, Pennsylvania.
 Rereported from Committee on Rules.

HB 1279, PN 1502 By Mr. WARGO
 An Act making an appropriation to the Trustees of the Berean Training and Industrial School at Philadelphia, Pennsylvania.
 Rereported from Committee on Rules.

HB 1283, PN 1506 By Mr. WARGO
 An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.
 Rereported from Committee on Rules.

BILL TAKEN FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Does the majority leader wish to present the report from the committee on rules?

Mr. MANDERINO. Yes, Mr. Speaker. The Rules Committee has asked me to make a motion to remove the following bill from the table to the active calendar, and I so move:
 SB 770, PN 1036.

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

COMMITTEE CHAIRMEN'S REPORTS PRESENTED

The SPEAKER. The Chair now calls upon the committee chairmen to submit their reports of attendance and votes for the week of June 6. Said reports will be delivered to the desk.

Mr. YAHNER, chairman of the Agriculture and Rural Affairs Committee, presented the following report:

Attendance Report
 Week of June 6, 1977.

No committee meetings were held this week.
 Signed
 PAUL J. YAHNER
 Secretary

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

Attendance Report

June 7, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN, Max Pievsky	X	
Jim Barber-Subcommittee Chairman		X
Joel Johnson-Subcommittee Chairman	X	
Amos Hutchinson-Subcommittee Chairman	X	
Bernard Dombrowski	X	
Joseph Ted Doyle	X	
Thomas Fee	X	
Helen Gillette	X	
James Goodman	X	
Ivan Itkin	X	
Joseph Kolter	X	
James J. Manderino	X	
Martin Mullen	X	
Raphael Musto	X	
Joseph Petrarca	X	
James Prendergast	X	
Samuel Rappaport	X	
Fred Shupnik	X	
John Wansacz	X	
Joseph Wargo	X	
MINORITY MEMBERS		
H. Jack Seltzer, Min. Chairman	X	
Harry Bittle	X	
James Gallen	X	
John Hamilton	X	
H. Harrison Haskell	X	
Charles Mebus	X	
Frank O'Connell	X	
Sheldon Parker	X	
L. Eugene Smith	X	
Benjamin Wilson	X	
James Wright	X	

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL
 Senate Bill 770

MAJORITY MEMBERS	Vote
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	nay
Amos Hutchinson, Subcommittee Chairman	nay
Bernard Dombrowski	nay
Joseph Ted Doyle	nay
Thomas Fee	nay
Helen Gillette	nay
James Goodman	nay
Ivan Itkin	nay
Joseph Kolter	nay
Martin Mullen	nay
Raphael Musto	nay
Joseph Petrarca	nay
James Prendergast	nay
Samuel Rappaport	nay

Fred Shupnik	nay
John Wansacz	nay
Joseph Wargo	nay
MR. CHAIRMAN Max Pievsky	nay
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	yea
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea
Charles Mebus	yea
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—10
 NAYS—18
 NOT VOTING—1
 ABSENT—2

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL
 Senate Bill 770

MAJORITY MEMBERS

Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	yea
Thomas Fee	yea
Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	yea
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nay
Harry Bittle	nay
James Gallen	nay
John Hamilton	nay
H. Harrison Haskell	nay
Charles Mebus	nay
Frank O'Connell	nay

Sheldon Parker	nay
L. Eugene Smith	absent
Benjamin Wilson	nay
James Wright	nay

YEAS—18
 NAYS—10
 NOT VOTING—1
 ABSENT—2

Signed
 MAX PIEVSKY
 H. JACK SELTZER

AMENDMENTS TO SENATE BILL NO. 770

MR. MAX PIEVSKY

Printer's No. 823

Amend Sec. 2, page 2, line 18, by striking out all of said line and inserting Administration of the Office of the Governor . . . \$2,000,000

Amend Sec. 2, page 2, line 22, by striking out all of said line and inserting Office for Human Resources: Provided, That no allocation may be made from this appropriation for the Nursing Home Ombudsman Project . . . 224,000

Amend Sec. 2, page 2, line 24, by striking out "3,629,000" and inserting 4,097,000

Amend Sec. 2, page 2, by inserting between lines 24 and 25 For the development and implementation of a Statewide emergency telephone system. . . . 150,000

Amend Sec. 2, page 2, line 26, by striking out "1,009,000" and inserting 974,000

Amend Sec. 2, page 2, line 28, by striking out "1,396,000" and inserting 1,690,000

Amend Sec. 2, page 2, line 29, by striking out all of said line and inserting For the salaries, wages and all necessary expenses for the proper administration and operation of the

Amend Sec. 2, page 2, line 30, by striking out "3,488,000" and inserting 3,710,000

Amend Sec. 2, page 3, line 3, by striking out all of said line and inserting the Governor. It is the intent of the General Assembly that under no circumstances shall the Council on the Arts reduce lower than the appropriation for fiscal year 1976-1977, that amount of funding received by the major performing art groups. . . . 2,000,000

Amend Sec. 2, page 3, lines 4 through 11, by striking out all of said lines

Amend Sec. 2, page 3, line 13, by striking out "123,000" and inserting 154,000

Amend Sec. 2, page 3, line 14, by striking out all of said line and inserting For the salaries, wages and all necessary expenses for the proper administration and operation of the

Amend Sec. 2, page 3, line 15, by striking out "276,000" and inserting 291,000

Amend Sec. 2, page 3, line 26, by striking out "250,000" and inserting 260,000

Amend Sec. 2, page 3, line 30, by striking out "purposes and"

Amend Sec. 2, page 4, line 8, by striking out "8,457,000" and inserting 10,815,000

Amend Sec. 2, page 4, line 11, by striking out "2,274,000" and inserting 2,529,000

Amend Sec. 2, page 4, line 13, by striking out "230,000" and inserting 247,000

Amend Sec. 2, page 4, line 19, by striking out "4,179,000" and inserting 4,623,000

Amend Sec. 2, page 4, line 23, by striking out "2,186,000" and inserting 2,526,000

Amend Sec. 2, page 4, line 25, by striking out "500,000" and inserting 519,000

Amend Sec. 2, page 5, line 10, by striking out "16,000" and inserting 20,000

Amend Sec. 2, page 5, line 27, by striking out "80,000" and inserting 90,000

Amend Sec. 2, page 6, line 5, by striking out "6,134,000" and inserting 5,534,000

All money in the Project 70 Land Acquisition Fund shall be transferred into the Sinking Fund to meet debt service requirements.

Amend Sec. 2, page 6, lines 14 through 17, by striking out all of said lines and inserting

All moneys in the Vietnam Veterans' Compensation Fund not needed to pay claims presently on hand shall be transferred to the Vietnam Veterans' Compensation Sinking Fund in an amount sufficient to meet all debt service requirements during the 1977-1978 fiscal year.

Amend Sec. 2, page 6, line 29, by striking out "500,000" and inserting 400,000

Amend Sec. 2, page 7, line 7, by striking out "12,975,000" and inserting 14,652,000

Amend Sec. 2, page 7, line 9, by striking out "570,000" and inserting 370,000

Amend Sec. 2, page 7, line 19, by inserting after "to" partly

Amend Sec. 2, page 7, line 21, by striking out "700,000" and inserting 800,000

Amend Sec. 2, page 9, line 5, by striking out "433,000" and inserting 554,000

Amend Sec. 2, page 9, line 24, by striking out "4,521,000" and inserting 5,270,000

Amend Sec. 2, page 9, line 26, by striking out "84,000" and inserting 77,000

Amend Sec. 2, page 10, line 5, by striking out "8,000,000" and inserting 10,000,000

Amend Sec. 2, page 10, line 14, by striking out "2,000,000" and inserting 1,500,000

For technical assistance for minority businesses . . . 250,000

Amend Sec. 2, page 10, line 15, by striking out "1,500,000" and inserting 2,500,000

Amend Sec. 2, page 10, line 22, by striking out "850,000" and inserting 950,000

Amend Sec. 2, page 10, by inserting between lines 27 and 28

For the community facilities program pursuant to the act of December 22, 1959 (P.L. 1978, No. 728) 1,000,000

Amend Sec. 2, page 11, line 6, by striking out "5,492,000" and inserting 6,034,000

Amend Sec. 2, page 11, line 9, by striking out "100,000" and inserting 110,000

Amend Sec. 2, page 11, line 20, by striking out "75,000" and inserting 100,000

Amend Sec. 2, page 11, line 27, by striking out "2,250,000" and inserting 1,388,000

Amend Sec. 2, page 11, line 30, by striking out "19,552,000" and inserting 12,150,000

The above appropriations to the Governor's Council on Drug and Alcohol Abuse are for the period beginning July 1, 1977 and ending March 31, 1978. Any additional funds for either appropriation are contingent upon the submission, by the council to the House and Senate Appropriations Committees of the following program data for all programs of facilities receiving funds through the appropriation entitled "Assistance to Drug and Alcohol Programs."

(1) Recidivism rates for substance abuse clients who have successfully completed a treatment program. This data should reflect the number of months between the recidivist's successful completion of a treatment program and his/her entry into the same or another treatment program and the classification of his/her substance abuse (alcohol, opiates, non-opiates).

(2) Recidivism rates for substance abuse clients who leave a treatment program against a therapist's advice. The data should reflect the number of months between the recidivists unapproved termination of a treatment program and his/her recidivism into the same or another treatment program and the classification of his/her substance abuse (alcohol, opiates, non-opiates).

(3) Recidivism rates for substance abuse clients who leave treatment as a result of mutual agreement with the therapist.

The data should reflect the number of months between the recidivist's approved termination of a treatment program and his/her recidivism into the same or another treatment program and the classification of his/her substance abuse (alcohol, opiates, non-opiates).

(4) Recidivism data shall be provided in a pure statistical manner not revealing the identity of any involved individual.

Amend Sec. 2, page 12, line 4, by striking out all of said line and inserting Department of Education, except for those salaries, wages and other expenses necessary to carry out the operation and administration of the district justice basic and continuing education program, but including criminal law

Amend Sec. 2, page 12, line 10, by striking out "11,711,000" and inserting 14,713,000

Amend Sec. 2, page 12, by inserting between lines 10 and 11

No funds appropriated herein shall be used for the salaries, wages and necessary expenses of the Bureau of Teacher Certification after September 30, 1977, until the State Treasurer has determined that funds will be received into the Treasury on account of fees levied in an amount sufficient to cover the cost of teacher certification activities.

No funds appropriated herein shall be used for the salaries, wages and necessary expenses of the Bureau of Vocational Education after September 30, 1977, until the State Treasurer has determined that funds will be received into the Treasury on account of fees levied in an amount sufficient to cover the cost of activities associated with approval and licensing of Private Business Schools, Private Trade Schools, Private Correspondence Schools, and Private Driver Education Schools.

No funds appropriated herein shall be used for the salaries, wages and necessary expenses of the Bureau of Curriculum Service after September 30, 1977, until the State Treasurer has determined that funds will be received into the Treasury on account of fees levied in an amount sufficient to cover the cost of activities associated with the approval and licensing of Private Academic Schools and the certification of teachers employed by these schools.

No funds appropriated herein shall be used in any way relating to State Colleges and University Distinguished Faculty Awards.

For the salaries, wages and all necessary expenses for the operation and administration of the district justice basic and continuing education program, with the exception of travel and lodging reimbursements for program participants 175,000

Amend Sec. 2, page 12, lines 11 to 13, by striking out all of said lines and inserting

To provide additional compliment for the Department of Education to carry out programmatic and fiscal programs 163,000

Amend Sec. 2, page 12, line 16, by striking out "1,486,000" and inserting 1,493,000

Amend Sec. 2, page 12, by inserting between lines 16 and 17

For the purchase of books for the State Library 125,000

Amend Sec. 2, page 12, lines 20 through 22, by striking out all of said lines and inserting

Operation, maintenance and administration of the State Colleges and State-owned university including the McKeever Environmental Center but not including Cheyney State College.

Operation, maintenance and administration of Cheyney State College 8,700,000

Expenses of the McKeever Environmental Center shall be paid by the State colleges including Cheyney State College and State-owned university in amounts proportionate to the use of the center by the colleges and university 166,000,000

A report shall be submitted to the Secretary of Education, the Governor and the Appropriations and Education Committees of the Senate and House of Representatives and shall include data for all programs of the State colleges and universities including Cheyney State College. The report, to be submitted prior to October 1, 1977, shall cover the twelve-month period beginning July 1, 1976 and ending June 30, 1977. The report shall include:

(1) For each term during the period, the following counts and distributions:

(i) The definitions and numbers of full-time faculty mem-

bers, of part-time faculty members, of full-time graduate students, of part-time graduate students, of full-time undergraduate students, and of part-time undergraduate students.

(ii) A distribution of part-time faculty members by the percentage of full-time employment.

(iii) Definitions of course levels of instruction and the number of different courses scheduled by course level, distributed by the number of sections scheduled in each course and the sections distributed by the number of students enrolled in each section.

(iv) Number of terms scheduled and the dates thereof.

(2) For the twelve-month period, the following, distributed by student level (lower division undergraduate, upper division undergraduate, graduate, and first professional excluding Doctor of Medicine) within HEGIS discipline division (as defined by "A Taxonomy of Instructional Programs in Higher Education," U.S. Department of Health, Education, and Welfare, Office of Education, 1970):

(i) The number of equivalent full-time students (EFTS) taught.

(A) EFTS taught by HEGIS discipline will be determined from production student credit hours (student credit hours produced by an academic department, regardless of the student majors taking the courses).

(B) EFTS taught by student level within HEGIS discipline divisions will be determined by the level of the students taking the courses, regardless of the course level of instruction of the courses being taken.

(ii) Teaching salaries per equivalent full-time student.

(A) Teaching salaries will be distributed by student level based on course credits taught, with equal weight given to all course levels of instruction.

(B) In distributing teaching salaries, each thirty student credit hours of thesis or dissertation work equals one three-credit section.

(C) In distributing teaching salaries, all students engaged in independent study who are assigned to one faculty member will be considered one three-credit section.

(D) Teaching salaries will be distributed by student level only for those individuals budgeted for instruction as reflected in Part III, "Instruction and Departmental Research," Commonwealth of Pennsylvania Budget Instructions for State-Related Universities, Phase I, Fiscal Year 1978-1979.

(iii) Total costs per equivalent full-time student.

(A) Direct costs other than teaching salaries will be allocated by student level within HEGIS discipline division based on institutional records.

(B) Indirect costs of instruction will be prorated to each student level within HEGIS discipline division as a percentage of direct costs. An exception will be major organized activities. These activities will be allocated directly to the related HEGIS discipline group.

(iv) Costs to the Commonwealth per equivalent full-time student.

(A) Total costs will be offset by income for instruction to determine costs to the Commonwealth.

(B) Income for instruction derived from student tuition will be allocated by HEGIS discipline and by student level based on the number of equivalent full-time students and the specific tuition rates for that level.

(C) Income for instruction derived from other sources and related to a specific HEGIS discipline group will be allocated directly to that group.

(D) Income for instruction derived from other sources and not related to a specific HEGIS discipline group will be allocated as a percentage of student tuition income.

(v) Totals by student level for all HEGIS discipline divisions combined for:

(A) The number of equivalent full-time students taught.

(B) Teaching salaries per equivalent full-time student.

(C) Total costs per equivalent full-time student.

(D) Costs to the Commonwealth per equivalent full-time student.

(vi) All program data will be compiled from institutional records. Program data are required for each HEGIS discipline

in which the institution offers instructional programs. Unless otherwise specifically stated, the conventions and procedures will be the same as those specified in the Commonwealth of Pennsylvania Budget Instructions for State-Related Universities, Phase I, Fiscal Year 1978-1979.

The report covering the twelve-month period beginning July 1, 1976 and ending June 30, 1977, shall include for all programs of the State colleges and university including Cheyney State College:

(1) Minimum number of credits required for a baccalaureate degree, and for a master's degree.

(2) Number of associate degrees, baccalaureate degrees, master's degrees, first-professional degrees, and doctoral degrees awarded by HEGIS discipline divisions, for 1975-1976, 1976-1977 and projected for 1977-1978.

(3) A listing of the academic departments and instructional subject matter in each of the HEGIS discipline divisions included in the report.

The State colleges and university, including Cheyney State College shall report its revenues and expenditures and present its financial statements required under the provisions of this act in accordance with generally accepted accounting principles and procedures for educational institutions as set forth in the "Higher Education Finance Manual", U.S. HEW (1975) with the exceptions set forth in the Commonwealth of Pennsylvania Budget Instructions for State Related Universities, Phase I, Fiscal Year 1977-1978.

Credits granted for non-traditional programs such as CLEP, lifelong learning, etc., including all related costs and revenues thereof shall be excluded from the function of "Instruction" and included under "Public Service."

The funds appropriated herein for the operation, maintenance, and administration of the State colleges and university, including Cheyney State College, are not sufficient to provide for any negotiated compensation increases after the effective date of this act, therefore no funds appropriated herein shall be used for such negotiated compensation increases.

No funds appropriated herein shall be deposited in the Pennsylvania State College Educational Services Trust Fund, or any other such jointly administered fund.

No funds received from any other source by the State colleges and university, including Cheyney State College shall be used for negotiated compensation increases nor deposited in the Pennsylvania State College Educational Services Trust Fund, or any other such jointly administered fund.

Amend Sec. 2, page 12, line 25, by striking out "1,695,000" and inserting 1,646,000

Amend Sec. 2, page 12, line 28, by striking out "3,834,000" and inserting 3,867,000

Amend Sec. 2, page 13, line 1, by striking out "1,748,000" and inserting 1,226,000

Amend Sec. 2, page 13, line 11, by striking out "1,263,475,000" and inserting 1,527,692,000

For interest payments incurred by the Public School Finance Assistance Authority 2,300,000

Amend Sec. 2, page 13, line 14, by striking out "147,000,000" and inserting 154,000,000

Amend Sec. 2, page 13, line 17, by striking out "67,000,000" and inserting 82,000,000

Amend Sec. 2, page 13, line 21, by striking out "88,250,000" and inserting 99,528,000

Amend Sec. 2, page 14, line 12, by striking out "27,815,000" and inserting 30,240,000

Amend Sec. 2, page 14, line 15, by striking out "35,000" and inserting 100,000

Amend Sec. 2, page 14, line 18, by striking out "7,193,000" and inserting 7,452,000

Amend Sec. 2, page 14, line 23, by striking out "6,240,000" and inserting 8,700,000

Amend Sec. 2, page 15, line 16, by striking out "3,095,000" and inserting 3,249,000

Amend Sec. 2, page 15, line 17, by inserting after "operation" and administration

Amend Sec. 2, page 15, line 18, by striking out "private" and inserting 10,177,000

Amend Sec. 2, page 15, lines 19 and 20, by striking out both of said lines

Amend Sec. 2, page 15, line 21, by striking out "18,918,000" and inserting 18,490,000

Amend Sec. 2, page 15, line 22, by striking out "8,408,000" and inserting 8,218,000

Amend Sec. 2, page 15, line 23, by striking out "2,102,000" and inserting 2,054,000

Amend Sec. 2, page 15, line 29, by striking out "8,896,000" and inserting 9,391,000

Amend Sec. 2, page 16, line 6, by striking out "858,000" and inserting 898,000

Amend Sec. 2, page 16, lines 7 through 11, by striking out all of said lines and inserting For acquiring,

Amend Sec. 2, page 16, line 14, by striking out "780,000" and inserting 430,000

Amend Sec. 2, page 16, lines 15 through 25, by striking out all of said lines

Amend Sec. 2, page 16, line 28, by striking out "2,090,000" and inserting 2,299,000

Amend Sec. 2, page 17, line 1, by striking out "47,651,000" and inserting 46,651,000

Amend Sec. 2, page 17, by inserting between lines 1 and 2 Commonwealth allocations to the community colleges from the funds appropriated herein shall be separately calculated for community and public services including noncredit continuing education as defined by the Higher Education Finance Manual and the Higher Education General Information Survey.

No funds appropriated herein shall be allocated for the reimbursement of operating or capital expenses for which Federal funds have been received.

An independent audit report for the preceding fiscal year, which is consistent with the Higher Education Finance Manual shall be submitted by each community college to the Department of Education not later than 120 days after the close of the preceding fiscal year. The Department of Education may withhold whatever funds appropriated herein it feels necessary to ensure that such audit reports are submitted in the prescribed fashion.

Amend Sec. 2, page 17, line 3, by striking out "3,350,000" and inserting 3,895,000

Amend Sec. 2, page 17, lines 7 through 30, by striking out all of said lines and inserting

To be transferred at the request of the agency, upon approval of the Governor, and deposited in the Higher Education Assistance Fund for the following uses and purposes:

For payment of State scholarships to be called State Higher Education Grants to students enrolled on a full-time basis in undergraduate postsecondary programs approved by the agency 68,440,000

For the purpose of administering the programs of the agency including payment of lender participation incentives 4,233,000

For the purpose of being held in reserve to guarantee loans for the payment of possible losses of such loans guaranteed and payment of lender participation incentives 2,500,000

For the purpose of assisting approved institutions of higher learning and students in securing and obtaining maximum participation in Federal student aid funds to be used as financial aid to students in meeting their costs of attendance at such institutions. 1,800,000

For payment and administration of institutional assistance grants to be allotted by the PHEAA for the academic year beginning on or about September, 1977 pursuant to the criterion contained in the act of July 18, 1974 (P.L. 483, No. 174) 16,400,000

Amend Sec. 2, page 18, line 4, by striking out "15,222,000" and inserting 16,365,000

Topographic and Geologic Survey. 1,650,000

Amend Sec. 2, page 18, line 6, by striking out "2,144,000" and inserting 2,300,000

Amend Sec. 2, page 18, line 7, by striking out "600,000" and inserting 650,000

Amend Sec. 2, page 18, line 8, by striking out "2,000,000" and inserting 2,180,000

Amend Sec. 2, page 18, line 9, by striking out "2,409,000" and inserting 2,882,000

Amend Sec. 2, page 18, line 10, by striking out "5,884,000" and inserting 5,415,000

Amend Sec. 2, page 18, line 11, by striking out "2,980,000" and inserting 3,193,000

Amend Sec. 2, page 18, line 12, by striking out "5,354,000" and inserting 7,835,000

Amend Sec. 2, page 18, by inserting between lines 12 and 13 This appropriation shall be allocated for the following purposes:

(1) Migrant Workers Program

(2) For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems

(3) For reimbursement to municipalities toward the costs incurred in the enforcement of the "Sewage Facilities Act"

(4) To provide grants for rat control programs including but not limited to extermination measures, improvement of refuse collections and garbage collections and community educational activities designed to promote participation and support of the programs by residents and property owners

(5) Salaries, wages, and necessary expenses for the proper administration of the Bureau of Community Environmental Control.

Amend Sec. 2, page 18, line 13, by striking out "581,000" and inserting 712,000

Amend Sec. 2, page 18, line 14, by striking out "10,222,000" and inserting 10,955,000

Amend Sec. 2, page 18, line 15, by striking out "400,000" and inserting 406,000

Amend Sec. 2, page 18, line 17, by striking out "18,458,000" and inserting 19,894,000

Amend Sec. 2, page 18, line 21, by striking out "100,000" and inserting 150,000

Amend Sec. 2, page 18, line 26, by striking out "745,000" and inserting 892,000

Amend Sec. 2, page 18, lines 27 through 30; page 19, lines 1 and 2, by striking out all of said lines

Amend Sec. 2, page 20, line 6, by striking out "75,000" and inserting 100,000

Amend Sec. 2, page 20, by inserting between lines 22 and 23

For payment to the solid waste-demonstration grants-in-aid fund to pay for the completion of projects under current development. 1,000,000

Amend Sec. 2, page 20, lines 29 and 30; page 21, lines 1 through 5, by striking out all of said lines

Amend Sec. 2, page 21, line 22, by striking out "21,543,000" and inserting 26,097,000

Amend Sec. 2, page 21, by inserting between lines 22 and 23

No more than \$10,521,000 in general obligation bonds may be used to augment this appropriation.

Amend Sec. 2, page 21, line 24, by striking out ". . . 1,296,000" and inserting : Provided, That only automobiles classified as "compact" may be purchased with funds from this appropriation 784,000

Amend Sec. 2, page 21, line 26, by striking out "55,200,000" and inserting 54,900,000

Amend Sec. 2, page 22, line 4, by striking out "14,932,000" and inserting 14,737,000

Amend Sec. 2, page 22, by inserting between lines 4 and 5

The funds appropriated for general government operations shall not be used for the purposes or functions of the Bureau of Vital Statistics, the State Laboratory or the State Health Care Centers and the funds appropriated to the Bureau of Vital Statistics, the State Laboratory or the State Health Care Centers shall not be used for the general administration expenses of the Department of Health.

Donolow Memorial Health Center 150,000

Amend Sec. 2, page 22, line 6, by striking out "2,802,000" and inserting 3,113,000

Amend Sec. 2, page 22, by inserting between lines 6 and 7

No funds appropriated herein shall be used for the salaries, wages, or necessary expenses supported by this appropriation after September 30, 1977 until the State Treasurer has determined that funds will be received on account of fees levied, in an amount sufficient to cover the cost of processing certified

copies of Vital Statistics.

Amend Sec. 2, page 22, line 7, by striking out "1,776,000" and inserting 2,164,000

Amend Sec. 2, page 22, by inserting between lines 7 and 8

No funds appropriated herein shall be used for the salaries, wages, or necessary expenses supported by this appropriation after September 30, 1977 until the Department of Health has demonstrated an effort to establish a fee structure which will make those services, for which fees will be charged, self sufficient.

Amend Sec. 2, page 22, line 10, by striking out "8,118,000" and inserting 9,580,000

Amend Sec. 2, page 22, line 11, by striking out "2,200,000" and inserting 2,750,000

Amend Sec. 2, page 22, line 12, by striking out "550,000" and inserting 607,000

Amend Sec. 2, page 22, line 14, by striking out "1,190,000" and inserting 1,256,000

Amend Sec. 2, page 22, line 20, by striking out "3,000,000" and inserting 3,633,000

Amend Sec. 2, page 22, line 26, by striking out "4,395,000" and inserting 3,356,000

A report on Elizabethtown Hospital for Children and Youth shall be submitted on or before January 31, 1978 by the Department of Health to the Governor and the Appropriations and Health and Welfare Committees of the Senate and House of Representatives. This report shall be a comprehensive utilization review of the hospital including, but not limited to program and fiscal audits of the facility. The report shall also review the need for continued operation of the hospital taking into account other facilities in the Commonwealth providing similar services and future capital investment and operating expenses. In addition, the report shall contain a professional, medical and health analysis of the services to physically disabled children provided at the institution, comparing the quality of diagnosis, treatment, rehabilitation, and restoration with like institutions and professionally acceptable practices. The report shall be prepared under the direction of a committee appointed by the Secretary of Health whose membership shall consist of non-Commonwealth employees capable of providing the necessary and independent professional expertise and judgment required to prepare a comprehensive and unbiased report. The secretary shall provide to the committee whatever assistance it shall need in the performance of its duties. For this purpose, the secretary may use funds from either or both of the appropriations provided in this act to the department for general government operations or Elizabethtown Hospital.

Amend Sec. 2, page 23, line 12, by striking out all of said line

Amend Sec. 2, page 23, by inserting between lines 17 and 18

To engage or contract with any private institute, research foundation or any entity to perform research of Lupus Erythematosus 75,000

Amend Sec. 2, page 23, by inserting between lines 23 and 24

For the establishment of a comprehensive program relating to persons with Tay-Sachs Disease at the Jefferson Medical College and Hospital, Philadelphia, Pennsylvania 50,000

Such program shall include the detection of Tay-Sachs Disease in the community, counselling of individuals and families, education of the public, institution, coordination of research into the treatment for Tay-Sachs Disease and the expansion of genetic diagnostic services and treatment of persons with the disease.

The Department of Health shall ascertain that the funds appropriated by this act are used by the Jefferson Medical College and Hospital, Philadelphia for the purposes herein set forth.

Amend Sec. 2, page 24, line 1, by striking out "5,203,000" and inserting 6,000,000

Amend Sec. 2, page 24, lines 3 and 4, by striking out both of said lines and inserting Commission and for costs associated with the closeout of Commonwealth funded activities at Valley Forge State Park 200,000

Amend Sec. 2, page 24, line 7, by striking out "542,000" and inserting 592,000

Amend Sec. 2, page 24, line 10, by striking out "112,000" and inserting 118,000

Amend Sec. 2, page 24, line 17, by striking out "4,683,000" and inserting 5,547,000

Amend Sec. 2, page 24, line 20, by striking out "450,000" and inserting 464,000

Amend Sec. 2, page 24, line 21, by striking out "63,000" and inserting 469,000

Amend Sec. 2, page 24, line 22, by striking out "1,316,000" and inserting 1,454,000

Amend Sec. 2, page 24, line 23, by striking out all of said line

Amend Sec. 2, page 24, line 24, by striking out "651,000" and inserting 691,000

Amend Sec. 2, page 24, line 25, by striking out "154,000" and inserting 176,000

Amend Sec. 2, page 24, line 26, by striking out "477,000" and inserting 648,000

Amend Sec. 2, page 24, line 28, by striking out "1,843,000" and inserting 1,793,000

Amend Sec. 2, page 24, line 29, by striking out "1,335,000" and inserting 1,807,000

Amend Sec. 2, page 24, line 30, by striking out "131,000" and inserting 151,000

Amend Sec. 2, page 25, line 8, by striking out "3,064,000" and inserting 3,298,000

Amend Sec. 2, page 25, line 10, by striking out "225,000" and inserting 326,000

Amend Sec. 2, page 25, line 12, by striking out "209,000" and inserting 249,000

Amend Sec. 2, page 25, line 14, by striking out "200,000" and inserting 285,000

Amend Sec. 2, page 25, line 16, by striking out "250,000" and inserting 739,000

Amend Sec. 2, page 25, line 18, by striking out "and" and inserting 71,540,000

No funds from this appropriation are to be used for currently existing or new community service centers.

Amend Sec. 2, page 25, line 19, by striking out all of said line and inserting

For the operation, maintenance and administration of the community services centers 2,444,000

No funds from this appropriation are to be used to establish or operate community service centers beyond the 15 currently existing centers.

Amend Sec. 2, page 25, line 22, by striking out "1,568,000" and inserting 1,452,000

Amend Sec. 2, page 25, line 25, by striking out "1,000,000" and inserting 750,000

Amend Sec. 2, page 26, line 3, by striking out "11,009,000" and inserting 12,830,000

Amend Sec. 2, page 26, line 4, by striking out "26,500,000" and inserting 25,000,000

Amend Sec. 2, page 26, lines 5 through 8, by striking out all of said lines

Amend Sec. 2, page 26, line 19, by striking out "6,999,000" and inserting 8,017,000

Amend Sec. 2, page 26, line 21, by striking out "1,917,000" and inserting 573,000

Amend Sec. 2, page 26, line 23, by striking out "738,000" and inserting 855,000

Amend Sec. 2, page 26, line 27, by striking out "70,000" and inserting 65,000

Amend Sec. 2, page 27, line 8, by striking out "681,000" and inserting 867,000

Amend Sec. 2, page 27, line 13, by striking out "8,564,000" and inserting 9,839,000

Amend Sec. 2, page 27, line 15, by striking out "1,679,000" and inserting 1,763,000

Amend Sec. 2, page 27, line 23, by striking out "19,193,000" and inserting 20,363,000

Amend Sec. 2, page 27, lines 24 through 30; page 28, line 1, by striking out all of said lines and inserting

For the provision of security programs and facilities for youth offenders including two hundred security beds 4,498,000

For the provision of community based programs and facilities for youth offenders 2,012,000

For the provision of basic institutional programs and facilities and to provide general support services for security pro-

grams and facilities and community based programs and facilities for youth offenders 19,123,000

The appropriation structure herein specified for the above three appropriations in no way constrains or attempts to define the cost allocations necessary to implement the cost and billing procedures required by Act No. 148 of 1976.

In addition to any other information requested by the House of Representatives and Senate Appropriations Committees of the General Assembly, the Department of Public Welfare shall provide for each succeeding fiscal year, the following program information for the above three appropriations:

(1) An unduplicated count of the number of youth offenders served by each program or facility.

(2) A per diem cost for each program or facility.

(3) The number of youth offenders recidivating into the same or any other program or facility for youth offenders funded from the above three appropriations.

(4) The number of previous commitments of recidivists to a program or facility funded from the above three appropriations.

Recidivism data shall be provided in a pure statistical manner not revealing the identity of any involved individual.

Amend Sec. 2, page 28, line 3, by striking out "5,826,000" and inserting 7,033,000

Amend Sec. 2, page 28, line 9, by striking out all of said line and inserting ill and the mentally retarded: Provided, That none of the funds appropriated hereby shall be used to fund the Eastern Pennsylvania Psychiatric Institute. 337,179,000

Amend Sec. 2, page 28, line 16, by striking out "101,456,000" and inserting 99,562,000

Amend Sec. 2, page 28, line 19, by striking out "20,000,000" and inserting 18,080,000

Amend Sec. 2, page 28, by inserting between lines 19 and 20 For the provisions of services to the blind at:

Center For the Blind - Delaware County 25,000

Beacon Lodge Camp 25,000

Center for the Blind - Philadelphia 25,000

Pennsylvania Association for the Blind - Pittsburgh 25,000

Amend Sec. 2, page 28, line 23, by striking out "528,000,000" and inserting 552,000,000

Amend Sec. 2, page 28, line 24, by striking out "93,573,000" and inserting 102,115,000

Amend Sec. 2, page 28, line 25, by striking out "3,216,000" and inserting 2,736,000

Amend Sec. 2, page 28, line 26, by striking out "3,173,000" and inserting 3,155,000

Amend Sec. 2, page 28, line 27, by striking out "328,000,000" and inserting 350,000,000

Amend Sec. 2, page 28, line 28, by striking out "59,045,000" and inserting 63,000,000

Amend Sec. 2, page 28, line 29, by striking out "20,000,000" and inserting 23,174,000

Amend Sec. 2, page 29, line 1, by striking out "63,3808,000" and inserting 62,460,000

Amend Sec. 2, page 29, by inserting between lines 8 and 9

Outpatient hospital services as specified by regulations of the department adopted under Title XIX of the Federal Social Security Act consisting of preventive, emergency, diagnostic, therapeutic, rehabilitative or palliative services, furnished by or under the direction of a physician or dentist, to an outpatient by a hospital which qualifies to participate under Title XIX of the Federal Social Security Act, shall be purchased on the basis of reasonable costs as certified to the department by the Auditor General. Reasonable costs shall be defined in accordance with regulations establishing the method or methods to be used, and the items to be included. Reasonable cost takes into account both direct and indirect costs of providers of services, including normal standby costs.

Payment of private nursing homes, excluding long-term care units of acute care hospitals, for skilled and intermediate care for persons eligible for medical assistance after June 30, 1977, on the basis of reasonable cost not to be limited by the application of regional ceilings.

Amend Sec. 2, page 29, line 13, by striking out "8,299,000" and inserting 8,460,000

Amend Sec. 2, page 29, line 24, by striking out "56,000,000"

and inserting 63,653,000

Amend Sec. 2, page 29, lines 28 through 30; page 30, line 1, by striking out all of said lines and inserting

For the provision of programs to combat juvenile gang warfare and outreach programs 96,000

For continuation of the Youth Service System 167,000

Amend Sec. 2, page 30, line 7, by striking out "400,000" and inserting 440,000

Amend Sec. 2, page 30, line 13, by striking out "800,000" and inserting 880,000

Amend Sec. 2, page 30, line 22, by striking out "2,608,000" and inserting 2,659,000

Amend Sec. 2, page 30, by inserting between lines 23 and 24 For the office for the visually handicapped as a supplemental appropriation for the exclusive purpose of extending blind radio reading services to listener applicants not eligible under Title XX. 50,000

This appropriation would be applicable to the purchase of special receivers for non-Title XX eligibles and as an alternative funding resource for operational overhead directly attributable to non-Title XX eligible applicants.

Amend Sec. 2, page 30, line 30, by striking out "44,944,000" and inserting 47,310,000

Amend Sec. 2, page 31, lines 1 through 5, by striking out all of said lines

Amend Sec. 2, page 31, line 7, by striking out "30,000,000" and inserting 28,500,000

Amend Sec. 2, page 31, line 11, by striking out "817,000" and inserting 920,000

Amend Sec. 2, page 31, line 19, by striking out "5,802,000" and inserting 6,011,000

Amend Sec. 2, page 32, line 5, by inserting a comma after "assistance"

Amend Sec. 2, page 32, line 6, by striking out all of said line and inserting fire prevention and including \$640,000 which shall be used for a cadet class to begin in the 1977-1978 fiscal year 30,135,000

Amend Sec. 2, page 32, line 10, by striking out "1,030,000" and inserting 1,125,000

Amend Sec. 2, page 32, line 16, by striking out "749,000" and inserting 823,000

Amend Sec. 2, page 32, line 22, by striking out "987,000" and inserting 1,089,000

Amend Sec. 2, page 32, line 26, by striking out "74,200,000" and inserting 79,000,000

Amend Sec. 2, page 33, line 2, by striking out "1,200,000" and inserting 1,625,000

Amend Sec. 2, page 33, line 15, by striking out "4,102,000" and inserting 4,473,000

Amend Sec. 2, page 33, by inserting between lines 15 and 16

No allocations may be made from this appropriation for the support of instructional television by either the commission or its member stations.

Amend Sec. 2, page 33, line 16, by striking out "1,700,000" and inserting 2,000,000

Amend Sec. 2, page 33, by inserting between lines 16 and 17

No allocations may be made from this appropriation for the support of instructional television by either the commission or its member stations.

Amend Sec. 2, page 41, line 28, by striking out "5,500,000" and inserting 5,350,000

Amend Sec. 2, page 42, line 1, by striking out "2,884,000" and inserting 2,500,000

Amend Sec. 2, page 42, line 3, by striking out "4,386,000" and inserting 4,000,000

Amend Sec. 2, page 42, by inserting between lines 3 and 4

Salaries of employees of the Speaker of the House of Representatives. 100,000

Salaries of employees of the Chief Clerk 525,000

Amend Sec. 2, page 42, by inserting between lines 25 and 26

Administrator for Minority Staff 17,000

Amend Sec. 2, page 43, line 11, by striking out "515,000" and inserting 800,000

Amend Sec. 2, page 43, line 13, by striking out "3,000,000" and inserting 2,850,000

Amend Sec. 2, page 43, by inserting between lines 13 and 14

Legislative Office for Research Liaison. 215,000
 Amend Sec. 2, page 47, lines 1 through 30; page 48, lines 1 through 30; page 49, lines 1 through 27, by striking out all of said lines and inserting
 For the payment to the Majority Leader and the Minority Leader of the House of Representatives for allocation in their discretion in hiring additional personnel and paying expenses of such additional personnel and staff and for conducting such research and study projects and any other necessary expenses of the committees and members of the House of Representatives in the performance of their legislative duties as may be required or arise in connection with the work of the committees during Legislative Sessions and during the interim between Legislative Sessions. The State Treasurer shall allocate to the Majority Leader an amount equal to the product of 118/203 times the appropriation and to the Minority Leader an amount equal to the product of 85/203 times the appropriation. After the State Treasurer has so allocated the funds, he shall establish a separate appropriation symbol for each leader who shall be personally responsible for expenditure of the funds allocated to him. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Majority Leader and the Minority Leader on the presentation of their requisitions for the same. The Majority Leader and the Minority Leader shall, not later than 30 days after the termination of their terms of office or until their successors are elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in their offices of their respective expenses since the filing of the prior accounts 1,800,000
 For allocation in such amounts as may be designated by the Legislative Management Committee (D) and the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority and minority members respectively of such standing committees of the House and for other necessary expenses incurred. The State Treasurer shall allocate to the Legislative Management Committee (D) an amount equal to the product of 118/203 times the appropriation and to the Legislative Management Committee (R) an amount equal to the product of 85/203 times the appropriation. After the State Treasurer has so allocated the funds, he shall establish a separate appropriation symbol for each Legislative Management Committee account and each committee shall be responsible for expenditure of the funds allocated to it. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account 3,464,000
 Amend Sec. 2, page 50, line 6, by striking out "1,065,000" and inserting 1,208,000
 Amend Sec. 2, page 51, line 7, by striking out "292,000" and inserting 317,000
 Amend Sec. 2, page 51, line 10, by striking out "875,000" and inserting 925,000
 Amend Sec. 2, page 51, line 20, by striking out "957,000" and inserting 990,000
 Amend Sec. 2, page 51, line 24, by striking out "190,000" and inserting 192,000
 Amend Sec. 2, page 52, line 1, by striking out "115,000" and inserting 125,000
 Amend Sec. 2, page 52, line 27, by striking out "30,000" and inserting 40,000
 Amend Sec. 2, page 53, line 25, by striking out "2,501,000" and inserting 2,695,000
 Amend Sec. 2, page 53, line 29, by striking out "1,139,000" and inserting 1,252,000
 Amend Sec. 2, page 54, line 13, by striking out "1,476,000" and inserting 1,625,000

Amend Sec. 2, page 54, line 16, by striking out "2,106,000" and inserting 1,810,000
 Amend Sec. 2, page 54, line 22, by striking out "17,912,000" and inserting 16,845,000
 Amend Sec. 2, page 54, by inserting between lines 22 and 23
 No allocation shall be made from this appropriation for the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties.
 For the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties. 526,000
 Amend Sec. 2, page 54, line 25, by striking out "13,340,000" and inserting 12,939,000
 Amend Sec. 2, page 54, by inserting between lines 25 and 26
 Nothing from this appropriation shall be used to pay for any Conference for District Justices of the Peace.
 Amend Sec. 2, page 54, line 29, by striking out "1,092,000" and inserting 1,079,000
 Amend Sec. 2, page 55, line 1, by striking out "133,000" and inserting 130,000
 Amend Sec. 9, page 57, by inserting between lines 22 and 23
 (c) The appropriation to the Governor's Drug and Alcohol Council shall be for the period July 1, 1977 to March 31, 1978.

ROLL CALL

House Bill 1252

MAJORITY MEMBERS	Vote
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	yea
Thomas Fee	yea
Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	yea
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea
Charles Mebus	nv
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—26
NAYS—0

NOT VOTING—3
ABSENT—2

Signed
MAX PIEVSKY
H. JACK SELTZER

AMENDMENTS TO HOUSE BILL NO. 1252

MR. PIEVSKY

Printer's No. 1475

Amend Sec. 1, page 2, line 4, by inserting after "extension" including the conservation education camp

Amend Sec. 1, page 2, line 5, by striking out "7,415,000" and inserting 7,445,000

Amend Sec. 1, page 2, lines 6 through 8, by striking out both of lines 6 and 7 and "(6)" in line 8 and inserting (5)

ROLL CALL

House Bill 1252

MAJORITY MEMBERS

Jim Barber, Subcommittee Chairman	Vote	absent
Joel Johnson, Subcommittee Chairman		yea
Amos Hutchinson, Subcommittee Chairman		yea
Bernard Dombrowski		yea
Joseph Ted Doyle		nay
Thomas Fee		nay
Helen Gillette		nay
James Goodman		nay
Ivan Itkin		yea
Joseph Kolter		nay
Martin Mullen		nay
Raphael Musto		nay
Joseph Petrarca		yea
James Prendergast		nay
Samuel Rappaport		nay
Fred Shupnik		nay
John Wansacz		nay
Joseph Wargo		nay
MR. CHAIRMAN Max Pievsky		nay
James Manderino		nv

MINORITY MEMBERS

H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	nay
John Hamilton	nay
H. Harrison Haskell	yea
Charles Mebus	nay
Frank O'Connell	nay
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	nay
James Wright	yea

YEAS—8
NAYS—19
NOT VOTING—2
ABSENT—2

Signed

MAX PIEVSKY
H. JACK SELTZER

ROLL CALL

House Bill 1252

MAJORITY MEMBERS

Jim Barber, Subcommittee Chairman	Vote	absent
Joel Johnson, Subcommittee Chairman		yea
Amos Hutchinson, Subcommittee Chairman		yea
Bernard Dombrowski		yea
Joseph Ted Doyle		yea
Thomas Fee		yea
Helen Gillette		yea
James Goodman		yea
Ivan Itkin		yea
Joseph Kolter		yea
Martin Mullen		yea
Raphael Musto		yea
Joseph Petrarca		yea
James Prendergast		yea
Samuel Rappaport		yea
Fred Shupnik		yea
John Wansacz		yea
Joseph Wargo		yea
MR. CHAIRMAN Max Pievsky		yea
James Manderino		nv

MINORITY MEMBERS

H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea
Charles Mebus	nv
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—26

NAYS—0

NOT VOTING—3

ABSENT—2

Signed

MAX PIEVSKY
H. JACK SELTZER

ROLL CALL

House Bill 1253

MAJORITY MEMBERS

Jim Barber, Subcommittee Chairman	Vote	absent
Joel Johnson, Subcommittee Chairman		yea
Amos Hutchinson, Subcommittee Chairman		yea
Bernard Dombrowski		yea
Joseph Ted Doyle		yea
Thomas Fee		yea

Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Wargo, Joseph	yea
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea
Charles Mebus	nv
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—26
 NAYS—0
 NOT VOTING—3
 ABSENT—2

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL
 House Bill 1255

MAJORITY MEMBERS	
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	nay
Thomas Fee	yea
Helen Gillette	yea
James Goodman	nay
Ivan Itkin	yea
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	yea
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea

James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	nv
H. Harrison Haskell	yea
Charles Mebus	yea
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	nay
James Wright	yea

YEAS—23
 NAYS—3
 NOT VOTING—3
 ABSENT—2

Signed
 MAX PIEVSKY
 H. JACK SELTZER

AMENDMENTS TO HOUSE BILL NO. 1255
 MR. PIEVSKY

Printer's No. 1478

Amend Sec. 1, page 2, by inserting between lines 6 and 7
 (5) Temple University Hospital. 2,500,000

ROLL CALL
 House Bill 1255

MAJORITY MEMBERS	
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	yea
Thomas Fee	yea
Helen Gillette	yea
James Goodman	nay
Ivan Itkin	yea
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	yea
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea

Charles Mebus nv
 Frank O'Connell yea
 Sheldon Parker yea
 L. Eugene Smith absent
 Benjamin Wilson yea
 James Wright yea

YEAS—25
 NAYS—1
 NOT VOTING—3
 ABSENT—2
 Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL

House Bills 1250, 1251, 1254, 1257, 1258, 1259, 1260, 1261,
 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1274,
 1275, 1276, 1277, 1278, 1279, 1283

MAJORITY MEMBERS

Jim Barber, Subcommittee Chairman absent
 Joel Johnson, Subcommittee Chairman yea
 Amos Hutchinson, Subcommittee Chairman yea
 Bernard Dombrowski yea
 Joseph Ted Doyle yea
 Thomas Fee yea
 Helen Gillette yea
 James Goodman yea
 Ivan Itkin yea
 Joseph Kolter yea
 Martin Mullen yea
 Raphael Musto yea
 Joseph Petrarca yea
 James Prendergast yea
 Samuel Rappaport yea
 Fred Shupnik yea
 John Wansacz yea
 Joseph Wargo yea
 MR. CHAIRMAN Max Pievsky yea
 James Manderino yea

MINORITY MEMBERS

H. Jack Seltzer, Minority Chairman nv
 Harry Bittle nay
 James Gallen nay
 John Hamilton yea
 H. Harrison Haskell yea
 Charles Mebus nv
 Frank O'Connell yea
 Sheldon Parker yea
 L. Eugene Smith absent
 Benjamin Wilson nay
 James Wright yea

YEAS—24
 NAYS—3
 NOT VOTING—2
 ABSENT—2
 Signed

MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL

House Bill 1273 and House Bill 1256

MAJORITY MEMBERS

	Vote
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	yea
Thomas Fee	yea
Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	nay
James Prendergast	yea
Samuel Rappaport	nay
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	nay
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nv
Harry Bittle	yea
James Gallen	yea
John Hamilton	yea
H. Harrison Haskell	yea
Charles Mebus	nv
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—23
 NAYS—3
 NOT VOTING—3
 ABSENT—2

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL

House Bill 593

MAJORITY MEMBERS

	Vote
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	nay
Thomas Fee	yea

Helen Gillette	nay
James Goodman	yea
Ivan Itkin	nay
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	yea
MR. CHAIRMAN Max Pievsky	yea
James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nay
Harry Bittle	nay
James Gallen	nay
John Hamilton	nay
H. Harrison Haskell	nay
Charles Mebus	nay
Frank O'Connell	nay
Sheldon Parker	nay
L. Eugene Smith	absent
Benjamin Wilson	nay
James Wright	nay
YEAS—15	
NAYS—13	
NOT VOTING—1	
ABSENT—2	
Signed	
MAX PIEVSKY	
H. JACK SELTZER	
ROLL CALL	
House Bill 1075	
MAJORITY MEMBERS	
Jim Barber, Subcommittee Chairman	Vote absent
Joel Johnson, Subcommittee Chairman	yea
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	nay
Thomas Fee	yea
Helen Gillette	nay
James Goodman	yea
Ivan Itkin	nay
Joseph Kolter	yea
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	yea
James Prendergast	yea
Samuel Rappaport	yea
Fred Shupnik	yea
John Wansacz	yea
Joseph Wargo	yea
MR. CHAIRMAN Max Pievsky	yea

James Manderino	nv
MINORITY MEMBERS	
H. Jack Seltzer, Minority Chairman	nay
Harry Bittle	nay
James Gallen	nay
John Hamilton	nv
H. Harrison Haskell	nay
Charles Mebus	nay
Frank O'Connell	nay
Sheldon Parker	nay
L. Eugene Smith	absent
Benjamin Wilson	nay
James Wright	nay

YEAS—15
 NAYS—12
 NOT VOTING—2
 ABSENT—2

Signed
 MAX PIEVSKY
 H. JACK SELTZER

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

June 13, 1977.

SUBJECT: Minutes of Business & Commerce Committee — Week of June 6, 1977

TO: Honorable K. Leroy Irvis, Speaker

FROM: Honorable Reid L. Bennett, Chairman
 Business & Commerce Committee

The Business and Commerce Committee did not hold any meetings during the week of June 6, 1977.

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

CONSERVATION COMMITTEE

The Conservation Committee held no meetings or other activities during the period June 7 through June 13, 1977.

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

Attendance Report

Wednesday, June 8, 1977.

CANCELLED

Signed
 C. L. SCHMITT
 Chairman

Mr. GALLAGHER, chairman of the Education Committee, presented the following report:

June 13, 1977.

SUBJECT: Committee Activities

TO: Honorable K. Leroy Irvis, Speaker
 FROM: James J. A. Gallagher, Chairman
 Committee on Education

During the week of June 6, 1977, the Committee on Education held one meeting. It convened on Thursday, June 9, 1977, in the Majority Caucus Room at 1:40 p.m.

Purpose of the meeting was hear a presentation by officials of the Department of Education pertaining to proposed new standards for Special Education.

Mr. RITTER, chairman of the Federal-State Relations Committee, presented the following report:

June 13, 1977.

SUBJECT: Committee Report
 TO: Hon. K. Leroy Irvis
 The Speaker
 FROM: James P. Ritter, Chairman
 Federal-State Relations Committee

There were no meetings held by the Federal-State Relations Committee the week of June 6, 1977.

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

There were no meetings of the Finance Committee the week of May 30, 1977.

RONNY GOLDSMITH

Mr. RENWICK, chairman of the Game and Fisheries Committee, presented the following report:

SUBJECT: Meetings — Committee on Game and Fisheries
 TO: Honorable K. Leroy Irvis
 Speaker
 FROM: William F. Renwick, Chairman

The Committee on Game and Fisheries did not hold any meetings the week of June 6, 1977.

Mrs. KELLY, chairman of the Health and Welfare Committee, presented the following report:

June 13, 1977.

SUBJECT: Weekly Committee Meeting Report
 TO: The Speaker of the House of Representatives
 FROM: Anita P. Kelly, Chairman
 Committee on Health and Welfare

During the week of June 6, 1977, there were no meetings of the Committee on Health and Welfare.

ANITA P. KELLY
 Chairman

Committee on Health and Welfare

Mr. KOWALYSHYN, chairman of the Insurance Committee, presented the following report:

June 13, 1977.

SUBJECT: Insurance Committee Meetings
 TO: Honorable K. Leroy Irvis
 FROM: Russell Kowalyshyn, Chairman

Please be advised that the Committee on Insurance held no meetings during the week of June 6, 1977.

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

June 13, 1977.

SUBJECT: Judiciary Committee Meetings
 TO: Office of the Speaker
 FROM: Norman S. Berson, Chairman

No meetings were scheduled by the Judiciary Committee during the week of June 6, 1977.

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

June 13, 1977.

SUBJECT: Committee Meeting Report
 TO: Honorable K. Leroy Irvis
 Speaker
 FROM: A. Joseph Valicenti, Chairman
 Labor Relations Committee

There were no meetings held by the House Labor Relations Committee during the week of June 6, 1977.

Mr. BARBER, chairman of the Liquor Control Committee, presented the following report:

June 13, 1977.

The Honorable K. Leroy Irvis
 Speaker
 House of Representatives
 Harrisburg, PA 17120

Dear Lee:

The Liquor Control Committee did not have a committee meeting during the week of June 6, 1977. I do hope that we will be able to have a scheduled meeting in the very near future.

Thank you very much for your cooperation.

Sincerely,
 JAMES D. BARBER
 Chairman

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

June 13, 1977.

SUBJECT: Local Government Committee Meetings
 TO: Honorable K. Leroy Irvis, Speaker
 FROM: Lester K. Fryer, Chairman
 Room 149-A ext. 3-8683

Please be advised that there were no meetings of the House Local Government Committee during the week of June 6, 1977.

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

June 13, 1977.

SUBJECT: Minutes — 6 June 1977
 Special Meeting
 TO: Honorable K. Leroy Irvis
 The Speaker
 FROM: A. J. DeMedio, Chairman
 Military & Veterans Affairs Committee

A special meeting of the Military and Veterans Affairs Committee was held in Room 300, Main Capitol Building, on 6 June 1977, at 12 noon, for the purpose of considering House Bills 1190 and 1211.

All committee members were in attendance. The report of committee actions follows:

(HB 1190) Motion by Representative Dietz, seconded by Representative Spitz. House Bill 1190 unanimously reported from the committee.

(HB 1211) Motion by Representative Spitz, seconded by Representative Zitterman. House Bill 1211 unanimously reported from the committee.

The meeting adjourned at 12:45 P.M.

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

June 13, 1977.

SUBJECT: Mines and Energy Management Committee Meeting Attendance Report
 TO: The Honorable K. Leroy Irvis
 The Speaker
 FROM: Bernard F. O'Brien, Chairman
 James Wright, Minority Chairman

Attached please find the Mines and Energy Management Committee's attendance report for the meeting held on June 6, 1977.

Attendance Report

June 6, 1977.

MAJORITY MEMBERS
 MR. CHAIRMAN Bernard F. O'Brien

Present Absent
 X

	Present	Absent
Fred Taylor	X	
Camille George	X	
Thomas McCall	X	
James Goodman	X	
Ivan Itkin		
Donald Abraham	X	
George Misceovich	X	
William DeWeese	X	
Ron Gatski	X	
Fred Trello		
Dave Sweet	X	
Ron Gamble		
Paul Yahner	X	
MINORITY MEMBERS		
James Wright, Jr.	X	
Stanford I. Lehr	X	
L. Eugene Smith	X	
Jess Stairs	X	
John Davies	X	
Edward F. Burns	X	
D. Michael Fisher		
Joseph Levi	X	
Paul Wass	X	

Signed
 CAMILLE GEORGE
 Secretary

Mr. RIEGER, acting chairman of the Professional Licensure Committee, presented the following report:

June 13, 1977.

Mr. Speaker:

The Professional Licensure Committee did not meet the week of June 6, 1977.

HON. WILLIAM W. RIEGER
 Acting Chairman

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

June 13, 1977.

Mr. Speaker:

The House State Government Committee did not meet during the week of June 6, 1977.

HON. ROBERT GEISLER
 Chairman

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

June 13, 1977.

Honorable K. Leroy Irvis
 Speaker of the House
 Main Capitol Building
 Harrisburg, Pennsylvania

Dear Mr. Irvis:

There was a meeting of the Transportation Committee on Thursday, June 8, 1977 in Delaware County, Philadelphia. The purpose of this meeting was to inspect the Boeing Rail Car Division.

Also, there was a second meeting on Friday, June 9, 1977 in Montgomery County, Philadelphia. The purpose of this meeting was to inspect the Narco Aviatational facilities.

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

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

June 13, 1977.

SUBJECT: Report of Urban Affairs Committee for the week of June 6, 1977.

TO: Honorable K. Leroy Irvis, Speaker
House of Representatives

FROM: Charles N. Caputo, Chairman
Urban Affairs Committee

The Committee on Urban Affairs did not meet during the week of June 6, 1977.

RULES SUSPENDED TO ADD AND DELETE SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would like to move that the House of Representatives suspend its rules to permit the additions and deletions of sponsors on the following bills:

Additions:

HB 69, Roger R. Fischer; HB 86, Harold L. Brown; HB 111, Thomas J. Fee; HB 749, Kenneth Halverson; HB 795, Thomas J. Fee; HB 845, Harold L. Brown; HB 1217, Ralph Pratt; and HB 1152, David Sweet.

Deletions:

HB 651, James J. Gallen; HB 832, James J. Gallen; and HB 945, Bernard F. O'Brien.

The SPEAKER. The majority leader has moved that the rules be suspended for the purpose of adding or deleting names from bills. This requires a constitutional majority. Those members agreeing with the motion will vote "aye"; those members disagreeing will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—184

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

NAYS—5

Spitz	Wilson	Wright, J. L.	Zearfoss
Weidner			

NOT VOTING—11

Bittinger	Gleeson	Rappaport	Shuman
Cessar	Knepper	Ritter	Williams
Cohen	Parker	Shelton	

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

The SPEAKER. The House will be in order. It is the request of the Chair that because we are about to take up a condolence resolution on the death of a member of this legislature that each member properly should be seated and silent. That request extends to staff members also.

**RULES SUSPENDED TO CONSIDER
CONDOLENCE RESOLUTION**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would like to ask at this time for a suspension of the rules so that we might immediately consider a resolution of condolence for a deceased member, John F. Laudadio, Sr.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—10

Beloff	Rappaport	Williams	Zearfoss
Cessar	Shelton	Wilson	Zord
Gleeson	Stuban		

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

CONDOLENCE RESOLUTION PRESENTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the resolution I offer reads as follows:

In the House of Representatives,

Our beloved fellow member and good friend, the Honorable John F. Laudadio, Sr. of the City of Jeannette and representing the 56th Legislative District in Westmoreland County, died of a heart attack at 60 years of age on Tuesday, June 7, 1977.

The Honorable John F. Laudadio, Sr. was born December 26, 1916 in the small community of Penn, Pennsylvania, Westmoreland County, the son of the late Frank and Marie (Dreistadt) Laudadio. He attended Jeannette High School, Jeannette Night School and the Carnegie Institute of Technology. It was during the formative years of his youth while hunting, fishing and trapping that John encountered such serious pollution of many fine streams and the devastation of land resources that he became vowed and determined to devote his life and energy to preserving and protecting our clean streams and other valuable natural resources.

In 1936, at the early age of 20, John became a member of the Penn Rod and Gun Club, Inc., an affiliate of the Westmoreland County Sportsmen's Clubs, Inc. of Penn, Pennsylvania; became one of its officers in 1938 and continued to be one of its officers until his untimely death. It was with his help and guidance that the Penn Rod and Gun Club developed into one of the most outstanding conservation clubs in the County, State and Nation, including the development of farm and camp facilities in *Fulton County comprising 350 prime acres used for hunting and fishing for its members.*

John was first elected to the House of Representatives in 1962 and was reelected every succeeding term thereafter, and as a veteran of more than fourteen years in the House, was serving as Chairman of the House Conservation Committee and Chairman of the Joint Legislative Air and Water Pollution Control and Conservation Committee at the time of his death.

It was not long after John became a lawmaker that he started to implement his boyhood dream and determination to preserve and protect our valuable natural resources. He was the prime sponsor in 1965 of substantial amendments to "The Clean Streams Law," and in 1970 successfully fought for and had passed sweeping and strengthening amendments to such act which now provide Pennsylvania with perhaps the toughest stream pollution laws in the Nation. In 1966 he was the chief sponsor of "The Bituminous Mine Subsidence and Land Conservation Act of 1966," which afforded people living in mining areas protection against mine cave-ins. In the 1969-70 Session of the General Assembly, he sponsored and successfully had passed in the House the "All Surface Mining" bill and the "Watershed Management Act," but both bills failed to pass the Senate. Although he lost such bills, he did have a smashing success. In that same 1969-70 Session, John became the chief sponsor and moving force on House Bill 2213 (containing 92 sponsors), which brought into being the Department of Environmental Resources; and he could proudly claim, and rightly so, that he was the "granddaddy of DER." He was one of the co-sponsors of the bill amending the Bill of Rights of our Pennsylvania Constitution (Article I, Section 27) which now guarantees to the people of the Commonwealth the "right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environments." And just the day before his death, John Laudadio had introduced in the House a package of bills to further promote and preserve historic and scenic areas from possible development, degradation or destruction.

As a sportsman and conservationist, John Laudadio was a lifetime member and President of the Pennsylvania Federation of Sportsmen's Clubs, Inc., 1964-1966, its Secretary, 1966-1967, President of its Southwest division, 1957-1959, and President of the Westmoreland County Sportsmen's League, 1950-1952. He also served as a member and Chairman of the Westmoreland County Recreation and Park Commission from 1960-1969.

John Laudadio received Statewide and national recognition for his humanitarian and conservation activities. In 1965 he was cited by the National Wildlife Federation and the Sears-Roebuck Conservation Foundation as the "Pennsylvania Conservation Legislator of the Year." He received in 1965 a merit award from the Izaak Walton League of America, Inc. In January, 1966 he was honored as the "National Conservation Legislator of the Year" in Washington, D.C., by Mrs. Lyndon B.

Johnson, wife of former President Lyndon B. Johnson. In June of 1971, the Pennsylvania Fraternal Order of Eagles presented John with the "Humanitarian of the Year Award." In 1974 John Laudadio received Governor Milton J. Shapp's award as "Mr. Conservation of Pennsylvania," and in 1976 the Westmoreland County Recreation and Park Commission presented him with the "President's Award" for his conservation achievements.

But John Laudadio was not only a legislator, conservationist and sportsman, but also a working man and union representative. For over 35 years he was an employee of Westinghouse Corporation from which company he had recently retired. He was also a union representative of Local 601, IUE, AFL-CIO, and a member of its executive board from 1956 until the time of his death.

In considering his departure from us, there will be so many things to remember about the late Honorable John F. Laudadio, Sr. We will, of course, remember him now and in the future as one of the leading conservationists of modern times in this State and nation. We will remember him as a humanitarian, working man, union representative, consumer advocate, and dedicated public servant. But most important of all, we believe, is that we shall remember our dear, departed fellow legislator as one who was capable of having great, loyal and lasting friendships with members and others; capable of generosity, humor, affection, and capable of having the understanding of and an abiding concern and dedication to this House of Representatives, its members and the citizens of this Commonwealth.

John is survived by his wife, Mrs. Pearl Ferrara Laudadio, a son John F., Jr. of Columbia, Maryland, and three lovely grandchildren. Therefore be it

RESOLVED, That as members of the House of Representatives, we not only sadly mourn the passing of a dedicated, much loved and respected fellow member, the Honorable John F. Laudadio, Sr., of the City of Jeannette who ably represented the citizens of the 56th Legislative District, Westmoreland County, but we have the fervent hope that when we too are destined to depart from this earth, as we all must, that we leave it with just a small measure of John Laudadio's outstanding accomplishment for the citizens of this Commonwealth. And be it further

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania extends its heartfelt sympathy to his widow, Mrs. Pearl Ferrara Laudadio, his son and grandchildren, and that copies of this resolution be sent to his widow, Mrs. Pearl F. Laudadio of Jeannette, Pennsylvania, and his son, John F. Laudadio, Jr., of Columbia, Maryland.

JAMES J. MANDERINO
 AMOS K. HUTCHINSON
 JOSEPH A. PETRARCA
 C. L. SCHMITT
 JESS M. STAIRS
 GEORGE MISCEVICH
 LEE C. TADDONIO
 JOSEPH A. VALICENTI
 WILLIAM J. STEWART

I move the adoption of the resolution.

The SPEAKER. To the honor due to the memory of our fallen brother, John, those members agreeing to the adoption of the resolution will now rise.

(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

CALENDAR

LABOR RELATIONS BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill**

No. 711, printer's No. 791, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" further providing for certain provisions relating to the employe's choice of practitioner of the healing arts.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 762, printer's No. 853, entitled:**

An Act regulating the use of seasonal farm labor providing for the registration and licensing of farm labor contractors providing for working conditions and imposing penalties.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 780, printer's No. 871, entitled:**

An Act amending the "Child Labor Law" approved May 13, 1915 (P.L. 286, No. 177), authorizing the employment of minors as entertainers in certain licensed establishments.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 959, printer's No. 1108, entitled:**

An Act amending the "Child Labor Law" approved May 13, 1915 (P.L. 286, No. 177), eliminating the requirement of a physical examination to obtain an employment certificate.

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

Ordered, to be transcribed for third consideration.

TRANSPORTATION BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 145, printer's No. 145, entitled:**

An Act amending the act of January 22, 1968 (P.L. 27, No. 7), entitled "The Pennsylvania Transportation Assistance Authority Act of 1967" authorizing designator for certain members of the authority and further providing for staff of the governing body.

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

Ordered, to be transcribed for third consideration.

EDUCATION BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 593, printer's No. 1322, entitled:**

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P.L. 30, No. 14), changing and adding definitions and further providing for subsidies.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1075, printer's No. 1308**, entitled:

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.

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

Ordered, to be transcribed for third consideration.

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 596, printer's No. 651**, entitled:

An Act amending "The Borough Code" approved February 1, 1966 (1965 P.L. 1656, No. 581), increasing the maximum rate of tax for general purposes.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. ZELLER. Mr. Speaker, this is the same bill we went over before. It is up for its second chance and I do not believe we have to debate it long. I think the members have made their minds up as to whether they want it or not. There has been a lot of publicity out on it, and it only affects a handful of communities.

Presently they can go to court. They can receive an increase in millage if they want to and make them responsible local government bodies back home. If you want to mandate it down here, that is up to you. Then they can come out and say, when they make an increase, the legislature made them do it. That is what they usually do. So use your own good judgment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FRYER. To speak on the bill, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, I would remind you that this bill is permissive. It would raise the maximum ceilings that are permitted by our boroughs.

Our boroughs, some of them, are based up to that maximum. They then have the course of going into court and incurring

that legal expense in order to obtain the additional 5 mills. I firmly believe that we should permit the public officials of that borough the flexibility of deciding precisely what type of services they wish to render to that borough and accordingly not be placed in a straitjacket. The limit has been raised only moderately, and I would ask for a "yes" vote on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeable to the provision of the constitution, the following roll call was recorded:

YEAS—99

Abraham	Gallen	McIntyre	Scanlon
Armstrong	Gamble	McLane	Scheaffer
Barber	Geesey	Mebus	Schmitt
Bellomini	Geisler	Miscevich	Schweder
Beloff	Giammarco	Moehlmann	Scirica
Bennett	Gillette	Mowery	Shupnik
Brandt	Goodman	Mullen, M. P.	Smith, E.
Caputo	Greenfield	Mullen, M. M.	Spitz
Cianciulli	Harper	Musto	Stapleton
Cohen	Haskell	Novak	Trello
Cole	Hayes, D. S.	Noye	Valicenti
Cowell	Hoeffel	O'Brien, B.	Vroon
Davies	Honaman	O'Connell	Wansacz
DeWeese	Hopkins	O'Keefe	Wargo
Donatucci	Hutchinson, A.	Oliver	Weidner
Doyle	Itkin	Pancoast	Wenger
Duffy	Johnson	Parker	Wiggins
Dumas	Jones	Pievsky	Wilt
Fee	Kelly	Polite	Wise
Fisher, D. M.	Livengood	Pyles	Yahner
Flaherty	Logue	Rappaport	Zearfoss
Foster, A.	Lynch	Ravenstahl	Zwikel
Foster, W.	Mackowski	Rieger	
Freind	Madigan	Ritter	Irvis,
Fryer	Manderino	Ryan	Speaker
Gallagher			

NAYS—88

Anderson	George, C.	McCall	Sirianni
Arthurs	George, M.	McClatchy	Smith, L.
Bittinger	Goebel	McGinnis	Spencer
Bittle	Greenleaf	Meluskey	Stairs
Borski	Grieco	Milanovich	Stewart
Brown	Halverson	Miller	Stuban
Burd	Hamilton	Milliron	Sweet
Burns	Hasay	Morris	Taddonio
Butera	Hayes, S. E.	Mrkonic	Taylor, E.
Caltagirone	Helfrick	O'Brien, D.	Taylor, F.
Cassidy	Hutchinson, W.	Petrarca	Tenaglio
Cimini	Katz	Piccola	Thomas
DeVerter	Kernick	Pitts	Wagner
DiCarlo	Klingaman	Pott	Wass
Dietz	Kolter	Pratt	White
Dininni	Kowalyshyn	Prendergast	Wilson
Dombrowski	Laughlin	Renwick	Wright, D.
Dorr	Lehr	Richardson	Wright, J. L.
Englehart	Letterman	Ruggiero	Yohn
Fischer, R. R.	Levi	Salvatore	Zeller
Garzia	Lincoln	Seltzer	Zitterman
Gatski	Manmiller	Shuman	Zord

NOT VOTING—13

Berlin	DeMedio	Knepper	Rhodes
Berson	Gleeson	O'Donnell	Shelton
Brunner	Gray	Reed	Williams
Cessar			

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

HB 597 RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Fryer. Does the gentleman, Mr. Fryer, wish to place a motion before the House?

Mr. FRYER. Yes, Mr. Speaker, I would like to move that HB 597, PN 652, be recommitted to the Committee on Local Government.

The SPEAKER. The gentleman, Mr. Fryer, moves that HB 597, PN 652, be recommitted to the Committee on Local Government. Those in favor of the motion will vote in the affirmative; those opposed, in the negative.

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

The following roll call was recorded:

YEAS—183

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

NAYS—7

Burd	McGinnis	Pott	Wilson
Hayes, D. S.	Piccola	Stuban	

NOT VOTING—10

Beloff	Gleeson	Parker	Shelton
Borski	Gray	Rhodes	Williams
Cessar	O'Donnell		

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

The SPEAKER. The bill is so recommitted.

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

Mr. FRYER. Mr. Speaker, for the purpose of a recommittal motion, could you return to HB 595 at this time, on page 5?

The SPEAKER. The Chair now, without objection, returns to page 5, to HB 594, PN 1149, which was passed over temporarily.

Mr. FRYER. Mr. Speaker, the motion to recommit is on HB 595, PN 650.

The SPEAKER. And not on 594?

Mr. FRYER. No, sir.

The SPEAKER. The Chair reconsiders its placement of the calling up of HB 594. HB 594 is still over temporarily.

LOCAL GOVERNMENT BILLS ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. FRYER the House resumed consideration on final passage of House bill No. 595, printer's No. 650, entitled:

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

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

The question is, shall the bill pass finally?

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

Mr. FRYER. Mr. Speaker, I move that HB 595, PN 650, be re-committed to the Committee on Local Government.

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

The following roll call was recorded:

YEAS—181

Abraham	Fryer	Madigan	Scheaffer
Anderson	Gallagher	Manderino	Schmitt
Armstrong	Gallen	Manmiller	Schweder
Arthurs	Gamble	McCall	Scirica
Barber	Garzia	McClatchy	Seltzer
Bellomini	Gatski	McIntyre	Shuman
Bennett	Geesey	McLane	Shupnik
Berlin	Geisler	Mebus	Sirianni
Berson	George, C.	Meluskey	Smith, E.
Bittinger	George, M.	Milanovich	Smith, L.

Bittle	Giammarco	Miller	Spencer
Borski	Gleeson	Milliron	Spitz
Brandt	Goebel	Miscevich	Stairs
Brown	Goodman	Moehlmann	Stapleton
Brunner	Greenfield	Morris	Stewart
Burns	Greenleaf	Mowery	Sweet
Butera	Grieco	Mrkonic	Taddonio
Caltagirone	Halverson	Mullen, M. P.	Taylor, E.
Caputo	Hamilton	Mullen, M. M.	Taylor, F.
Cassidy	Harper	Musto	Tenaglio
Cianciulli	Hasay	Novak	Thomas
Cimini	Haskell	Noye	Trello
Cohen	Hayes, S. E.	O'Brien, B.	Valicenti
Cole	Helfrick	O'Brien, D.	Vroon
Cowell	Hoeffel	O'Connell	Wagner
Davies	Honaman	O'Keefe	Wansacz
DeMedio	Hutchinson, A.	Oliver	Wargo
DeVertter	Hutchinson, W.	Pancoast	Wass
DeWeese	Itkin	Petrarca	Weidner
DiCarlo	Jones	Pievsky	Wenger
Dietz	Katz	Pitts	White
Dininni	Kelly	Polite	Wiggins
Dombrowski	Kernick	Pratt	Wilt
Donatucci	Klingaman	Prendergast	Wise
Dorr	Knepper	Pyles	Wright, D.
Doyle	Kolter	Rappaport	Yahner
Duffy	Kowalyszyn	Ravenstahl	Yohn
Dumas	Laughlin	Reed	Zearfoss
Engelhart	Lehr	Renwick	Zeller
Fee	Letterman	Richardson	Zitterman
Fischer, R. R.	Levi	Rieger	Zord
Fisher, D. M.	Lincoln	Ritter	Zwinkl
Flaherty	Livengood	Ruggiero	
Foster, A.	Logue	Ryan	Irvis,
Foster, W.	Lynch	Salvatore	Speaker
Freind	Mackowski	Scanlon	

NAYS—8

Burd	McGinnis	Pott	Wilson
Hayes, D. S.	Piccola	Stuban	Wright, J. L.

NOT VOTING—11

Beloff	Gray	O'Donnell	Shelton
Cessar	Hopkins	Parker	Williams
Gillette	Johnson	Rhodes	

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

The SPEAKER. The bill is so recommitted.

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. FRYER the House resumed consideration on final passage of **House bill No. 594, printer's No. 1149**, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P.L. 1050, No. 394), authorizing the county commissioners to require joint bidding of bonds for tax collectors.

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

The question is, shall the bill pass finally?

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

Mr. FRYER. Mr. Speaker, we are today reconsidering our vote on HB 594. This measure was defeated on the 26th of April by a vote of 94-103. However, in my opinion, this is one of the most important and one of the most beneficial bills for the

taxpayer reported out of the House Local Government Committee this session.

Under state law, all tax collectors are required to be bonded. At the present time they may go to any bonding agent they choose. The taxing district must then pay the premium, regardless of the cost.

This bill would allow the county commissioners, if they wish, to require all tax collectors to come under one joint bond which would be advertised for bids by the county commissioners. Such a procedure has been used already in Adams and Cumberland Counties, with one result — it saved the taxpayers approximately two-thirds of the cost of the bond premium. In Adams County, a total of \$4,000 was saved in 1 year. In Cumberland County, the figure was \$14,700.

Mr. Speaker, on behalf of the taxpayers of the Commonwealth, I strongly urge a "yes" vote on this bill.

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

Mr. ZELLER. Mr. Speaker, this is another bill that we went through before. We hear the words about most beneficial to the taxpayer and we hear about how wonderful Adams and Cumberland Counties have saved taxpayers a lot of money, and that is true, but they have done it on a voluntary basis. They have done it with local governments doing their thing, and that is what we want. This is real good.

The problem is that we are going to harness up a lamb and we are going to turn a tiger loose, because what is going to happen is that while this is called a "may" bill, when the county decides to do it, it will become a "shall" for all political subdivisions. Then you had better get in line.

My problem is this, if they are doing it now in Adams and Cumberland Counties under the present law, they can do it elsewhere under the present law, and that is home rule. That is the way they should do it. But what we can do here is to vote as we voted down last session in regard to planning by the county and all these other things by the county and having what we call in effect the beginning of regional government, but the beginning of it is that if you want the county to run the show, then you continue to vote for these kind of bills.

I know that you are not going to do it. I do not think that you will. I think that what you want to see is local government doing their own thing and not having the county standing over them with a club telling them that they are going to have to do it now, because it is only a "may" bill for the county, but when they decide to go, then it is going to be a "shall" act. If they can do it now, let them do it.

I have all respect for the former gentleman who spoke in regard to his concern about the taxpayers, and that is great, but I think that we should put the responsibility on the local-government officials and let them see how much they think about the taxpayers. Then the taxpayers can let them know how much they think about them.

When you have the county to run it, it is getting too big. With regard to local political subdivisions, they start hollering and say, hey, the county put it on us. What are we going to do about it? Then it is too late. I would suggest again that we bury this one the same way we did the other one.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I rise in support of HB 594. It was mentioned about the success that the program has had in Adams County and in Cumberland County, and it also is being done for the first time in Perry County this year, which is a seventh class county, resulting in the savings of several thousand dollars to the taxpayers.

I agree with Mr. Zeller in that I do not like programs that mandate that local governments should do this or should do that, but the facts of the matter are that they are not doing it. They can do it under present law. They are not doing it. The program has proven that it is a way of saving the taxpayers money, and I am 100 percent in favor of doing that. I think that we should urge the other counties, by passage of this, to follow suit. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, I urge a "nay" vote on this and I hope that the 103 people who voted this down before will hang in there and I hope that we have picked up additional support. The reason I say this is because I think that it is a total violation of local home rule, and the permission for them to purchase in joint purchasing is still there. Perhaps we should be voting on a citation for the counties that have proven that, rather than mandating that all of the other counties would have to force their people into a similar situation when the areas are totally different, when the tax-collecting situation is different, and when the boroughs and the cities and the townships are different types of bodies. What is going to happen when there is a major loss in one township? Who is going to pay for that? Rather than the people in that particular township taking the beating on the premium, it is going to be passed over onto the others, or we are not talking about a blanket bond. If we are talking about individual bonds, then you get into other areas that involve invasion of privacy. We are also apt to put ourselves into the position of having some bonding company, hungry for business, going in undercutting and gobbling up the bonding business in the State of Pennsylvania, which would reduce the number of bidders very quickly, and soon that particular company has control. We are going to get back into the same situation that we found ourselves in as far as no-fault insurance, malpractice and other forms of insurance. We are dabbling in something that we have no business dealing with. We should let the local people make their own determinations. If the people in a county want to do this, they can do it. I do not think that we should involve ourselves in such a thing that would involve an invasion of local home rule and become bigger brothers and bigger brothers all the way down the line. I urge a "no" vote on this particular bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

I rise in support of HB 594. When it was initially discussed in Adams County, most of the tax collectors were in opposition to

this. However, they did get together. We now have this joint bidding for bonding for tax collectors for 2 years, with a saving of well over 50 percent in the cost of the bonding. In Cumberland County a total percentage of 63 percent was saved, equal to \$14,700. I think that we should pass this legislation to encourage other counties to go to the joint bidding of bonds for tax collectors. It will be a great savings to the taxpayers of Pennsylvania, and I urge a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. A. C. FOSTER. Mr. Speaker, I likewise rise in support of HB 594. In respect to what the gentleman, Mr. Zeller, said about losing home rule and diminution of the powers of local government, I would like to say, first of all, I yield to no one in this Assembly in their support of local government. I have always been a strong exponent of local government. But I would say this: County commissioners seek reelection. They seek your vote at the polls and woe betide the county commissioners who cross almost 50 percent of their municipalities. In other words, if this program did not have broad support in a county, I do not think that the commissioners would go with the program.

It is a "may" bill. I strongly support it. After all, our prime objective in being here is to help the taxpayers to save dollars, and we will do it with this bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks, Mr. Fryer, but advises the gentleman that this is his second time on the same question. Does the gentleman wish to use that second and last attempt now?

Mr. FRYER. Yes, I do.

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

Mr. FRYER. Thank you, Mr. Speaker.

Mr. Speaker, in brief rebuttal to Mr. Zeller of Lehigh County on the danger of the intrusion into local governments and home rule, one, by virtue of this bill we are saying one thing and that is to the tax collector. We are saying, if the county commissioners so decides, you may no longer go to where you desire to get the bond, because if the county commissioners decide, we will put this under the bidding process. Now that is the only right and the only thing that we are taking away from local government, from the power of the elected tax collector. And why are we doing this? We are doing it for one reason, to save the taxpayer money. I do not think that there is one member in this House who has not gone out when he sought election to this high office and who did not state strongly and in firm tones how strongly he was for the taxpayer. This bill is the opportunity to take constructive action.

Mention has been made by the gentleman from Lehigh, Mr. Zeller, that this could be done on a voluntary basis such as was done in Cumberland County. Let me tell the ladies and gentlemen of the House precisely what happened in Cumberland County. This was only brought about after the news media and after the taxing districts which paid the cost of the bonds put

pressure upon the tax collectors and pointed out the savings that could be effected. This campaign went on for some time, because the natural point is that the tax collector will say, no thank you, I will get it at the same source I got it before. Even there in Cumberland County with the campaign that was on, there were three tax collectors who did not go over to the program. If you leave it on a voluntary basis as is suggested, it just simply will not happen. So I would urge your support for this fine bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Zeller, who rises for the second time to the same question.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, we hear about this election campaigning and what you tell your taxpayers, and I would like to bring that out because this is constructive action, what we are doing here. We are talking about the news media that rightfully went out and told the public what was going on, and is this not our way of government? Is this not the way we do everything in regard to bringing the news out, people get the ideas about what is going on and then they go in and talk to their officials locally and they tell them what they feel. I think that this is what it is all about. Remember, you have heard it from those who want it, that it is being done now. Remember, that is the key: It is being done now. If it is being done now, and the law allows it, why change the law? Laws are to be brought about when there is no way to rectify it. There is a way to rectify it, and is that not what we want our people to do? We want our people to act locally. We do not want for us to be their thinkers. That is their job. That is what our democracy is all about.

Now, if it is not being done, in other words, to the point where there are abuses, terrible abuses, then I can see where government on the state level has got to step in to help the mass majority of people, but it is being done now. And if it is being done now, let us let them do their thing. That is local government. Let us vote it down. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, it is not often that I agree with the gentleman, Mr. Foster, on bills that come before this House, but I must heartily endorse the points that he made today.

First of all, this is permissive legislation. Nobody is going to force the county commissioners to save money. However, I firmly believe that they are going to do what they have to do to save money. It just does not make sense for locally elected tax collectors in a county to go around and bargain over individual bonds. It is much more economical to place one bond for the entire county.

We have heard the unusual argument of home rule. I am not unfamiliar with that concept, Mr. Speaker. We are not making the decision here for the counties; we are giving the counties the authority to make that decision. I might add that in home-rule counties they do not even have to ask us for this authority. The other counties obviously want it.

It is not always the best kind of government to give every petty official the right to make his own deals for his own bonds. I would, therefore, urge, Mr. Speaker, a "yes" vote on this issue and let the county commissioners in each county make up their minds about how they want to buy bonds in that county with their taxpayers' money.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the constitution, the following roll call was recorded:

YEAS—116

Armstrong	Gallagher	McIntyre	Schmitt
Barber	Garzia	McLane	Schweder
Bellomini	Geesey	Meluskey	Shuman
Bennett	Giammarco	Milanovich	Stairs
Berlin	Gillette	Morris	Stapleton
Berson	Gleeson	Mowery	Stewart
Borski	Goodman	Mrkonic	Stuban
Brandt	Greenfield	Mullen, M. P.	Taddonio
Brown	Greenleaf	Musto	Taylor, E.
Brunner	Harper	Noye	Taylor, F.
Burns	Haskell	O'Brien, B.	Vroon
Butera	Hoeffel	O'Brien, D.	Wagner
Caltagirone	Hopkins	O'Keefe	Wargo
Caputo	Itkin	Pievsky	Wass
Cianciulli	Johnson	Pitts	Weidner
Cohen	Jones	Pott	White
Cole	Katz	Prendergast	Wiggins
Cowell	Kelly	Pyles	Wilson
Davies	Kernick	Rappaport	Wilt
Dombrowski	Knepper	Ravenstahl	Wise
Donatucci	Kolter	Reed	Wright, D.
Doyle	Kowalyszyn	Renwick	Wright, J. L.
Dumas	Laughlin	Rieger	Yahner
Englehart	Letterman	Ritter	Zearfoss
Fischer, R. R.	Levi	Ruggiero	Zitterman
Flaherty	Livengood	Ryan	Zwikel
Foster, A.	Logue	Scanlon	Irvis,
Foster, W.	Lynch	Scheaffer	Speaker
Freind	Manderino		
Fryer	McCall		

NAYS—74

Abraham	Gamble	Mackowski	Salvatore
Anderson	Gatski	Madigan	Scirica
Arthurs	Geisler	Manmiller	Seltzer
Bittinger	George, C.	McGinnis	Sirianni
Bittle	George, M.	Mebus	Smith, E.
Burd	Goebel	Miller	Smith, I.
Cassidy	Gray	Milliron	Spencer
Cimini	Grieco	Miscevich	Spitz
DeMedio	Halverson	Moehlmann	Sweet
DeVerter	Hasay	Mullen, M. M.	Tenaglio
DeWeese	Hayes, D. S.	Novak	Thomas
DiCarlo	Hayes, S. E.	O'Connell	Trello
Dietz	Helfrick	Pancoast	Valicenti
Dininni	Honaman	Petrarca	Wansacz
Dorr	Hutchinson, A.	Piccola	Wenger
Duffy	Hutchinson, W.	Polite	Yohn
Fee	Klingaman	Pratt	Zeller
Fisher, D. M.	Lehr	Richardson	Zord
Gallen	Lincoln		

NOT VOTING—10

Beloff	McClatchy	Rhodes	Shupnik
Cessar	O'Donnell	Shelton	Williams
Hamilton	Parker		

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.

MINES AND ENERGY MANAGEMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 555, printer's No. 731**, entitled:

An Act requiring certain public buildings to use a coal or electric fired heating system; establishing a State Board on Public Heating; prohibiting certain conversions; granting certain powers and duties.

On the question,

Will the House agree to the bill on third consideration?

Mr. B. F. O'BRIEN offered the following amendment:

Amend Sec. 4, page 2, line 19, by removing the period after "immediately" and inserting and shall expire on a date three years thereafter unless the General Assembly extends its existence at least two months prior to such date.

On the question,

Will the House agree to the amendment?

The SPEAKER. The gentleman, Mr. O'Brien, is requested to give a brief explanation of the amendment.

The Chair would advise the House to be in order. This is a bill which has been on the calendar for 15 legislative days. It may be necessary to refresh your memory as to the contents of the bill. It certainly is important that you pay attention to the amendments.

The Chair apologizes to the gentleman, Mr. O'Brien, and Mr. O'Brien may proceed.

Mr. B. F. O'BRIEN. Mr. Speaker, this amendment, if enacted, will be in effect for a period of 3 years, unless otherwise ordered by the General Assembly to continue.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

Mr. GOODMAN offered the following amendment:

Amend Sec. 4, page 2, line 19, by removing the period after "immediately" and inserting but shall not apply to any contract awarded pursuant to an invitation for bid issued on or before the effective date of this act.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman, and requests of Mr. Goodman a brief explanation of the intent and purport of the amendment.

Mr. GOODMAN. Mr. Speaker, the first amendment adds: "but shall not apply to any contract awarded pursuant to an invitation for bid issued on or before the effective date of this act." This would mean that if a publicly owned building went out on contract before the passage of this act, this act would

not affect that contract.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

Mr. GOODMAN offered the following amendments:

Amend Title, page 1, line 1, by striking out "OR ELECTRIC"

Amend Title, page 1, line 2, by removing the semicolon after "system" and inserting or be heated by a form of energy substantially produced by the use of coal;

Amend Sec. 1, page 1, line 7, by striking out "coal OR ELECTRIC"

Amend Sec. 1, page 1, line 12, by striking out "ELECTRIC HEATING SYSTEM" and inserting be heated by a form of energy substantially produced by the use of coal

Amend Sec. 1, page 1, line 15, by striking out "ELECTRIC"

Amend Sec. 1, page 1, line 15, by inserting after "SYSTEM" where it appears the first time using a form of energy substantially produced by the use of coal

Amend Sec. 2, page 2, line 3, by striking out "ELECTRIC"

Amend Sec. 2, page 2, line 3, by inserting after "SYSTEM" where it appears the second time using a form of energy substantially produced by the use of coal

Amend Sec. 3, page 2, line 12, by striking out "coal"

Amend Sec. 3, page 2, lines 12 through 14 by striking out "OR ELECTRIC" in line 12 and all of lines 13 and 14 and inserting otherwise required by this act is not possible because of environmental protection restrictions which prohibit the use of coal fired heating systems in such buildings or which prohibit the use of coal by producers of such otherwise allowable forms of heating energy for such buildings, or is not reasonable on account of economic hardship in the construction or operation of such buildings.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman, who will make a brief explanation of the intent of the amendment.

Mr. GOODMAN. Mr. Speaker, the amendment takes out the words "or electric heating system" and substitutes the words "using a form of energy substantially produced by the use of coal", which of course could be electric or could be coal gasification, or what have you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I would like to interrogate the prime sponsor of the bill.

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

Mr. GOODMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, prior to interrogation, I would like to state that the purpose of my interrogation is not to kill the bill nor is it necessarily to ask for a "no" vote but rather for points of clarification of some points that have been raised, and it may be, depending on the answers to the interrogation, that I will make a motion in connection with the bill.

Mr. Speaker, would you advise the House what you mean by a publicly owned building? If I may, does it include just buildings owned by the state? Does it include buildings owned by political subdivisions, including school districts? Would it include authorities and instrumentalities of political subdivisions, those buildings?

Mr. GOODMAN. It would include all of those buildings. My intent by stating "publicly owned building" would be any building built with taxpayers' dollars.

Mr. RYAN. Now would that include public housing projects?

Mr. GOODMAN. Not if it is Federal.

Mr. RYAN. Pardon me?

Mr. GOODMAN. Not a Federal housing project.

Mr. RYAN. How about a state or a political subdivision's public housing project?

Mr. GOODMAN. It would include it. It would be my intent to include it.

Mr. RYAN. For instance, the Pennsylvania Housing Finance Agency projects?

Mr. GOODMAN. Well, they are federally funded. I do not think that we could cover them under this act.

Mr. RYAN. I believe that they are partially funded by the state and partially funded by the Federal Government. What would you do in that case in that some state money is involved?

Mr. GOODMAN. It would be my belief that if Federal moneys are involved, we could not have this act cover those projects.

Mr. RYAN. Is that your belief or is that defined in the bill?

Mr. GOODMAN. I do not think it is defined in the bill. That would be my intention, to not have it affect any projects in which there are Federal funds used.

Mr. RYAN. Is there a definition of publicly owned building in the bill?

Mr. GOODMAN. No; there is no definition of "publicly owned."

Mr. RYAN. So if this bill passes, the definition of "publicly owned building" really would have to be garnered from the comments of the prime sponsor as to what his legislative intent is. Is that correct?

Mr. GOODMAN. I would assume so.

Mr. RYAN. You would agree that Federal buildings which are publicly owned would not be within the purview of the bill, would you not?

Mr. GOODMAN. Yes.

Mr. RYAN. Is there any reason why solar energy has not been included in this bill?

Mr. GOODMAN. No; there is no reason. And I would think

that if a school district or what have you could show a great deal of economy in a building that it was constructing with the use of solar energy, this state board would grant it a waiver due to the economics.

Mr. RYAN. But there is no provision as such in the bill to permit or encourage the use of solar energy as a means of heating the buildings?

Mr. GOODMAN. No.

Mr. RYAN. But rather, as I understand the prime purpose of the bill, in addition to an energy-conservation motive, would be to encourage the use of coal as a fuel or energy source?

Mr. GOODMAN. That is correct.

Mr. RYAN. Has any consideration been given or does your bill address the issue of properties leased by the Commonwealth?

Mr. GOODMAN. No; it does not. "Publicly owned" would not cover property leased.

Mr. RYAN. I am thinking, for instance, that in many places new construction takes place with a lease in existence prior to the construction, a lease with the state. In my county, for instance, a new state police barracks was just erected, which the state leased prior to the first spade of earth being lifted from the ground. Would that situation be any different from a state-owned situation? In other words, should not that lessor have been encouraged to use coal heat?

Mr. GOODMAN. I would hope that the state would encourage that and would not lease buildings that are not promoting the use of coal in places where it would be appropriate to use it.

Mr. RYAN. Mr. Speaker, has any consideration been given to the effect on the environment that will occur pursuant to the mandate of burning coal? I understand that this is a problem sometimes and I am wondering what, if anything, has been done in that regard?

Mr. GOODMAN. There is no question it is a problem in many areas, and what has been done has been the creation of this state board on public heating which could grant the waiver in an area where the use of coal would be prohibited because of environmental restrictions.

Mr. RYAN. For instance, in the Chester Pike area of Delaware County, which is that area of our county that is heavily industrial—and I guess if in fact environmental problems exist, they would exist along the riverfront of Delaware County—before any construction would take place, there would first have to be a waiver from the provisions of this bill—would that be accurate?—if they did not want to use coal?

Mr. GOODMAN. That is right.

Mr. RYAN. Would the requirement to use coal, pursuant to this bill if it were enacted into law, cause any violation of Federal pollution-control standards, if you know?

Mr. GOODMAN. If there is a violation of any Federal pollution standards, then a waiver would have to be granted.

Mr. RYAN. In that regard, has any contact been made with the Federal Government with respect to the relaxation of pollution standards in these instances where we are encouraging state buildings to use coal as a source of energy? Has any contact been made to get a feel for whether or not the Federal Government will cooperate?

Mr. GOODMAN. That is a continuing battle, Mr. Speaker, with the Federal Government and with the state requirements of proponents and opponents as to whether some of these regulations should be relaxed.

Mr. RYAN. But other than the conversations that have been going on, there has been no indication from the Federal Government that they would encourage a bill such as this?

Mr. GOODMAN. There has been some indication, yes, by the President's national energy policy which has, as one of its high points, promoting the use of coal.

Mr. RYAN. Do you know, Mr. Speaker, the percentage, if any—or can you give us the percentages—of oil-fired versus coal-fired sources of electrical energy? In other words, in your bill, as I understand it, you are encouraging the use of coal or electrical energy, and I am wondering if you have any statistics to advise use whether or not these electrical energy sources are fired by oil or coal. Can you give us—

Mr. GOODMAN. There was an amendment which just was incorporated into the bill, Mr. Speaker, which was agreed to, which eliminates the words "electric heating system" and substitutes the words "using a form of energy substantially produced by the use of coal". So if electrical energy is substantially produced by the use of coal, such as in many areas where it is—and Pennsylvania Power & Light and what have you produces its energy about 84 percent with the use of coal—under that, that would be allowed.

Mr. RYAN. All right.

Mr. Speaker, one thing that gives me some concern is the need to set up a board of heating, a new bureaucracy, a new tentacle of the bureaucracy, and I am wondering if the functions of this proposed new board could be handled by the existing Industrial Board under the Department of Labor and Industry in consultation with the Secretaries of Commerce and the Department of Environmental Resources. Would this be possible rather than creating a new board?

Mr. GOODMAN. I shared the exact some concerns with you, Mr. Speaker, on this. I did not want to create a new board or new bureaucracy or anything to that extent and really tried to find an existing board which could handle this kind of law, particularly the one you mention in the Department of Labor and Industry — the Industrial Board — and we did write to them. We have two responses from them.

I might read the response from Mr. Dwyer, who is the director of the Bureau of Occupational and Industrial Safety, acknowledging our letter to him concerning HB 555, and he says that the Department of Labor and Industry would not object to my amending the bill to send it to the Industrial Board. (Reading):

However, we believe that a representative from the Department of Environmental Resources, and a representative from the Department of Commerce should be in attendance at any hearing on this subject. We would need their assistance to evaluate the environmental impact and the economic impact on persons affected by the decision of the Industrial Board.

So, really, they just put us back to where we originally were, with the Secretaries of DER and Commerce sitting along with the Secretary of L & I.

Mr. RYAN. If that happened, there would be no need though for a new board of heating. Is that correct? If they could act in consultation such as I suggested, there would be no need for the new board?

Mr. GOODMAN. No; I would say not, but I do not see what it is really saving if you are going to have the same three people, in effect, sit as a board, in any event.

Mr. RYAN. All right.

Mr. Speaker?

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

Mr. RYAN. To make some brief remarks, please.

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

Mr. RYAN. Mr. Speaker, I am going to suggest to the prime sponsor a number of amendments.

I would like to preface my remarks, however, by saying that basically I am in accord with the motive behind the bill and the purpose of the bill. I have some difficulty, however, with the definition of "publicly owned" and would suggest to the prime sponsor that the buildings included in this act include only state buildings, buildings of state government and political subdivisions, excluding authorities, and I guess the most important one would be publicly owned buildings with a special exception for residential housing constructed by the housing authorities. I think it is unrealistic to have single-family homes or row houses or small multifamily residences within the purview of this act.

I would also suggest to the prime sponsor that an amendment be made to include solar and/or nuclear power, to make that a permitted use, and as an alternative to that, so that we do not exclude one necessarily by mentioning others, simply incorporate the language of the earlier amendment and prohibit the use of heat generated through the burning of natural gas or oil.

I would also suggest that the board of public heating be done away with before it is created and rather vest such power in the Industrial Board in the Department of Labor and Industry.

If the prime sponsor thinks any of these suggested amendments are worthwhile, I would be happy to second a motion to table this bill until such time as these amendments could be prepared or, in the alternative, to give the prime sponsor an opportunity to maybe more carefully review the suggestions that I am making.

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

Mr. GOODMAN. While I am considering putting it on the table, let me just reply to some of the points that you mentioned, Mr. Speaker.

I have received two letters regarding the Industrial Board in lieu of the state public heating board as is in the bill. The first letter I read to you suggests that the representatives of the other departments sit along with them, but the other letter reads that:

A reading of Pennsylvania law with regard to the Industrial Board leads me to the opinion that it would not be the proper entity to make original determinations on waivers under House Bill #555. While it does have the power to meet at least once each month for

the purpose of considering such matters as are brought before it, it is my opinion that these matters are limited in practical application to the type of functions it is to perform under the act. These functions appear to be threefold (a) to act in an appellate capacity with regard to decisions of the Department of Labor (2) to promulgate rules and regulations on all matters over which the power and authority of the Department of Labor extends (3) and to act as an investigative body concerning the enforcement and effect of appropriate laws.

Its functions nowhere include making initial determinations on applications. Perhaps it can be used as a board of appeal from decisions made on the waiver applications for in House Bill #555.

It is for that reason, after receiving these replies from the occupational board, although having the same reservations as Mr. Ryan about creating a new board and putting it in the occupational division of L & I, that I finally determined that the state board of public heating, with the three secretaries acting as the officers of that board, is probably the best way to go.

As far as the proposed amendment to limit it to state buildings, I would be opposed to that. I particularly wanted to affect buildings on the local level, be they municipal, township, or school-district buildings.

We find throughout the anthracite area that the anthracite industry has been encouraged through the Governor's Energy Council, and so forth, to gear up its industry, to gear up its production, and while they have done this, they find themselves with the market going soft and left with thousands of tons of stocked coal and nowhere to sell it. School districts building new buildings use natural gas or electric or oil, and in the anthracite area, anthracite producers lead with thousands of tons of stocked coal and no market for it after being encouraged to increase their production. This stability of market is necessary if we are going to truly promote the anthracite industry and gear up its production.

I think in addition to new buildings using coal, we somewhere down the line have got to stop the conversions away from coal into other energy uses that have been taking place. In the memorandum here on state institutions: Hazleton State Hospital New Addition opened in 1976 has electric heat, complaining about excessive costs; Coaldale State Hospital New Addition — not anthracite, gas or oil; Retreat State Hospital at Hunklock Creek — lost 8,000 Barley to other fuels; Eastern Pennsylvania converted from 6,500 net tons to other fuels; West Chester State College — some anthracite and one boiler on oil/gas; Embreeville State Hospital converted two boilers to oil/gas; Cheyney State Hospital — one boiler converted to oil/gas. In addition, some other four Federal institutions that had a total of 50,000-plus tons of anthracite lost on those jobs. All of these being converted away from coal to other energy sources are severely hampering any promotion or production of anthracite coal in our area.

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

Mr. RYAN. To interrogate the gentleman in regard to some of the remarks he just made.

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

Mr. GOODMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, I am not familiar with some of the places you mentioned. I happen to think, however, that the Hazleton Hospital's source of energy—I think you said it was electrical now?

Mr. GOODMAN. Yes.

Mr. RYAN. Is that electricity generated by coal?

Mr. GOODMAN. That would be my guess in that case, yes.

Mr. RYAN. So that would be a permitted use, would it not?

Mr. GOODMAN. That would be permitted, right.

Mr. RYAN. Would that be true also, I believe you said, of Coaldale? Was that one of the places you mentioned?

Mr. GOODMAN. Coaldale — no, that is not electric. They say gas or oil. Apparently they were not sure which.

Mr. RYAN. What happens down in the lower central part of Pennsylvania where hydroelectrical sources are the prime sources of energy? I am thinking about the York County and Lancaster County area where there are three or four dams along the river. This is their source of energy. Do they convert over to coal? Not convert, but new construction goes with coal when the hydroelectrical systems are immediately available.

Mr. GOODMAN. Well, in that kind of a case I would assume that they could show economic reasons of why it should not be.

The SPEAKER. The Chair assures the gentleman, Mr. Goodman, that the House does not intend to be discourteous even though it may sometimes appear to be that way.

The gentleman may proceed.

Mr. GOODMAN. I will forgive them if they vote for the bill, Mr. Speaker.

I would say, Mr. Speaker, in an area where it can be shown to be more economically feasible to use other than coal that waiver would be granted.

Mr. RYAN. Mr. Speaker, the gentleman has not answered my earlier question which was: Would he consider putting this on the table so that some thoughts could be given to amendments?

I honestly am not attempting to suggest nor suggesting that this is a bad bill. Among other things, we are not only creating a bureaucracy, but we are going to create a workload on that bureaucracy that is going to be staggering. Every time a state institution or public housing is suggested to be built, it is going to require a waiver. A public building next to one of the energy sources on Conowingo Dam will have to go to Harrisburg. Everything along the riverfront of Philadelphia and Delaware Counties will have to go to Harrisburg when people probably know in advance that the pollution problem would be too great. It is not just an economic consideration but rather a pollution situation that would have to be considered by this board. It seems to me that the definition suggested by the prime sponsor, because it is not defined in the bill of what is a publicly owned building, is much too broad.

A publicly owned building if it is anything that has Commonwealth funds in it could very well be interpreted to mean that if the Commonwealth puts up 10 percent and the Federal Government puts up 90 percent, then the Commonwealth has a right to require that submission be made under HB 555 because Commonwealth monies are involved. There is no definition as to

this "publicly owned" term. I think this is a critical shortcoming of the bill.

I am suggesting that it be set on the table and consideration be given to clearing up some of these points. I am not trying to kill the bill. I think right now it is a bad bill the way it is drafted.

Mr. GOODMAN. The areas in Philadelphia that the gentleman is concerned with are going to be routine matters as far as waivers being granted in those areas because of being in the Philadelphia air curtain. There is no question that they do not meet environmental pollution standards and the waiver would become almost an automatic thing.

As far as agreeing to the tabling of the bill, I did not answer it directly but rather I gave it some thoughts as to what the gentleman's objections were. I gave my reply to those objections, which I feel should answer them.

I am opposed to tabling the bill. The bill has been on the calendar now and this is the 15th legislative day. It has been on there for a number of weeks and certainly has given the members an opportunity to have their input and offer their amendments. We accepted three amendments to the bill today. I think it is in position to roll. I ask for an affirmative vote.

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

The question, incidentally, before the House, in case the House has forgotten, is: Shall the bill, as amended, pass finally? The amendments have gone in. The debate is now on the final passage question.

The Chair recognizes the gentleman.

Mr. GARZIA. Mr. Speaker, would Mr. Goodman consent to interrogation?

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

Mr. GOODMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GARZIA. You answered one of my questions on the Philadelphia and Delaware County areas — the rule can be waived to use oil and gas instead of coal. My question to you is: Is there any guarantee that if a new building goes up in my district that they can use oil? We just happen to live in an area where we have plenty of oil. What happens if the state says, no, you must use coal? That is the question I ask.

Mr. GOODMAN. You have to assume that the secretaries who sit on this board are reasonably thinking. They have to comply to the pollution standards. If you are in the Philadelphia air curtain, there are very stringent environmental standards on the use of coal, such as for the Philadelphia school system, which is another one that just converted from the use of coal to another energy source because of not meeting the environmental standards.

So, as I said to the gentleman, Mr. Ryan, I would think in that kind of an area that the waiver would be almost an automatic thing.

Mr. GARZIA. I am kind of worried as to whoever gets on that board could be people from the coal-region area who want to

push the coal.

Mr. GOODMAN. The board is the Secretaries of DER, Labor and Industry, and Commerce. Certainly the Secretary of DER is not known for being lax on environmental regulations.

Mr. GARZIA. I do not know who sits on the board.

Mr. GOODMAN. It is stated in the bill who sits on the board.

Mr. GARZIA. Fine, but maybe next year the whole board may change. There might be somebody sitting out here who could be on the board next year.

Mr. GOODMAN. It is in the law, Mr. Speaker, as to who the board is comprised of: the Secretaries of DER, Commerce, and Labor and Industry.

Mr. GARZIA. Well, that is the only objection to the bill that I have: If the board turns someone down and they must go to coal, with the cost of coal now and to put conversion or belts or whatever you use for coal burners and with the labor costs of cleaning out the coal burners, you are only increasing the cost of that building.

Mr. GOODMAN. With any such arbitrary decision, they still have a right to appeal it, Mr. Speaker.

Mr. GARZIA. I think I would have to admit that I want to go with Representative Ryan's motion of maybe having the bill tabled to put additional amendments in. I hope one of them will be on this provision of what happens if the board turns down a district from using oil.

Mr. GOODMAN. If they would turn it down—and I think you are creating a fear that is not real, especially in your particular case, but if it would be turned down—there is a right to appeal.

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

Mr. A. C. FOSTER. Will the gentleman from Schuylkill, Mr. Goodman, consent to interrogation?

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

Mr. GOODMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. A. C. FOSTER. Mr. Speaker, after the inclusion of one of the agreed-to amendments, could you read to me how line 12 currently reads?

Mr. GOODMAN. Line 12 would read ". . . coal fired heating system or be heated by a form of energy substantially produced by the use of coal unless a . . ."

Mr. A. C. FOSTER. Mr. Speaker, I am concerned about the fact that was alluded to earlier, that there was no mention in the bill of any buildings or of anyone who wants to make use of solar energy. Would you agree to an amendment to the bill that would include exempting buildings using primarily solar energy for their source of heating?

Mr. GOODMAN. Mr. Speaker, the intent of this bill is to promote the use of coal, our state's natural energy resource. I could see, in some years down the line, the possibility of solar energy coming on to be able to take the place in some instances where right now we want to promote the use of coal. I would say if and when down the line that time comes where it can be shown to be so much more economically feasible to use solar energy as opposed to the use of coal, that particular political subdivision, school system or state or what have you should apply for the

waiver, showing an economic reason why it should be used.

Mr. A. C. FOSTER. Mr. Speaker, I assume from your answer then you would not agree to holding the bill over for the purpose of such an amendment?

Mr. GOODMAN. No, Mr. Speaker. It is on its 15th day. It has been sitting on the calendar here for about a month now. I feel everybody certainly had ample opportunity to offer any amendment. I feel it is in good enough shape now to pass the bill today.

Mr. A. C. FOSTER. I wholeheartedly agree with the intent of the bill. Therefore, I will not press the point, but would the gentleman agree at a future time to support such an amendment?

Mr. GOODMAN. I would certainly agree, if what you are looking at comes into being, that I could certainly support an amendment to what I hope then will be law to promote the use of solar energy.

Mr. A. C. FOSTER. Well, Mr. Speaker, solar energy is in its infancy at this point, and I simply do not want to see anything done that would discourage the use of it. But I will not press the point because the gentleman is correct, the bill has been on the calendar for 15 days, and I will withdraw any objection at this point.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DAVIES. Mr. Speaker, a few questions of interrogation to the prime sponsor of the bill.

The SPEAKER. Will the gentleman, Mr. Goodman, stand for further interrogation?

Mr. GOODMAN. Yes, Mr. Speaker.

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

Mr. DAVIES. Mr. Speaker, will the provisions of the last amendment which was added satisfy the concerns in a public building where they do put in, let us say, an electric system fired by coal, getting it from primarily a coal source, that in the event that they have to go to pooling and would have to go to another basic electrical source, which would be atomic energy or hydroelectric power from another state, that this in no way would exclude the free flow of that power state by state? In other words, what I am saying is that they could go to pooling and use the pooling that currently exists in our electric power system without any intrusion upon the free flow of interstate commerce?

Mr. GOODMAN. Yes, I would say so, Mr. Speaker. That is the reason why the amendment was put in, to clarify that kind of a situation.

Mr. DAVIES. All right. The other prohibition, Mr. Speaker, that there could be a system whereby you could have solar water-heating units, and the like, existing in the buildings as long as the other primary heating systems would be coal, would be permissible under this bill?

Mr. GOODMAN. Yes. I would say solar energy could be used as an additional energy source as long as the primary heating system was through the use of coal.

Mr. DAVIES. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northumberland, Mr. Helfrick. For what purpose does the gentleman rise?

Mr. HELFRICK. Mr. Speaker, I rise to speak in favor of HB 555.

We have some major problems here in the State of Pennsylvania. It is a little hard for us to remember, but if we would have discussed this bill back in January and February, I think that we would have readily realized that we had an energy shortage in Pennsylvania. We also have an acute unemployment problem in the coal regions. We also are trying to promote Pennsylvania industry and Pennsylvania energy sources.

Now, ironically, I live in a district where we have a chronic high unemployment rate and, ironically, we also have one of the most abundant energy supplies in the state. It seems rather ridiculous to me that we do not promote Pennsylvania coal instead of oil and gas which must be imported into the State of Pennsylvania.

It is no secret, it is a fact, that our great state has vast reserves of coal which can and will solve a great amount of our energy demands and needs. We in Pennsylvania should be very thankful of this fact and certainly we should do everything to promote this great source of energy, as the Arabs do with their vast oil reserves.

HB 555 will both help to eventually solve our energy needs and also once again promote Pennsylvania as a prime source of energy for our state and our nation.

The Arab oil embargo crippled our state and our nation, and this past winter nature did the very same thing. Have we not learned from these experiences?

Fellow House members, I urge you to vote for HB 555 now as you would have if we had voted on it in January or February. Promote Pennsylvania industry, promote Pennsylvania energy, and help solve the massive unemployment problems we now have in the Pennsylvania coal regions by the loss of jobs due to a lack of Pennsylvania energy suppliers.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VROON. A short interrogation of the author, please?

The SPEAKER. Will the gentleman, Mr. Goodman, stand for interrogation?

Mr. GOODMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Vroon, may continue.

Mr. VROON. Recognizing the fact that we as Pennsylvanians all like this idea very much, that we promote Pennsylvania and its products, and we especially want to promote coal, it occurs to me and I just wonder how would you meet the logistics of delivering coal into large cities, storing the coal, and what kind of burners would you require in a publicly owned building?

Mr. GOODMAN. Well, Mr. Speaker, I think it is kind of a moot question, because when you talk about the large cities, you are talking, I assume, about Philadelphia and Pittsburgh, and they are in an air curtain where the use of coal will be prohibited. So that is not going to be possible even under this law.

Mr. VROON. There are several other cities in this state, Mr.

Speaker, that are not Philadelphia or Pittsburgh or in that kind of a curtain. The question is, primarily, what kind of a burner would you burn coal in in a publicly owned building? Suppose you had a very large 30-story building out in the middle of Pennsylvania, let us say in Harrisburg, for example, what kind of a coal furnace or coal burner would you use and where would you store the coal and how would you bring it in?

Mr. GOODMAN. Well, if you are talking about the city of Harrisburg, I believe a great deal of buildings presently in this area are using coal. The area is adjacent to the anthracite coal fields, so you are really only talking about a very short delivery time. So I do not think a great deal of stockpiling is necessary.

As far as the technology of the kind of boiler or what have you, perhaps I had better yield to my colleague, Mr. Helfrick, to answer that. I am really not technically attuned to exactly what you mean.

The SPEAKER. The gentleman, Mr. Goodman, yields the floor to the gentleman, Mr. Helfrick.

The Chair recognizes the gentleman from Northumberland, Mr. Helfrick.

Mr. HELFRICK. I think the problem that Mr. Vroon is talking about here is no real problem whatsoever. I am sure that the source of supply and the source of distribution would create no problem whatsoever with coal. We have proven that in the past, and there is no reason why that should change any in the future.

Mr. VROON. What about the storage of coal before it is burned? You always have to have a supply on hand. Where would this coal be stored?

Mr. HELFRICK. Coal has been used for many, many years prior to the conversion to gas and oil and it has never created a problem in storage. As Mr. Goodman has suggested, coal fields are relatively close to practically any city in Pennsylvania, and it takes a very short time to deliver either anthracite or bituminous coal to any of these facilities.

Mr. VROON. Bear in mind, Mr. Speaker, I am not trying to discourage this whole idea; it is just a matter of information to me. Do you mean to say that we go back to the huge coal-bin theory and again resume storing coal in coal bins? For a very large building, how large a coal bin might it be?

Mr. HELFRICK. Mr. Speaker, I think it is important that we do whatever we can to solve the energy shortage we have in this country. There are going to be many, many things that are inconvenient. I am sure that President Carter's tax on gasoline certainly was not very welcome by the people. I am sure that there are many other inconveniences which we will be forced to put up with. The storage of coal may require a larger area than oil and certainly a larger area than gas, but when these things become necessary to stabilize our economy and to supply the energy we need in this country and this state, I think that we can put up with these inconveniences.

Mr. VROON. The second part of the question, Mr. Speaker: How do you envision consuming or burning the coal in a very large boiler system in a very large building?

Mr. HELFRICK. Large boilers are no more complex for burning coal than they are for burning any other type of energy. Today there is practically any type of heating installation we

could ask for on the drawing boards or is readily available.

Mr. VROON. Are these systems being made and sold today for large public buildings?

Mr. HELFRICK. Basically the boiler itself is the same for the use of oil or for the use of coal. It is just the burning equipment itself that is a little different. Most of the large installations today are tailor made to the buildings. They are not a standard off-the-shelf product regardless of what type of fuel is burned. For a large installation there would definitely have to be tailored engineering for that installation, whether it be coal or oil or gas fired.

Mr. VROON. Is it not a drastically different system?

Mr. HELFRICK. Basically the system is no different; just the mechanical contrivances that are used to burn coal.

Mr. VROON. Mr. Speaker, this will finish the interrogation. I just wish to make a few remarks.

The SPEAKER. The Chair recognizes the gentleman, Mr. Vroon. The gentleman is in order and may proceed.

Mr. VROON. The purpose of the interrogation was to make sure that we do not do something that we will be sorry for later on. I still have some misgivings about the practicality of using coal, of carting it into where it goes, storing it and burning it. However, if the consensus of this House is that we should promote Pennsylvania coal, I will surely be with that.

Thank you.

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

Mr. SELTZER. To speak on the bill, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, up until several years ago, before this House would consider a bill for final passage, it had to have all the current amendments in print. The House saw fit a few years ago to pass a bill on final passage with an amendment attached without putting it in print if it was easily recognizable by the members of this House what changes the amendment made in the bill.

Mr. Speaker, my opposition right now, I guess, is more procedural, because I really am not familiar with the three amendments that have just been inserted by this House, offered by the gentleman from Schuylkill, Mr. Goodman. I think this is a very bad procedure that we are permitting ourselves to get into now, if we are willing to accept three amendments and then not have the bill printed with these amendments in to read the following day so that we can intelligently act on legislation. Now I am not sure what the magic number would be, whether we can do it for two amendments or three, or if we adopt the three today without seeing it in print, we can go to four or five, or what the final number is. But I think, Mr. Speaker, this is a very unusual situation we find ourselves in when we are willing to buy three amendments without seeing the bill in print. I think two of the amendments, at least, are amending the same section, and I am not sure that those amendments are not in conflict with each other.

Now the problem is, Mr. Speaker, if I would ask that this bill be passed over so that we could read the bill tomorrow as

amended, we then have a problem because it is on its 15th day and the bill under our rules would be dropped from the calendar and be automatically recommitted to the committee from which it came. So the problem I have, and if you would agree with me that this procedure that we are adopting with so many amendments at one time is wrong, what can we do? It would appear that if I were to offer a motion to lay the bill and the amendments on the table that I am trying to kill the bill, and that is not my intention because I really am not that familiar with the provisions of the bill or how effective they will become.

Mr. Speaker, I guess my question to you is: Is there any other parliamentary procedure we can go through, other than observing the 15-day rule, which would drop the bill from the calendar, or offering a tabling motion, not to kill the bill but to get the bill in print so we intelligently vote on it tomorrow?

The SPEAKER. It is the Chair's opinion, substantiated by the Parliamentarian, that if the gentleman, Mr. Seltzer, were to move to table the bill and if the House were to agree, that would avoid the 15-day rule. The bill as amended would then be on the table with the amendments in print. The bill would then be available to be removed from the table on a motion of any member in its reprinted form.

Does the gentleman, Mr. Seltzer, have anything further to observe before the Chair recognizes Mr. Ritter?

Mr. SELTZER. Mr. Speaker, in the interim while you were speaking with the Parliamentarian, I have been led to believe that the prime sponsor of the bill would be willing to lay it on the table with the amendments so it could be reprinted and brought up tomorrow, and I would certainly be in accord if the chief sponsor is.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. On this point raised by the gentleman, Mr. Seltzer, could we not also simply suspend the rule that requires the bill to be recommitted after 15 days and consider it tomorrow?

The SPEAKER. Yes, the House may always suspend its own rules, provided, of course, that the suspension would not be in violation of the Constitution. It is the Chair's opinion that in this instance it would not be so in violation.

Now I understand that the gentleman, Mr. Goodman, is going to place before the House a motion to table HB 555, PN 731, as amended. Is that correct?

MOTION TO TABLE

Mr. GOODMAN. That is correct, Mr. Speaker, and I so move.

The SPEAKER. The question before the House is the motion to table HB 555, PN 731, as amended.

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

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Le-

high, Mr. Ritter. For what purpose does the gentleman rise?

Mr. RITTER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, will the bill be reprinted even though it is being laid on the table?

The SPEAKER. The Chair assures the gentleman and the members of the House that that is the purpose of the motion to table and the bill will be reprinted as amended.

Mr. RITTER. Thank you, Mr. Speaker.

HB 555 TABLED

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—182

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

NAYS—9

Fischer, R. R.	Hutchinson, A.	Milanovich	Trello
Halverson	McCall	Ravenstahl	Wagner
Hayes, D. S.			

NOT VOTING—9

Barber	Dumas	O'Donnell	Shelton
Beloff	Mullen, M. M.	Rhodes	Williams
Cessar			

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

The SPEAKER. The bill and amendments are so tabled.

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

Mr. MEBUS. I would like to address a thought to this House and to Mr. Goodman, who is approaching me at this moment, that I think it would be helpful with a bill of the magnitude of this one, and it is a bill of considerable magnitude, the intent of which I do not think any of us here are opposed to, that if it does not come up tomorrow, even if it waits a week, that we try to get from, I guess, the Department of Environmental Resources some sort of an impact statement on this measure so that we may have a little bit better idea of what its real effect would be beyond that which is apparent on the surface. In other words, what I am trying to say is, I am fearful that this bill may have ramifications that are not clear to us at this time, and I would hate to buy a pig in a poke and do something that makes this body look foolish.

I am not averse to the intent. I think it is very well intentioned, but I am just a little fearful of it, and anything further that we can get that would be useful, through whatever source—Penn State—I do not care where, indicating what all of the results might be, would be beneficial.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Goodman. For what purpose does the gentleman rise?

Mr. GOODMAN. Mr. Speaker, just to answer the question briefly, I can give him here a summary of the legislative proposal from DER, and it reads: "The Department of Environmental Resources supports this bill because its passage would provide for full utilization of coal, for burning of this fuel is environmentally and economically practical." I could give the gentleman a copy of the report on the proposal from DER.

The SPEAKER. The Chair thanks the gentleman and suggests that it would be wise to give each member of the House a copy of that report, if it is at all possible.

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 958, printer's No. 1306**, entitled:

An Act regulating the term and conditions of certain leases regarding natural gas and oil.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—192

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

NAYS—1

Zearfoss

NOT VOTING—7

Barber	Cessar	O'Donnell	Williams
Beloff	Dumas	Shelton	

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

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

TAX-RELATED BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill**

No. 366, printer's No. 1013, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379, No. 348), referred to as the Third Class County Assessment Board Law permitting class actions relating to assessments.

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

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—189

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

NAYS—4

Goebel	Hamilton	Katz	Salvatore
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NOT VOTING—7

Barber	Dumas	O'Donnell	Williams
Cessar	Mullen, M. M.	Shelton	

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

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

FINANCE BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 795, printer's No. 886, entitled:

An Act amending the "Senior Citizens Property Tax or Rent Rebate Act" approved March 11, 1971 (P. L. 104, No. 3), further providing for a temporary method of payment of administrative expenses and claims.

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

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

The question is, shall the bill pass finally?

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

Mr. ZEARFOSS. To speak against the bill, Mr. Speaker.

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

Mr. ZEARFOSS. Mr. Speaker, this bill is, I guess, the second or third in a continuing series of bills that permits the General Assembly to bail itself out of the Senior Citizens Property Tax Assistance Act. We are spending more money in that program than we are taking in in lottery funds and we have been since the amendments to add renters and the amendments to provide for senior-citizen transportation.

The first year we borrowed against the next year's receipts, in effect, in order that we would not have to reduce pro rata the payments to the recipients under the program. We have done that, I think, for 2 years. This is the third year. Sooner or later—and it is coming very soon; it will probably be next year—we will have borrowed an entire year's receipts in order to pay for next year's obligations. I think the time has come to bite the bullet. We should decide whether we want to go into this deficit financing forever. And we cannot do it forever; sooner or later we have got to stop it, obviously, but we have some other alternatives.

One alternative is to cut back on the program so that we are living within the revenue. Another alternative would be to have a pro rata reduction as the law originally called for. A third alternative is to find additional types of revenue, additional types of gains, and increase the revenue that way. That is a little chancy.

I think what we have to do now is take one of the sure ways and decide what we are going to do to live within our means. We cannot continue this fiscal irresponsibility, and that is all this is. We are borrowing from next year's receipts to pay for this year's obligations. I would request a "no" vote.

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

Mr. LAUGHLIN. Mr. Speaker, Mr. Zearfoss stated that the lottery fund the first year did not have enough money in it to pay the claims against it, and that statement is not exactly true. They did have enough money. However, he followed it up with the statement that when we included renters we fell short. That is absolutely true.

Mr. Speaker, I was as concerned as Mr. Zearfoss was this year about the shortfall of the lottery fund to pay senior citizens and the possibility of having utilized funds for one complete year in advance of the income. However, I was promised 2 years ago by the Lottery Commission that they were going to do a better job. They did not. I was promised last year that they would do a better job this year. They have.

Mr. Speaker, this year the lottery, with the new instant lottery as well as the daily lottery, is taking in approximately \$5 million per week. That is going to supply us with adequate funding to take care of the necessities for this year, and by next year we should have the total fund balanced and on schedule.

I do not believe it is necessary at this time to take any action other than to pass this bill, permit the anticipated revenues to be used and to guarantee our senior citizens across the State of Pennsylvania that they are not going to have a prorated share but 100 percent of the amount that was promised to them when they first made out their forms earlier this year. For that reason, Mr. Speaker, I would ask for an affirmative vote from the members of the House. Thank You.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the constitution, the following roll call was recorded:

YEAS—188

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

Dietz	Kelly	Polite	Wiggins
Dininni	Kernick	Pott	Williams
Dombrowski	Klingaman	Pratt	Wilson
Donatucci	Knepper	Prendergast	Wilt
Dorr	Kolter	Pyles	Wise
Doyle	Kowalshyn	Rappaport	Wright, D.
Duffy	Laughlin	Ravenstahl	Wright, J. L.
Englehart	Lehr	Reed	Yahner
Fee	Letterman	Renwick	Yohn
Fischer, R. R.	Levi	Richardson	Zeller
Fisher, D. M.	Lincoln	Rieger	Zitterman
Flaherty	Livengood	Ritter	Zord
Foster, A.	Logue	Ruggiero	Zwikl
Foster, W.	Lynch	Ryan	
Freind	Madigan	Salvatore	Irvis,
Fryer	Manderino	Scanlon	Speaker
Gallagher	Manmiller		

NAYS—5

Geesey	Mackowski	Rhodes	Zearfoss
Haskell			

NOT VOTING—7

Barber	Dumas	O'Donnell	Shelton
Cessar	Hasay	Seltzer	

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.

AGRICULTURE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 111, printer's No. 124, entitled:

An Act restricting the right to condemn prime agricultural lands for certain purposes.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—192

Abraham	Garzia	Manmiller	Scheaffer
Anderson	Gatski	McCall	Schmitt
Armstrong	Geesey	McClatchy	Schweder
Arthurs	Geisler	McGinnis	Scirica
Bellomini	George, C.	McIntyre	Seltzer
Bennett	George, M.	McLane	Shuman
Berlin	Giammarco	Mebus	Shupnik
Berson	Gillette	Meluskey	Sirianni
Bittinger	Gleeson	Milanovich	Smith, E.
Bittle	Goebel	Miller	Smith, L.
Borski	Goodman	Milliron	Spencer
Brandt	Gray	Miscevich	Spitz
Brown	Greenfield	Moehlmann	Stairs
Brunner	Greenleaf	Morris	Stapleton
Burd	Grieco	Mowery	Stewart
Burns	Halverson	Mrkonic	Stuban
Butera	Hamilton	Mullen, M. P.	Sweet

Caltagirone	Harper	Musto	Taddonio
Caputo	Hasay	Novak	Taylor, E.
Cassidy	Haskell	Noye	Taylor, F.
Cianciulli	Hayes, D. S.	O'Brien, B.	Tenaglio
Cimini	Hayes, S. E.	O'Brien, D.	Thomas
Cohen	Helfrick	O'Connell	Trello
Cole	Hoeffel	O'Keefe	Valicenti
Cowell	Honaman	Oliver	Vroon
Davies	Hopkins	Pancoast	Wagner
DeMedio	Hutchinson, A.	Parker	Wansacz
DeVerter	Hutchinson, W.	Petrarca	Wargo
DeWeese	Itkin	Piccola	Wass
DiCarlo	Johnson	Pievsky	Weidner
Dietz	Jones	Pitts	Wenger
Dininni	Katz	Polite	White
Dombrowski	Kelly	Pott	Wiggins
Donatucci	Kernick	Pratt	Wilson
Dorr	Klingaman	Prendergast	Wilt
Doyle	Knepper	Pyles	Wise
Duffy	Kolter	Rappaport	Wright, D.
Englehart	Kowalshyn	Ravenstahl	Wright, J. L.
Fee	Laughlin	Reed	Yahner
Fischer, R. R.	Lehr	Renwick	Yohn
Fisher, D. M.	Letterman	Rhodes	Zearfoss
Flaherty	Levi	Richardson	Zeller
Foster, A.	Lincoln	Rieger	Zitterman
Foster, W.	Livengood	Ritter	Zord
Freind	Logue	Ruggiero	Zwinkl
Fryer	Lynch	Ryan	
Gallagher	Mackowski	Salvatore	Irvis,
Gallen	Madigan	Scanlon	Speaker
Gamble	Manderino		

NAYS—0

NOT VOTING—8

Barber	Cessar	Mullen, M. M.	Shelton
Beloff	Dumas	O'Donnell	Williams

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

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

**STATE GOVERNMENT BILLS
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 69, printer's No. 79**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. GALLAGHER offered the following amendments:

Amend Title, page 1, line 11, by inserting after "elections," "making certain offices compatible and

Amend Sec. 1, page 1, lines 15 and 16, by striking out "an article" and inserting a section

Amend Bill, page 1, by inserting between line 16 and 17

Section 808.2. Compatible Offices.—Any constable or any employe of a common pleas court or a district justice may be an officer of any political body or political party, and may hold the office of a county, State or National committee of any political party, and may participate in any election day activities.

Section 2. The act is amended by adding an article to read:

Amend Sec. 2, page 38, line 14, by striking out "2." and inserting 3.

On the question,

Will the House agree to the amendments?

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

Mr. GALLAGHER. Mr. Speaker, this amendment has been on the member's desk. It amends HB 69. It has nothing to do with the voting proceedings; it amends the Election Code.

Last year we had our Supreme Court issue a regulation saying that a constable, an employe of a district justice office or municipal court could not be a political worker, a local committeeman, committeewoman, or a state committeeman, state committeewoman, or an officer of any kind of a state political party.

This amendment would allow them to be active members of a political party — committee people, state committee people and state committee officers, local committee officers, et cetera. All this bill does is make it compatible under our Election Code for them to hold those offices, and I ask the members to support this amendment.

The SPEAKER. The Chair thanks the gentleman.

POINT OF ORDER ON GERMANENESS

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

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

The SPEAKER. The gentleman will state it.

Mr. RENWICK. Mr. Speaker, I rise not really in opposition to his amendment, but I do not think it is germane to this bill. Could I, therefore, have an opinion on this?

The SPEAKER. Under the rules adopted by this House, the question of germaneness is decided by a vote on the floor of the House. Does the gentleman wish to place that question before the House?

Mr. RENWICK. I do, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Renwick, has raised a point of order questioning the germaneness of the amendment offered by the gentleman, Mr. Gallagher, to HB 69, PN 79. That question is to be decided by a vote of the House.

Those members believing that this amendment is germane will vote "aye"; those believing that it is not will vote "nay."

On the question,

Will the House agree to the germaneness of the amendments?

The following roll call was recorded:

YEAS—40

Abraham	Fryer	McClatchy	Ravenstahl
Berlin	Gallagher	McGinnis	Rhodes
Burns	Gallen	Meluskey	Ritter
Caputo	George, M.	Miscevich	Taylor, F.
Cassidy	Gleeson	Morris	Trello
Cohen	Greenleaf	Mrkonic	Valicenti
Cowell	Halverson	Novak	Wilson
Davies	Harper	Pratt	
DiCarlo	Kernick	Prendergast	Irvis,
Dombrowski	Lincoln	Pyles	Speaker
Dorr	Logue		

NAYS—147

Anderson	Geesey	Manmiller	Scirica
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Armstrong	Geisler	McCall	Seltzer
Arthurs	George, C.	McIntyre	Shuman
Bellomini	Giammarco	McLane	Shupnik
Bennett	Gillette	Mebus	Smith, E.
Berson	Goebel	Milanovich	Smith, L.
Bittinger	Goodman	Miller	Spencer
Bittle	Gray	Milliron	Spitz
Borski	Grieco	Moehlmann	Stairs
Brandt	Hamilton	Mowery	Stapleton
Brown	Hasay	Musto	Stewart
Brunner	Haskell	Noye	Stuban
Burd	Hayes, D. S.	O'Brien, B.	Sweet
Butera	Hayes, S. E.	O'Brien, D.	Taylor, E.
Caltagirone	Helfrick	O'Connell	Tenaglio
Cianciulli	Hoefel	O'Keefe	Thomas
Cimini	Honaman	Oliver	Vroon
Cole	Hopkins	Pancoast	Wagner
DeMedio	Hutchinson, A.	Parker	Wansacz
DeVerter	Hutchinson, W.	Petrarca	Wargo
DeWeese	Itkin	Piccola	Wass
Dietz	Johnson	Pievsky	Weidner
Dininni	Jones	Pitts	Wenger
Donatucci	Katz	Polite	White
Doyle	Kelly	Pott	Wiggins
Duffy	Klingaman	Rappaport	Wilt
Englehart	Kolter	Reed	Wise
Fee	Kowalyszyn	Renwick	Wright, D.
Fischer, R. R.	Laughlin	Richardson	Wright, J. L.
Fisher, D. M.	Lehr	Rieger	Yahner
Flaherty	Letterman	Ruggiero	Yohn
Foster, A.	Levi	Ryan	Zearfoss
Foster, W.	Livengood	Salvatore	Zeller
Freind	Lynch	Scanlon	Zitterman
Gamble	Mackowski	Scheaffer	Zord
Garzia	Madigan	Schmitt	Zwinkl
Gatski	Manderino	Schweder	

NOT VOTING—13

Barber	Greenfield	Mullen, M. M.	Sirianni
Beloff	Knepper	O'Donnell	Taddonio
Cessar	Mullen, M. P.	Shelton	Williams
Dumas			

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the amendments were declared not germane.

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

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

The question is, shall the bill pass finally?

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman, Mr. Gallagher. For what purpose does the gentleman rise?

Mr. GALLAGHER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLAGHER. Mr. Speaker, we just voted that an amendment to the Election Code is not germane. Does this mean that we are setting the precedent that any amendment to a code is not going to be considered germane?

The SPEAKER. It is the Chair's opinion that the only question which is decided by this House at this moment is whether or not the amendment offered by the gentleman, Mr. Gallagher, to HB 69 is germane. The House has declared that it is

not germane and it has declared nothing further.

Mr. GALLAGHER. Mr. Speaker, that means that every time an amendment is offered to, let us say, the general appropriation bill or the school subsidy bill and the question is proposed to the Speaker and then that amendment is declared not germane, therefore it would be futile for members to offer amendments to other bills? Is that correct?

The SPEAKER. The Chair would advise the gentleman and the other members of the House that it is the right and the privilege of any member of this House to raise the question of germaneness on any amendment offered to any bill. The gentleman, Mr. Renwick, was perfectly within his rights to raise that point of order, and the House was within its rights to make its decision.

Mr. GALLAGHER. Mr. Speaker, then if the subsidy bill, HB 593, were before this House—and there are many members who are going to offer amendments—we could all raise the same question, that the amendments are not germane because they do not deal with the pertinent matter that was in the original bill, and if the members voted that way, then no member could really offer amendments to another bill?

The SPEAKER. The Chair recognizes the shrewdness of the gentleman, Mr. Gallagher, and would advise the gentleman that his question is speculative, and speculative questions are not necessarily decided on the floor of this House.

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

Mr. TADDONIO. Thank you, Mr. Speaker.

Those of you who have been in the House the last several terms are well accustomed to seeing me up talking about this bill. I am opposed to it. I have not changed that position. My background is in the computer area, and I feel it qualifies me somewhat to speak a little bit about this bill.

All of us here, I think, are familiar with the computer and we all know that computers sometimes goof, especially any one of us who has had a constituent or two come to us complaining that they have gotten Philadelphia traffic tickets. Obviously, somewhere along the line a computer goofed.

What I would like to say about this bill that supposedly authorizes electronic voting systems to be used in our state is that it sort of gives carte blanche approval to almost any kind of an electronic voting system. The one we are talking about here is not really electronic in the sense that it uses a punch card that we punch holes in and then submit to a computer to tabulate. These holes are very easy to manipulate by a finger, by a fingernail, by extra punches, a lot of things, so much so that the problem of invalid votes gets to be a very sizable problem. The systems across the country have experienced anywhere between 15 percent to 25 percent of invalid votes. That means that one person in every five who goes to those polls, in many instances, are denied their voting rights. This is as recent as the 1976 Presidential primary in Washington, D.C., where 21 percent of the voters were denied their voting rights because of invalidated ballots because of the complexity of the system.

That is not the half of it. The half of it that I would like to address is the probability and possibility of fraud. I say that computers have done great good wherever they have been ap-

plied. However, the area of computer security is one which is just now being started to be addressed with no really apparent good solution.

The August 1975 edition of the Harvard Business Review published an article entitled "Embezzler's Guide to the Computer." It states: "You do not need an expert's knowledge of the computer to steal from your company; all you need is a good plan and some helpful hints." Then they go on to enumerate case after case where employes had come up with elaborate schemes to defraud their companies. They only get caught because of accidents of fate, not because of any security measures on the part of the company.

Not too long ago a group of experts sat down to devise a game to see if they could detect someone trying to manipulate a computerized election. I quote from the Los Angeles Times:

Three of the men formed the offensive team—the group trying to find ways of rigging the machines. The other three men went on defense trying to devise ways of detecting fraud.

In each test, the offensive team won. Highly sophisticated techniques were devised for the computers which were not detected or prevented by counter-measures. And the scientists making up the teams were of equal brilliance, including some from the RAND Corp. in Santa Monica and from university ranks.

Also a quote from the Wall Street Journal of June 21, 1976:

AVM Corp. said it is eliminating its Election Systems division, which was working on an electronic system involving paper ballots. The company said it will continue producing mechanical voting machines.

The concern said it will dismiss 30 employes and seek a buyer for the division's building. It said it found that the system the division was developing provided opportunities for fraud, and that it believes voting machines still are the strongest guarantee against tampering with ballots.

I have another article quoting a Richard Smolka, a professor of government at American University and a national expert on voting methods. He says:

Use of the computer counters is harder to learn than most other methods. On the other hand, more votes are counted on each computer than on each lever-voting machine, so computerized voting is more susceptible to tampering.

An article in the Scientific American of August 1975 cites:

The Clearinghouse on Election Administration, a Federal agency, is concerned . . . it is also uneasy about the possibility that computerization will diminish the control of election officials over voting procedures, thereby increasing the likelihood of vote fraud.

An editorial from the Computer World, which is the trade journal of the computer industry, states:

"It is time election officials took their heads out of the sand regarding the security and accuracy of punch card and soft-ware based ballot counting techniques."

"In a recent survey in county election offices an incredible 100% rated the security and accuracy of their systems as good, indicating those topics were not high on the list of worries."

"Perhaps it is lack of sophistication regarding real

danger inherent in such systems on the part of these officials or perhaps it is just that they have too easily accepted the claims made by the manufacturers of the system, but it is clear that the systems may not be as accurate or as secure as most officials think."

The firm of Price-Waterhouse, assigned to do an analysis for the St. Louis Board of Elections, came to the conclusion:

While the lever machines currently used are also subject to abuse, control measures required to insure accuracy and to maintain voter confidence are simple, well established and easy to explain to election officials and the public.

The control measures necessary to insure the Board and the voters of accurate vote tabulation using the Vote-a-matic procedures are in our opinion complex, not yet established, more easily subject to abuse than current procedures, and of a nature that we believe will be difficult to explain to election officials and to the general public.

In our opinion, it is unlikely that such controls could be established and maintained in a way to ensure accuracy of the votes and to maintain voter confidence in the results. Since we do not believe that adequate controls can be maintained on the Vote-a-matic process, we have not developed detailed recommendations in this regard.

I know there are a lot of members here being pressured by their county commissioners to accept this kind of system because it is being aggressively merchandised as a cheap replacement and solution to the paper ballot crunch. I sympathize with that and I certainly would like to see a good solution. However, let us look at the price we must pay. These systems are not all they are cut out to be. Perhaps in a few years they will be developed to the point where we can assure adequate security, but it literally scares the heck out of me that there is a sizable number of states in this nation that have adopted this system and are using it, rather oblivious to the effects that might come down in the way of fraud.

I would like to conclude with a story. At one time there was a group of scientists who wondered what would happen if they linked all the computers in the world together. They thought this was a worthy project; they sold their governments on it; and they went about the task of linking every computer in the world together. This task, as you may think, took quite a few years. Finally the great moment arrived when they had every computer linked together. So they all got together and they posed the ultimate question. They went to the console and they typed in: Is there a God? A split second later the answer came back: There is now.

Mr. Speaker, if you want our elections to be run by a new God, let us vote this computer thing in. If you want to feel secure and sleep well after election night, let us vote it down until we get some kinds of adequate measures to protect ourselves.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. R. R. FISCHER. Mr. Speaker, I rise to speak in favor of this particular piece of legislation. I think many of you know that I come from a county that has all paper ballots presently.

I have seen and been a part of elections that have gone on for literally days without an answer to who has been elected.

The election board in my county, which is our county commissioners, has vigorously urged our delegation from Washington County to support this legislation, and we do. We have seen the problems that have arisen because we still have paper-ballot systems.

But not only time is involved — the time of a lot of candidates, a lot of election-board people, the time of the public that is concerned about who has won their election — but we are concerned too about the cost involved. This system, if adopted—and by the way, this system, if adopted, would be discretionary—would give the county commissioners, sitting as the election board, the power to make a decision as to whether to adopt it or not; they would have the ability to decide whether their county should accept this system.

This system would save us a great deal of money. Several times we have presented to our voters in Washington County the proposition of adopting machines of the lever type. It has been turned down several times because of the extreme cost for a small county like ours to put in a system like this. This system would give us some savings in other areas, too. It would permit us to merge some of our precincts and permit us to vote in a slightly less number of areas, thereby resulting in some savings in election costs.

I am, too, Mr. Speaker, a scientist and know that these systems can be made, I think, safe. I think in any election system there are areas for possible fraud. I certainly believe that modern computer technology and modern science can show us ways that we can safeguard this particular voting system. I think that the commissioners, sitting as the election board, can properly oversee this system. I think it is certainly something that is necessary and I think counties like mine should have the opportunity.

You presently have a voting-machine system in your county, so you do not know what it is like to go for perhaps all night and part of the next day without knowing who has won the election, and then to be concerned about the problems with paper ballots. I can assure you there are problems with them just as there are problems with the system.

In conclusion, I would like to say that many other states across the nation have adopted this system. For us, again, it would be a discretionary system. I think our county and other counties affected by this—and not the county of the previous speaker—should have an opportunity to accept this system if they want to and thereby be able to accept the savings and accept the shortening of the time of elections. So I would just like to ask everyone to vote for this system and give our county a chance to benefit from the savings of time and money involved there.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RAPPAPORT. To speak to this bill, Mr. Speaker.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, as some of the members know, I am a member of the Committee on Ethics and Elections for the National Conference of State Legislatures. We had a meeting in Denver last week.

Last year, the committee made a field trip to California in conjunction with its quarterly meeting—unfortunately, I was not on that one—to study electronic voting in California. The unanimous conclusion of the committee members was that if they should retire from the legislatures of the some 15 states of the members of the committee, they would all go to California and run because anybody with any ingenuity can steal an election without any trouble under this system.

During that primary they visited the county seat of the county just north of San Francisco and watched all the punchcards coming in from all the precincts in the county. They came in by private car, being brought in by the judge of elections; they came in by truck. And after they came in, after no security whatsoever on the vehicles, they were all dumped into a big room on the floor, on desks and in wastepaper baskets belonging to the county clerk, and then they proceeded to try and figure out how to tabulate them on the various calculators and electronic equipment. It was considered a disaster in that county, and it would be a disaster for us to adopt this kind of a system.

Previous speakers spoke about waiting a day and a half for results when you count paper ballots. Under this system in Detroit 2 years ago, they had to wait 6 weeks for the results. Election day was a rainy day and the punchcards swelled up from the humidity, and, as a result, the machines could not tabulate them. They had to be tabulated by hand.

Instead of counting the paper ballots in each individual precinct, one crew had to count the paper ballots for the entire city with the challenges and everything else that occurred.

Electronic equipment is very sensitive. It requires a controlled environment as to temperature and humidity. Computer rooms have this at great expense to their owners and operators. It is impossible to have these conditions in a polling place.

In addition, in a polling place whether you use paper ballots or machines, there are watchers from both parties there all day. The watchers are there when the ballots are counted. They are there to check the numbers on the machines. The only time that you can have fraud is when there is collusion between the parties at that polling place. Under this system you can have fraud at any place in the system, and there is no one there to check up on it. There are no orders that can come back. There must be speed in the results, and, what is most important, there must be total accuracy. You cannot say, this is accurate give or take 2 percent. The accuracy must be 100 percent, and these systems have failed wherever they have worked.

I, therefore, urge, Mr. Speaker, a “no” vote on this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman, but would like to make an inquiry of the gentleman, as a former teacher of English. How do you fail wherever you work? I think the gentleman made the statement that these systems have failed wherever they have worked.

Mr. RAPPAPORT. I apologize to the Speaker. They have failed wherever their use has been attempted.

The SPEAKER. The Chair thanks the gentleman. The Chair thought perhaps he was getting a little too old to understand the English language.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman, Mr. Rappaport. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. RAPPAPORT. I think the problem with both the Speaker of the House and the member now addressing the Speaker is that we have been here so long that perhaps the proper use of the English language has gradually escaped us.

The SPEAKER. The Chair recognizes that that is a distinct possibility and worries about it constantly.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I rise in support of the bill. I recognize that there is no system that has ever been devised which human beings cannot frustrate if they so desire. I recognize also that there is no system which can guarantee the integrity of the individuals who run that system.

Nevertheless, speaking as a member who comes from a county which still uses paper ballots, along with several other counties in this Commonwealth, it is my belief that the proper comparison is not with some unknown and indeed impossible ideal system but that this system must be compared with the other systems that are available. Having indeed been involved in previous years with the counting of ballots in my county, with the counting of paper ballots, and having observed the problems that occurred in that county, both with respect to the length of time that it took to count them, the inaccuracies involved in the count and, indeed, the charges of fraud that were brought, some sustained, some not sustained, in connection with the counting of ballots in that county, I have concluded that the counties of this Commonwealth need another option.

My knowledge of this system is not a new one. It goes back to a time in the late '60's and early '70's when I was the county solicitor for my county and the system was then explained and demonstrated to me. Based on that demonstration, based upon the experience in my county, based upon the financial problems, and the reluctance of the voters to approve the going to machines in the smaller counties, I have concluded that on balance they should have the option of utilizing this system and, therefore, I urge support of the bill.

The gentleman from Philadelphia, Mr. Rappaport, has made the statement that there are problems with respect to security or there have been observed problems with respect to security when the ballots or the cards are taken from the polling place to the place where they will be computed. Let me only say that I have observed the election process in Schuylkill County as the paper ballots are brought from the polling places and into the courthouse where they must be officially counted and I could cite the same instances and problems in that county as have been referred to by the gentleman from Philadelphia.

The gentleman from Philadelphia also referred to the problems that may occur with respect to the damaging of the ballots, the problem that they must be computed at some place other than at the place of the county election board. Strictly speaking, with paper ballots, that remains the case as well because the official count must be made in the courthouse some days after the election, and, in addition to that, we have no guarantee with the paper ballots, as we do not with the cards, that there will not be problems in connection with the boxes as they come in, that there will not be tampering and so forth.

Therefore, when you vote on this bill, do not hold this electronic system up against some impossible ideal which no one will ever reach. In making your vote on this bill, try to consider whether or not the system is a reasonable system, not a perfect system, and whether it is an option that our county should have.

I, for one, having had experience with the paper ballots and, having had this system demonstrated, feel that it does offer a reasonable alternative and urge you to vote for the bill.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. A. C. FOSTER. To speak on the bill, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, I guess this could be considered almost a historic day in this House, inasmuch as for the second time in as many hours I have risen to espouse the position endorsed by a gentleman from Philadelphia, Mr. Rappaport.

I firmly agree that we should vote "no" on HB 69 and for any of you who have ever had the experience of receiving computerized bills in the mail with incredible errors upon them, for any of you who have ever read of the account in one of the southern states where someone's bank account was erroneously credited with about a million dollars through a computer error or if any of you have ever had occasion to call the Pennsylvania Department of Transportation about a motor vehicle problem and discovered that somehow or other the records had been expunged from the computer or otherwise fouled up by computer expertise, I think you will agree that we do not want to entrust our elections in this Commonwealth to the computerized ballot process.

In general, I support the views so well articulated by Mr. Taddonio and Mr. Rappaport and urge a negative vote on this bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair will recognize the gentlemen in order, and the gentleman from Blair, Mr. Milliron, is next in order.

Mr. MILLIRON. Thank you, Mr. Speaker.

Mr. Speaker, to listen to the gentlemen who have opposed this bill would make it sound that the only time fraud can occur is with electronic voting. The gentlemen who have spoken, Mr. Rappaport and Mr. Taddonio, have counties with machines.

I have never lived in a big city, so to speak, but I have sure read about an awful lot of fraud in Chicago, in Philadelphia, and in other big cities that use machines. What we are saying

is, it is not the machine, it is not the electronics, it is not the paper ballot, but it is the individuals involved with the local election board. It is the counties, such as mine, that have the paper ballots that are saying, give us the opportunity, if the county commissioners and if the people in that county desire, to have it. We are never going to eliminate voter fraud. It was a point that was brought up last year during the postcard registration. The alternative in the small counties, of course, is go to the voter machine. That same argument that is being used now for fraud could be again used for voter machines. We are asking the rural counties to give us the same opportunity to bring our counties into the 20th century, so to speak, because fraud is going to occur no matter what. I do not think Mr. Rappaport, possibly, and some of the other gentlemen have ever seen the massive amount of fraud that can go on even with paper ballots.

We had an election several years ago in my county, Mr. Speaker, where over 80 ballots were challenged in the courts because they had been thrown out. They were thrown out for such minor things as a scratch point with a pen across it, a corner, other than the upper corner where the number was, was torn off. This kind of thing can happen so easily and could be done intentionally and is done intentionally to cause fraud with paper ballots.

I do not think the electronic voting is going to increase the amount of fraud. It is the people who run the elections. If they are going to cheat with paper, they will cheat with machines and they will cheat with electronics.

Let the local counties who are using paper have the option of using the electronics, and give us the opportunity to use them.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Mebus. For what purpose does the gentleman rise?

Mr. MEBUS. I wish to offer a few observations on the bill.

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

Mr. MEBUS. I think Mr. Milliron's point is well taken when he says that no system or at least the existing permitted systems are not fraud-free. They are not.

There is a possibility of fraud, but the question as I view it is this: Is not the possibility of fraud increased materially if you go to the computerized ballot-counting system? I offer this as my basis for judgment. Whether you use paper ballots or whether you use a voting machine, the votes are tallied in the precinct. If there is a question, there is something to go back to to check upon.

Under the electronic voting system, there will be no tally made in the precinct. The only record of how an individual voted will be that which turns up at the courthouse, and there is a lot of time between the time those paper cards leave the precinct and get to the county courthouse where they can be tampered with. In other words, you have some check on how much tampering can be done, if you will. It is a more lengthy and more difficult process to do it under the paper-ballot system or the voting-machine system we have now, but once those cards leave the precinct, nobody knows what can happen to them. Therefore, I think that we are preventing or at least min-

imizing the likelihood of fraud by staying with our existing systems and not permitting this one.

I propose to vote "no." I hope you see it the same way.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ZELLER. To discuss the bill, sir.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, I have been sort of bouncing around here on this bill because of the fact that there have been arguments, I should say, which would make one tend to believe that each side is right.

I am looking at a point that Mr. Milliron brought out that I feel it is the individual, and if we are going to go back, just for a moment, to HB 594 where we heard the hue and cry today about how we are going to let our county do some thinking and we are going to let our county save us money. I saw the vote up there. It sure went good. So if that is our feeling, I think it is about time we start letting the county do things. Here is a chance now for the county to save us money. We are talking about saving money. That seems to be what the argument was with the opposition. So here is a chance now to save money that would be absolutely one-quarter of the cost of machines, and that is a substantial cost saving. Therefore, if we are out to help our local taxpayers and if we are out to save money, here is our chance to vote for a real good bill.

I would like to support electronic machines because we are going to save our taxpayers money. Let us go with it. Let us see where the votes are.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Elk, Mr. Renwick. For what purpose does the gentleman rise?

Mr. RENWICK. Mr. Speaker, I, too, rise to speak on the bill.

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

Mr. RENWICK. Mr. Speaker, I appeal to the members here to support this legislation because I think it is good legislation. It is the type of legislation whereby we are leaving the entire solution to the people. The people themselves are going to decide on exactly how they want their votes to be counted, what type of system they want to use at the election polls.

And you know, when you talk of fraud—and I hear some of the speakers here say that we are opening the door to fraud—I just cannot visualize their thinking. You walk into a poll, for example, in my backyard, and we are handed a paper ballot. We mark on there exactly how we want our votes to be cast—whom we are for and whom we are against. We put the ballot into a box. That is the end of it. We do not see any more. It is up to the election board and it is up to the election people to decide on how the election goes. Under this computer system, we are going to punch a card under the same system. The only thing that we are speaking of is saving money. We feel we can do this by the computer system. Just recently in the headlines of the Clearfield Progress, they stated that the Clearfield County Commissioners instituted a computer system to set up street lists, things of this nature, saving themselves thousands of

dollars. This is what we are after, Mr. Speaker. We are trying to put in a system whereby we can do this.

As I said before, it is permissive legislation. It is a "may" bill. Nobody says they have to do it. If they want to, we are giving them the right to do it. Therefore, I ask you, Mr. Speaker, to support this bill.

Thank you, Mr. Speaker.

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

Mr. TADDONIO. To speak on the bill, Mr. Speaker.

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

Mr. TADDONIO. I just have a few quick summary remarks to sum it up.

A lot of mention has been made about saving money. I do not think that is what we want to look at right now. We want to look at and really examine the question of fraud. Sure, other systems have fraud, but we are talking about a different kind of fraud. We are talking about centralized fraud; we are talking about undiscovered fraud. We are talking about cases where the computer company that has these things comes there the day before the election with a new program tape. For those of you who may not know what a program tape is, it is a roll of magnetic tape, in computer language, that no human being can read. They put that into the computer, and that counts the ballots. This is the type of thing that can be done, the manipulation that can be done and, I suspect, has been done in the past, and it is just awesome to think about the possibilities when they control elections this way.

I am saying, if you are talking about your have seen fraud, that if they put this in, you ain't seen nothing yet.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the constitution, the following roll call was recorded:

YEAS—83

Abraham	Fryer	Laughlin	Smith, E.
Armstrong	Gallagher	Letterman	Stewart
Arthurs	Gamble	Levi	Stuban
Bennett	Garzia	Lincoln	Sweet
Bittle	Geisler	Logue	Thomas
Brandt	George, C.	Madigan	Trello
Brunner	Gleeson	McGinnis	Valicenti
Caltagirone	Goebel	Milanovich	Wagner
Caputo	Goodman	Milliron	Wansacz
Cohen	Greenfield	Mrkonic	Wargo
Cole	Greenleaf	Mullen, M. P.	Wass
Cowell	Harper	Mullen, M. M.	Williams
DeMedio	Haskell	Novak	Wilson
DiCarlo	Hayes, S. E.	O'Brien, B.	Wilt
Dombrowski	Helfrick	O'Connell	Wise
Dorr	Honaman	O'Keefe	Wright, D.
Duffy	Hutchinson, A.	Petrarca	Yahner
Dumas	Hutchinson, W.	Pievsky	Zeller
Englehart	Kelly	Ravenstahl	
Fischer, R. R.	Klingaman	Renwick	Irvis,
Fisher, D. M.	Kolter	Rieger	Speaker
Flaherty			

NAYS—111

Anderson	Giammarco	Meluskey	Schmitt
Bellomini	Gillette	Miller	Schweder
Berlin	Gray	Miscevich	Scirica
Berson	Grieco	Moehlmann	Seltzer
Bittinger	Halverson	Morris	Shuman
Borski	Hamilton	Mowery	Shupnik
Brown	Hasay	Musto	Sirianni
Burd	Hayes, D. S.	Noye	Smith, L.
Burns	Hoeffel	O'Brien, D.	Spencer
Butera	Hopkins	Oliver	Spitz
Cassidy	Itkin	Pancoast	Stairs
Cianciulli	Johnson	Parker	Stapleton
Cimini	Jones	Piccola	Taddonio
Davies	Katz	Pitts	Taylor, E.
DeVerter	Kernick	Polite	Taylor, F.
DeWeese	Knepper	Pott	Tenaglio
Dietz	Kowalyszyn	Pratt	Vroon
Dininni	Lehr	Prendergast	Weidner
Donatucci	Livengood	Pyles	Wenger
Doyle	Lynch	Rappaport	White
Fee	Mackowski	Rhodes	Wiggins
Foster, A.	Manderino	Richardson	Wright, J. L.
Foster, W.	Manmiller	Ritter	Yohn
Freind	McCall	Ruggiero	Zearfoss
Gallen	McClatchy	Ryan	Zitterman
Gatski	McIntyre	Salvatore	Zord
Geesey	McLane	Scanlon	Zwikl
George, M.	Mebus	Scheaffer	

NOT VOTING—6

Barber	Cessar	Reed	Shelton
Beloff	O'Donnell		

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 748, printer's No. 839**, entitled:

An Act authorizing the Ridgway Township Municipal Authority to transfer certain Project 70 lands in Elk County in exchange for a parcel of land belonging to the Nation Forest Reservation Commission (Allegheny National Forest) subject to certain conditions.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—194

Abraham	Gamble	Manderino	Scheaffer
Anderson	Garzia	Manmiller	Schmitt
Armstrong	Gatski	McCall	Schweder
Arthurs	Geesey	McClatchy	Scirica
Barber	Geisler	McIntyre	Seltzer
Bellomini	George, C.	McLane	Shuman
Bennett	George, M.	Mebus	Shupnik
Berlin	Giammarco	Meluskey	Sirianni
Berson	Gillette	Milanovich	Smith, E.
Bittinger	Gleeson	Miller	Smith, L.

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

NAYS—1

Foster, A.

NOT VOTING—5

Beloff McGinnis O'Donnell Shelton
Cessar

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

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

QUESTION OF PERSONAL PRIVILEGE

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

Mr. A. C. FOSTER. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. A. C. FOSTER. Mr. Speaker, I voted in error on HB 748. I meant to be recorded in the affirmative.

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

BILLS REPORTED FROM COMMITTEE

HB 1125, PN 1331 By Mr. SCHMITT

An Act amending the act of March 31, 1937 (P. L. 160, No. 43), entitled, "An act creating a commission to be known as the

Pennsylvania Public Utility Commission; *** and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," further providing for the appointment of members to the commission.

Consumer Affairs.

SB 513, PN 996 By Mr. SCHMITT

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), entitled "The Administrative Code of 1929" granting the power to the Public Utility Commission to levy limited assessments against public utilities for funding the Consumer Advocate.

Consumer Affairs.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 252

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code" lowering age requirements from twenty-one to nineteen in certain instances.

Referred to Committee on Liquor Control.

SENATE BILL No. 253

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes relating to certain acts concerning liquor and other intoxicating beverages.

Referred to Committee on Liquor Control.

SENATE BILL No. 695

A Supplement to the act of (P. L. No.) entitled "Motor License Fund Supplement to the General Appropriation Act of 1977" itemizing appropriations required from the Motor License Fund for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

Referred to Committee on Appropriations.

SENATE BILL No. 697

An Act making an appropriation to the Department of Labor and Industry from the Workmen's Compensation Administration Fund to provide for the expenses of administering the Pennsylvania Workmen's Compensation Act and the Pennsylvania Occupational Disease Act for the fiscal period July 1, 1977 to June 30, 1978 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1977.

Referred to Committee on Appropriations.

SENATE BILL No. 874

An Act amending the act of July 1, 1976 (No. 17-A) entitled "Federal Augmentation Appropriation Act of 1976" adding an appropriation to the Department of Justice.

Referred to Committee on Appropriations.

SENATE MESSAGE

SENATE RESOLUTION FOR CONCURRENCE

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

SENATE RESOLUTION No. 209

The General Assembly of the Commonwealth of Pennsylvania hereby fully endorses the efforts of the Tennessee Monument Commission, and urges the citizenry to consider helping in the effort to enclose the circle of state memorials on the National Military Park at Gettysburg.

Referred to Committee on Rules.

COMMUNICATION FROM CHIEF CLERK

The clerk read the following communication from the chief clerk:

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

June 6, 1977.

Honorable Vincent F. Scarcelli
The Chief Clerk
Room 129 Main Capitol Building
Harrisburg PA 17120

Dear Mr. Scarcelli:

I have been elected to the Senate of Pennsylvania and will be sworn in as a member on June 7, 1977, at 1:00 p.m. I, therefore, submit my resignation as a member of the House of Representatives from the 65th District to be effective at that time.

Very truly yours,
ROBERT J. KUSSE

SB 513 TAKEN FROM TABLE

The SPEAKER. The Chair recognizes the majority leader for the purpose of placing a motion before the House.

Mr. MANDERINO. Mr. Speaker, SB 513 has been reported from the Committee on Consumer Protection. I have had a request by that committee chairman that the bill, which is now on the table under our rules, be removed from the table. The minority chairman of that committee has consented to the removal, and it was checked with the majority whip earlier today. So I would like to now move that SB 513 be taken from the table and placed on the active calendar.

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

CALENDAR**JUDICIARY BILL ON FINAL PASSAGE**

Agreeable to order,
The House proceeded to the consideration on final passage of **House bill No. 1, printer's No. 1237**, 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 and providing an appropriation.

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

The question is, shall the bill pass finally?

**RECONSIDERATION OF VOTE
ON HB 1**

Mr. RHODES moved that the vote by which HB 1, PN 1237, was agreed to as amended on third consideration on Wednesday, April 27, 1977, be reconsidered.

Mr. PANCOAST seconded the motion.

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

HOUSE BILL NO. 1 RECONSIDERED

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

Mr. RHODES offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, line 6, by striking out "deprived" and inserting dependent

Amend Sec. 3, page 19, line 21, by inserting after "PURPOSE."

Excluding probation services, no county shall be required to pay more than ten percent of the costs of operating new shelter care programs required to implement the reclassification provided for in section 2(4)(vi), provided that the county:

- (1) Has applied for existing Federal funds to implement section 2(4)(vi);
- (2) The county has not been deemed ineligible for these Federal funds; and
- (3) The programs are approved as necessary by the Department of Public Welfare to implement section 2(4)(vi). For the purposes of this section, shelter care shall not include institutional facilities.

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

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

Mr. RHODES. Mr. Speaker, the amendment I offered is an agreed-to amendment.

The SPEAKER. The Chair hears queries from the floor asking what does it do. The Chair would advise the gentleman from Allegheny County that it would be wise for him to explain briefly, at least, what the agreed-to amendment does.

Mr. RHODES. Mr. Speaker, the amendment marked "Rhodes" has two parts to it.

The first part is a correction of a typographical error in section 1, page 2, line 6. The word should be "dependent" because we have changed the word "dependent" throughout the bill from "deprived."

The second part of the amendment speaks to the specific nonprobation services, the noninstitutional shelter care services that would be required to comply with HB 1 in the transferring of the status offenders from the delinquency category to the new dependent category. That amendment basically stipulates that no county shall pay more than 10 percent for those costs. These cost have already been guaranteed by Federal funds at that rate but a number of counties around the Commonwealth asked to have it in writing that the cost would be so restricted for these special nonfacility shelter care pro-

grams. We felt that there was no reason to not stipulate it in the law, so we did. That is the amendment, Mr. Speaker.

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

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

Mr. PANCOAST. Mr. Speaker, I would like to yield to Mr. Pitts for him to offer his amendments first, if you will, please.

The SPEAKER. Dr. Pancoast yields to Representative Pitts who offers amendments.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RHODES. It was my understanding that we would consider a Pancoast-Yohn amendment first and then the Pitts amendment. In terms of the way the bill is written, it makes more sense to consider the Pancoast-Yohn amendment first.

The SPEAKER. The gentleman is advised that it may make more sense to do it in the manner in which he describes, but the gentleman, Dr. Pancoast, has the right to yield the floor to whomever he wishes and he yielded the floor to Mr. Pitts.

The SPEAKER. The House will be at ease for a few seconds until these gentlemen can reconcile the order of business. Will you do so quickly?

Mr. PANCOAST. Mr. Speaker, I think the dilemma has been resolved and I will offer Mr. Yohn's amendments first.

On the question recurring,

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

Mr. PANCOAST offered the following amendments:

Amend Title, page 1, line 11 by inserting after "changes" , providing for certain record disclosures

Amend Sec. 1, page 1, line 21 by striking out "and 32," and inserting, 32 and 38,

Amend Bill, page 19, by inserting between lines 13 and 14 Section 38. Law Enforcement Records.—(a) Law enforcement records and files concerning a child shall be kept separate from the records and files of arrests of adults. Unless a charge of delinquency is transferred for criminal prosecution under section 28, the interest of national security requires, or the court otherwise orders in the interest of the child, the records and files shall not be open to public inspection [or their contents disclosed to the public]; but inspection of the records and files is permitted by:

- (1) The court having the child before it in any proceeding;
- (2) Counsel for a party to the proceeding;
- (3) The officers of institutions or agencies to whom the child is committed;
- (4) Law enforcement officers of other jurisdictions when necessary for the discharge of their official duties; and
- (5) A court in which he is convicted of a criminal offense for the purpose of a presentence report or other dispositional proceeding, or by officials of penal institutions and other penal facilities to which he is committed, or by a parole board in considering his parole or discharge or in exercising supervision over him.

(b) The contents of law enforcement records and files con-

cerning a child shall not be disclosed to the public, except that following a petition alleging delinquency filed by a law enforcement agency, the chief of the law enforcement agency filing the petition may, by written request, ask the county district attorney for authority to release the name and alleged delinquent act or acts of any child against whom the petition has been filed. The district attorney, in his discretion, shall have the power to authorize the chief to release such information if:

(1) Such course of action is in the best interests of the community; and

(2) The petition alleges either of the following: (i) that the child has committed an act or acts which include the elements of rape, kidnapping, murder, robbery, arson or other act involving the use or threat of serious bodily harm; or (ii) that the child has committed acts sufficient to be adjudicated delinquent and has previously been adjudicated delinquent.

(3) The child was fourteen or more years of age at the time of the alleged conduct.

On the question,

Will the House agree to the amendments?

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

Mr. PANCOAST. Mr. Speaker, I am offering these amendments on behalf of Mr. Yohn, who was unable to be present today, and on behalf of myself.

The purpose of this amendment is to make it possible for a release to the news media of youngsters who have been involved in a violation of law. In this particular instance the contents of the law-enforcement record would be made available under certain restricted conditions.

The chief of the law-enforcement agency would have to file a petition and this would have to be a written request to the county district attorney for authority to release the name of the alleged delinquent act or acts of any child against whom the petition had been filed. It would then be within the discretion of the district attorney to grant the request or to refuse to grant the request that has been made by the chief of the law-enforcement office.

The district attorney, in his discretion, would make the information available only in the best interest of his community as he saw fit. The petition would have to allege that the child had committed acts that constituted a serious felony and where the delinquent acts were those of a person who had previously been adjudged as delinquent. Furthermore, the restriction would be that the delinquent would have to be 14 years of age or more for this release to be made to the news media.

I would urge the adoption of this amendment.

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

Mr. RHODES. Mr. Speaker, I asked that the order of these amendments be taken as they are being taken because the amendment offered by Mr. Pancoast for Mr. Yohn has in some ways more protections in it than the amendment offered by Mr. Pitts. I will deal with that, but first let me speak to the amendment offered by Mr. Pancoast.

In effect what this amendment will do is it will allow, under certain very specific circumstances—circumstances having to do with the allegations raised against these juveniles who are over 14 but still adjudicated as delinquent and charged with certain offenses or having had a prior record of delinquent offenses—that the public record of their charges, not just their conviction but also the charges, should be made available to the public.

I would like to rise to oppose this amendment. Let me explain why this is a very important amendment. We have a juvenile law in Pennsylvania for one reason. If you examine Act 333, the Juvenile Act, the reason for this juvenile law that we have is that we stipulate that when a child commits a crime on the question of delinquency, when a child commits what would be an adult crime and we can establish that he needs treatment or rehabilitation, and that the courts of this Commonwealth, the juvenile courts of this Commonwealth have decided that he needs treatment and rehabilitation, we should in some very specific ways protect that child from the normal criminal justice proceedings. If this child does not need such rehabilitation and treatment, they can be transferred; or if the child has committed the crime of murder, they are automatically transferred to the adult court where these prohibitions, for example the prohibition on their record being held in secret, would not apply.

In effect, what Representative Yohn's amendment does is that it gets at the separation of the juvenile proceeding from the adult proceeding. It begins to erode that separation. The way the courts have dealt with this problem, if there is a problem in the Commonwealth, is through the transfer provision.

Our Subcommittee on Crime and Corrections released a report not more than 6 weeks ago which demonstrated that there is a great increase in the Commonwealth, particularly in the rural areas, toward transferring juveniles from the juvenile court to the adult court. In other words, if you have a child who has a record that is so extreme and the court decides that the offense they have committed is so repugnant or if a child has committed an offense which would be an adult offense and the child is beyond, in the estimate of the court, rehabilitation or treatment and the offense is as serious as Mr. Yohn's amendment points to, then we have the remedy, which is, the court can transfer that child to the adult court where these prohibitions and these limitations and these safeguards do not apply. That is proceeding in Pennsylvania right now at a very much more increased rate.

So I am saying, if you want to retain the whole concept of juvenile justice in this state, we must not get into that concept and that process and alter it as radically as this amendment does, which, in effect, opens juveniles who have been treated to the juvenile court proceedings to the same kind of exposure they would experience in criminal courts.

Thank you Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Clearfield, Mr. George. For what purpose does the gentleman rise?

Mr. GEORGE. Would Mr. Pancoast submit to a slight interrogation?

The SPEAKER. Will the gentlemen, Mr. Pancoast, consent to interrogation?

Mr. PANCOAST. Yes, Mr. Speaker.

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

Mr. GEORGE. Mr. Speaker, I listened intently to your brief argument but I really do not understand, maybe because of the complexity of your amendment, but would this entertain any charge on any youngster of the age of 14, that you just suggested, as far as going on record?

Mr. PANCOAST. No; the information would be available as the amendment provides. It would apply only in the case of a serious felony, and it spells out "rape, kidnapping, murder, robbery, arson or other act involving the use or threat of serious bodily harm."

Mr. GEORGE. And further did you say, Mr. Speaker, that this decision would be made by the district attorney?

Mr. PANCOAST. That is correct; on the written request by the chief of law enforcement.

Mr. GEORGE. Thank you very much.

Mr. Speaker, with all due respect to Mr. Pancoast whom I have known for 4 years and whom I am sure believes what he is doing is the best for the people in Pennsylvania, I submit to my colleagues one important facet of this whole thing, and that is, what are we doing in Pennsylvania? Are we applying the law equally to all or only to those who have affluence? Are we in fact saying, as we have heard here on the floor of the House, we no longer want commissions or individuals to disperse and make rules and regulations and yet we say let this up to the district attorney whether or not a youngster will be placed on record before the media and carry that record with him forever? And will this decision be made on a personification or will in fact it be handled equal to all? Therefore, I must ask my colleagues in this House to vote against this amendment.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MORRIS. I wish to interrogate somebody on this amendment, but in the meantime I do not have a copy of it.

The SPEAKER. Will the gentleman, Dr. Pancoast, consent to interrogation?

Mr. PANCOAST. Yes, Mr. Speaker.

The SPEAKER. The gentleman may interrogate.

Mr. MORRIS. I have to read this rather hastily now. There is something in this amendment about previous offenses, as I heard it stated by Dr. Pancoast. I raise this question: I am in accord with and will support the general idea behind this and these other similar amendments but I would like to know whether—and those who have practiced in the juvenile court perhaps can give me an answer, that is why I say I want to interrogate someone—the knowledge of the previous offense in the juvenile court as it now exists comes to the notice of the judge before a finding of guilt or innocence, or the equivalent, in a juvenile case or afterward; and whether the provisions of this or some of these similar amendments will apprise the judge of those previous offenses before any finding; and what the exact procedure is on this because this is a very serious thing.

In our courts, the court is not permitted to know of previous offenses on the part of the defendant, nor is the jury, but the court is not permitted to know of previous offenses, unless that defendant takes the stand on his own behalf. This is a very, very important part of criminal procedure. Can anybody answer this question?

The SPEAKER. The gentleman, Dr. Pancoast, indicates an answer in the negative.

Does the gentleman, Mr. Williams, from Philadelphia, rise to attempt to make a reply to the interrogation?

Mr. WILLIAMS. On the point of information, Mr. Speaker, it is my experience from extensive practice in the juvenile courts, at least in Philadelphia and in some other juvenile courts, and it is my observation that although the trial judge is not supposed to take into consideration any other offenses, as a matter of fact, in most cases, those records are right in front of the judge and, in most cases, indeed, they do know there is some record of offenses even though technically they are not supposed to do that.

I say that because it seems as though juveniles in the courts have sort of a flexible kind of situation when it comes to those technical rules where the official organized judicial process seems to treat young people entirely different. So that in fact I think a previous offense is known in most cases to the trial judge, although a few may not know, even though that is not considered proper.

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

Mr. MORRIS. Has not this type of overlooking of the rules of criminal procedure been one of the basic problems with the juvenile system in the past so much so that the Supreme Court of the United States gave some rather far-reaching decisions on this point, not this particular point, but on the general picture some years ago?

Mr. WILLIAMS. I am not sure I am clear on your observation. But I think I heard you say that the overlooking of some basic, otherwise constitutional, rights in the juvenile system have eventually been overturned or corrected in the higher courts. That is true. I think I also heard you say that juveniles in some ways are judged by different standards because they are juveniles, even though those standards are standards which take away ordinary basic rights. I think that is also true.

I might add by way of saying that the whole philosophy of that is that in juvenile situations it is sort of indicated that there can be more long-range and in-depth help to youngsters the more we try to avoid and get wrapped up in technical rules. But more than any other group, juveniles have been disallowed some basic constitutional rights in the judicial process as compared to adults.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Morris, have further interrogation?

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

The SPEAKER. Does the gentleman rise to be recognized to make a statement of the amendment?

Mr. MORRIS. Well, I would prefer one of Mr. Pitts' amendment that does not get into this previous-offense problem, but I

suppose we have to recognize the practicalities and realize that, in most instances, the record of the juvenile defendant is often looked at by the judge during the process of the hearing. I guess I will support the amendment.

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

Mr. WILLIAMS. Mr. Speaker, I rise to request to interrogate Mr. Pancoast on one aspect, and I want to speak in opposition to the amendment.

The SPEAKER. Will the gentleman, Dr. Pancoast, consent to interrogation?

Mr. PANCOAST. Yes, Mr. Speaker.

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

Mr. WILLIAMS. Mr. Speaker, could you state what the basic concern or rationale is behind your amendment to require that the records of juveniles be displayed in the manner that you are offering? What is the basic concern and the basic rationale and basic motivation behind that very serious proposition?

Mr. PANCOAST. Yes, Mr. Speaker, I will be happy to try to explain that.

I am not a lawyer. I am really not familiar with the technicalities with respect to juvenile justice. This may be wishful thinking on my part, but I would like to think that this very restricted release of information with respect to alleged charges would serve as a deterrent for crime; that it would serve, secondly, in promoting some parental responsibility which I think is lacking at the present time in the control of our own children. And, thirdly, since it is an adult offense that is involved, I think maybe we should treat these 14-year-olds and upwards as adults if it is an adult offense with which they have been charged. I think this information should be made available to the public.

Mr. WILLIAMS. I see.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Williams. For what purpose does the gentleman rise?

Mr. WILLIAMS. Mr. Speaker, I would like to speak in opposition to the amendment.

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

Mr. WILLIAMS. Thank you, Mr. Speaker.

It seems to me that the reason for this amendment does not have very great substance or concern to it, when we consider the serious way and special way that over the years we have treated juveniles in this Commonwealth and in most states. Frankly, as we pointed out in the interrogation of Mr. Morris, juveniles, in fact, do not enjoy many of the basic rights we have as adults. The reasons for that are because maybe we can help juveniles get it together over a period of years, so we take away their rights in the first instance.

Secondly, I do not know how it is in other courts in this Commonwealth, but in the county of Philadelphia, and probably in other juvenile courts also, the general public is not permitted in. In certain limited situations, people come in. But we treat that whole proceeding separate and special for basic reasons I am not going to try to demonstrate.

But it seems to me that it is obviously clear and has been

clear over the years in our law, in our philosophy, in everything, that young people, who we were one day, are people who in some way or other we try to help to develop and to grow; even people who happen to be youngsters who have committed offenses and crimes. The philosophy behind that is that those records are not subject to all the high-power reaction and publicity, and so forth and so on, in the hope that if we get a young person at an immature stage of life, hopefully, we as a society and technicians and otherwise can give to that youngster some development whereby they can become mature citizens.

I might want to observe that one of the reasons offered was a deterrent to parents and to their children. Well, that is just an empty symbol because adults today are responsible for a mass of all kinds of crimes and it does not seem that the publicity works as a deterrent. In many cases the publicity works as an incitement to further involvement in crime because of whatever status that is, and you know that throughout the world that is true today. So, it seems to me that as a deterrent, the argument is totally out of the question.

Finally, my concern on this particular amendment is that we here as legislators, adult people, know full well the history and struggle of how we try to utilize the orderly processes of government and judicial aspects to help immature young minds. This particular amendment, it seems to me, is a retrogressive kind of a step, stepping away from a philosophy that treats a young person in a way that we have a responsibility to do it. It seeks selectively to provide information for whatever. I am not saying that in many cases people would not want to know who has committed certain crimes, and so forth and so on, but we are talking about a juvenile. We are talking about someone, who, in most cases, commits a crime because of his immaturity. Hopefully, we want to prevent that person from becoming an adult and engaging in the same kind of activity.

I think we ought to reaffirm the philosophy we have always had, which restricts this information so it can be handled in a responsible way and not in a political way in the hands and the arms of a district attorney or some other public official who might have a private political gain. Thank you, Mr. Speaker.

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

Mr. CAPUTO. Mr. Speaker, I rise to oppose the amendment. I note, after reading the amendment, that Section 38, 1 through 5, without the subdivisions, is certainly a practical attitude to take, because I think that a sentencing court should have the background of a child at its disposal to determine what should be done with him. When you get into subsection (b), I find that we are going to permit, if this amendment is adopted, the district attorney, the chief prosecutorial officer in a county, in his discretion, to authorize the prosecutor, the chief of police or the officers who are charged with prosecution of the child, to release the information concerning the child's background.

Mr. Morris was right. At one time the justice system dealing with juveniles was more or less a one-man court and the laws of criminal procedure were not followed. The Supreme Court of the United States changed that and today juveniles are privileged to have the same right of defense, the same right of pri-

vacy, the same rights against evidence that should not be admitted into a trial or a hearing, and they have the right to object to the admission of such evidence and they get a new trial if such evidence gets in. I can see no reason why we should change that method simply because the subjects of this legislation are children or juveniles, and I would like to point out that the principal thrust in this legislation is to separate juveniles and then determine which are delinquent and which are status offenders. This amendment makes no mention of that difference.

The amendment makes no mention of the difference, which is the sole purpose of this legislation, and to permit a district attorney or an overly ambitious law-enforcement officer to attempt to secure a verdict or a finding of guilty on the accused by submitting the past indiscretions or activities or criminal acts of the person who is on trial would seem to me that they want to try them in a public press, because I am sure that every one in this House understands that a chief of police or a prosecution officer would only want that information so that he could divulge it to the public. That, in essence, would be depriving them of a right to a free trial, a trial based merely on the evidence that is brought before the justice sitting in the case.

I think that this is a very bad amendment. I think this amendment will kill any good that is in the main bill and I would urge its defeat.

The SPEAKER. The Chair thanks the gentleman.

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

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

I also rise in opposition to the amendment offered by my friend, Mr. Pancoast.

As Mr. Caputo has indicated, the provisions of the amendment would provide a system by which the discretion for the release of the information concerning the arrest and the name of the juvenile would solely be in the hands of the district attorney. Now I served for a number of years in the district attorney's office and I can tell you that you may as well take out the fact that this may be discretionary. So long as the chief of any police department or chief of county detectives comes in and says, we want this name released, it is going to be released. I see no guidelines in this amendment which provide for the district attorney to exercise his discretion against release of this name and this incident, and I think what we are doing here is treading on a situation where we are making it worse for juveniles than it is for adults.

There has been case law in this state and rules of criminal procedure that have forbid the police and the prosecuting authorities from divulging whether or not an adult defendant has admitted to complicity in a crime, or from divulging whether an adult defendant has a prior criminal record, and what we are doing here is not saying that the newspapers can only list the name and the fact that an individual is arrested, but I think that we are impliedly saying that they can also list that the following is the names of the juveniles 14 years of age or older who have had prior convictions and who are now arrested for one of the enumerated felonies. I do not think this is enough protection for our juvenile offenders. I do not think it is going

to provide the necessary deterrent that Representative Pancoast is seeking. I think that the provisions in the Juvenile Act for referral to the adult section of defendants who have committed these serious offenses are sufficient. Any juvenile defendant who has committed one of these offenses as is enumerated in subsection (b) (2) can be referred for trial to the adult division. If the case is that serious, that is what the law-enforcement officers should do and that is the way the case should proceed. For these reasons I urge your opposition to the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Morris, who rises for the second time to speak to the question.

Mr. MORRIS. I would like to ask Representative Pitts one question.

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

Mr. PITTS. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Morris, may place the interrogation.

Mr. MORRIS. Mr. Pitts, I have before me two amendments of yours with the same general intent. One of them amends section 38 that disclosure of criminal records, notwithstanding any other provisions of this act, whenever a child 14 years of age or older is accused of committing a felony the name of the child and the felony of which he or she is accused shall be open to the public. Are you going to offer this amendment, Mr. Speaker?

Mr. PITTS. No, Mr. Speaker, I am not offering that. I am offering the one with my name at the top and also Mr. Yohn's name at the top.

Mr. MORRIS. Mr. Speaker, I have another question then, not of Mr. Pitts but of the Chair.

The SPEAKER. The Chair recognizes the gentleman, Mr. Morris. He may place the interrogation.

Mr. MORRIS. I wish to ask the Chair if this amendment of Mr. Pancoast is divisible by dividing and separating subsection (b) (2) (ii) from the balance of the amendment?

The SPEAKER. Is the intent of the gentleman to delete from the amendment offered by Dr. Pancoast, subsection (b) (2)?

Mr. MORRIS. That would be my ultimate intent.

The SPEAKER. That is the thrust of the gentleman's question, is that correct?

Mr. MORRIS. Yes, Mr. Speaker.

The SPEAKER. On the gentleman's query to the Chair as to whether or not Dr. Pancoast's amendment is divisible by striking from the amendment subsection (b) (2), which reads: "The petition alleges either of the following: (i) that the child has committed an act or acts which include the elements of rape, kidnapping, murder, robbery, arson or other act involving use or threat of serious bodily harm; or, (ii) that the child has committed acts sufficient to be adjudicated delinquent and has previously been adjudicated delinquent.", the Chair rules that the amendment is divisible. If the gentleman asks that the question be divided, the Chair will divide the question.

Mr. MORRIS. Mr. Speaker, that was not my precise question.

The part which I wish to divide for a separate vote is (b) (2) (ii). I am satisfied with (i).

The SPEAKER. The Chair would ask the gentleman, in return, to make sure we are talking about the same language. Is the gentleman, Mr. Morris, asking whether or not we can divide this question beginning with language, "or, (ii) that the child has committed acts sufficient to be adjudicated delinquent and has previously been adjudicated delinquent."? Is that what the gentleman wishes?

Mr. MORRIS. That is my question, Mr. Speaker.

The SPEAKER. It is the ruling of the Chair that this is divisible and, if the gentleman will place that motion, the Chair will so rule.

MOTION TO DIVIDE AMENDMENT

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

Mr. MORRIS. I will so move, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Morris, has moved that the question of the amendment offered by Dr. Pancoast be divided. For the information of the members, the Chair has now divided the question at the words, "or (ii) that the child has committed acts sufficient to be adjudicated . . ." et cetera. Therefore, the question before the House would be all the words of the amendment beginning at section 38 and reading down to the semicolon following the words, "bodily harm;". That would be the first vote on the amendment. Has the Chair stated it correctly, Mr. Morris?

Mr. MORRIS. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the division would require three different portions. The first portion is down to (ii), then under (2), and then (3) would be a third part.

The SPEAKER. The majority leader has, in the opinion of the Chair, correctly stated the division. The effect of the division would be to delete a certain narrow three lines of language, or rather two lines of language, but the first language to be voted on would be the language starting at section 38 and going down and including the words, "serious bodily harm;".

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

Mr. MORRIS. Would it be possible to include (3) in the main question?

The SPEAKER. It is the opinion of the Chair that the gentleman may have the division of the question in such a manner, but we are being advised we had better wait on this one.

AMENDMENT NOT DIVISIBLE

The SPEAKER. The Chair has now been advised, and the Chair believes that because of the presence of the word "either" following (2), the language being ". . . petition alleges either of the following:" that if we were to divide the question as requested by Mr. Morris the word "either" would have no meaning whatsoever and that precludes the question from being divided as Mr. Morris has asked.

It is the opinion of the Chair that what Mr. Morris is attempting is an amendment which would delete specific language and

not a division. So the Chair recants his first announced opinion that the question is divisible as requested by Mr. Morris. That does not mean that the question itself is indivisible but, as requested by Mr. Morris, the question is not divisible.

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

Mrs. KERNICK. Thank you, Mr. Speaker.

I rise to oppose this amendment or any proposal that would make public juvenile records. First of all, it is no deterrent to a child who is completely lost to society. He will only glory and relish the headlines with his name in them. For the child who can be rehabilitated, he is probably lost for the rest of his life if this information has to follow him. I ask the members to oppose this amendment. Thank you.

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

Mr. BITTINGER. Mr. Speaker, Mr. Morris had asked a question of Mr. Pitts, and I would like a bit of clarification, if I may interrogate Mr. Pitts for just a moment.

The SPEAKER. Will the gentleman, Mr. Pitts, stand for interrogation?

Mr. PITTS. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Bittinger, may place his interrogation.

Mr. BITTINGER. I am gathering that there may be three amendments concerning the disclosure of juvenile information; I have only two. The amendments that I have have the names of Mr. Yohn and Mr. Pancoast at the top of one and the name of Mr. Pitts at the top of a second, and I gather that Mr. Pitts and Mr. Yohn are on an amendment. Am I misunderstanding or are there three?

Mr. PITTS. There are three amendments, Mr. Speaker; one with my name and Mr. Yohn's name at the top as well.

Mr. BITTINGER. Okay. I have just been handed the one with your name and the name of Mr. Yohn. All right.

The question then that I have is: If the amendment currently under discussion, the Yohn-Pancoast amendment, were to fail, would then the Pitts-Yohn amendment be offered?

Mr. PITTS. Yes, it will, Mr. Speaker. My amendment differs from the Pancoast-Yohn amendment.

Mr. BITTINGER. That is what I am noticing. I would, therefore, speak against the Yohn-Pancoast amendment, if I may, sir.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Bittinger. The gentleman may proceed.

Mr. BITTINGER. Thank you.

I, over the years, have had reason to believe that the names of repeat juvenile offenders should be made known to the public, particularly in the case of, what with an adult would be, a felony crime or allegation. I also have had reason to be most allergic to permitting a local law-enforcement officer from deciding which such information will be released and which will not, primarily because, in the case of a local municipality, there is frequently considerable pressure that the names involving prominent influential or wealthy families tend not to be released and the names involving the average working fam-

ily do get released. I would, therefore, request a "no" vote on the Yohn-Pancoast amendment.

Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. WILLIAMS. Mr. Speaker, I will save my remarks.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—73

Anderson	Gallen	Moehlmann	Smith, E.
Armstrong	Geesey	Morris	Smith, L.
Arthurs	Goebel	Mowery	Spencer
Bittle	Grieco	Mrkonic	Spitz
Brandt	Halverson	Noye	Stairs
Burd	Hayes, S. E.	O'Brien, D.	Taylor, E.
Burns	Helfrick	O'Keefe	Thomas
Butera	Hopkins	Pancoast	Vroon
Cimini	Hutchinson, W.	Piccola	Wagner
Davies	Katz	Pitts	Wass
DeVerter	Klingaman	Polite	Weidner
Dietz	Lehr	Pyles	Wenger
Dininni	Levi	Ritter	Wilson
Dorr	Lynch	Ryan	Wilt
Fischer, R. R.	Madigan	Salvatore	Wright, J. L.
Foster, A.	Manmiller	Scheaffer	Zearfoss
Foster, W.	McGinnis	Seltzer	Zeller
Freind	Miller	Sirianni	Zord
Fryer			

NAYS—118

Abraham	Gamble	Letterman	Richardson
Barber	Garzia	Lincoln	Rieger
Bellomini	Gatski	Livengood	Ruggiero
Bennett	Geisler	Logue	Scanlon
Berlin	George, C.	Mackowski	Schmitt
Berson	George, M.	Manderino	Schweder
Bittinger	Giammarco	McCall	Scirica
Borski	Gillette	McIntyre	Shuman
Brown	Gleeson	McLane	Shupnik
Brunner	Goodman	Mebus	Stapleton
Caltagirone	Gray	Meluskey	Stewart
Caputo	Greenfield	Milanovich	Stuban
Cassidy	Greenleaf	Milliron	Sweet
Cianciulli	Hamilton	Miscevich	Taddonio
Cohen	Harper	Mullen, M. P.	Taylor, F.
Cole	Hasay	Mullen, M. M.	Tenaglio
Cowell	Haskell	Musto	Trello
DeMedio	Hayes, D. S.	O'Brien, B.	Wansacz
DeWeese	Hoeffel	O'Connell	Wargo
DiCarlo	Honaman	Oliver	White
Dombrowski	Hutchinson, A.	Parker	Wiggins
Donatucci	Itkin	Petrarca	Williams
Doyle	Johnson	Pievsky	Wise
Duffy	Jones	Pott	Wright, D.
Dumas	Kelly	Pratt	Yahner
Englehart	Kernick	Prendergast	Zitterman
Fee	Knepper	Rappaport	Zwikl
Fisher, D. M.	Kolter	Ravenstahl	
Flaherty	Kowalyszyn	Renwick	Irvis,
Gallagher	Laughlin	Rhodes	Speaker

NOT VOTING—9

Beloff	Novak	Reed	Valicenti
Cessar	O'Donnell	Shelton	Yohn
McClatchy			

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

MR. CASSIDY REQUESTED TO PRESIDE

The SPEAKER. The Chair is particularly pleased to turn over temporarily to the youngest member of this House, Representative Cassidy, the operation of this House, because it is the opinion of the Chair that this is an historic moment in the House of Representative and it is the opinion of the Chair that the youngest member among us should have the honor of presiding over that historic moment. The Chair now appoints Representative Cassidy to act as Speaker pro tempore.

THE SPEAKER PRO TEMPORE (MICHAEL E. CASSIDY) IN THE CHAIR

POINT OF INFORMATION

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 information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RHODES. You do not have a juvenile record, do you?

On the question recurring,

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

Mr. PITTS offered the following amendment:

Amend Bill, page 19, by inserting between lines 13 and 14 Section 2. The act is amended by adding a section to read:
Section 38.1. Notwithstanding any other provisions of this act, whenever a court finds that a child has committed a delinquent act which would be considered a felony if the act were committed by an adult, the name of the child and the act shall be open to the public subsequent to such finding by the court: Provided, however, That if the child has previously committed one or more delinquent act or acts which would be considered felonies or misdemeanors if committed by an adult, the name of the child and the act shall be open to the public subsequent to the commencement of proceedings pursuant to this act. Any delinquent act referred to in this section must be committed by a child of fourteen years of age or older as a prerequisite for public inspection.

Amend Sec. 2, page 19, line 14, by striking out "2" and inserting 3

Amend Sec. 3, page 19, line 17, by striking out "3" and inserting 4

Amend Sec. 4, page 19, line 22, by striking out "4" and inserting 5

On the question,

Will the House agree to the amendments?

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

Mr. PITTS. Thank you, Mr. Speaker.

My amendment differs substantially from the Pancoast-Yohn Amendment. It reads as follows: "Notwithstanding any other provisions of this act, whenever a court finds that a child has committed a delinquent act which would be considered a felony

if the act were committed by an adult, the name of the child and the act shall be open to the public subsequent to such finding by the court: Provided, however, That if the child has previously committed one or more delinquent act or acts which would be considered felonies or misdemeanors if committed by an adult, the name of the child and the act shall be open to the public subsequent to the commencement of proceedings pursuant to this act. Any delinquent act referred to in this section must be committed by a child of fourteen years of age or older as a prerequisite for public inspection." Mr. Speaker, my amendment differs in that the district attorney is given no discretion. In the first offense upon finding of guilty of a felony by the court, the name and the offense are released, and for subsequent offenses of misdemeanors or felonies, upon the filing of the petition or beginning of the court proceeding, the name and the offense would be released to the public.

I think the amendment provides for a certain degree of maturity before public disclosure, beginning at age 14 and above. I think it balances the need for, or the right of, privacy for juveniles with the right of the public to know about certain serious kinds of offenses. I maintain that the community has a right to know who its lawbreakers are for these very serious kinds of offenses; parents of other children need to know who these juvenile felons are; the public should be able to identify someone who is committing a serious crime. I think the community of taxpayers has the right to know whose bill they are footing and I think the law-abiding citizens who are the victims of these youthful felons deserve to know who they are.

I also feel, Mr. Speaker, that shielding the youthful felon with anonymity hurts not only the community but hurts the juvenile offender as well. The sooner lawbreakers realize that they will have to pay for their illegal acts, the better off we all will be, and I think that making their names public will serve as a deterrent effect on this offender and bring community pressure to bear.

Also, Mr. Speaker, shielding the identity of a youthful felon is illogical as far as the categories of crimes with which juvenile names can be associated is concerned. Presently, youths who commit summary offenses on which they pay a fine can be named in the newspapers, but those who commit crimes of a more serious nature cannot. Therefore, a teenager caught drinking beer on the weekend gains notoriety while the young thief or rapist or murderer can prowl the streets with few knowing who they are or who they should fear.

Juvenile crime is a serious problem in my district and I think in many other districts, and I think, Mr. Speaker, that this amendment would go a step toward increasing public confidence in the juvenile system. There is a great lack of public confidence in the way the system is presently working, and I, therefore, urge the adoption of this amendment.

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if Mr. Pitts would consent to interrogation.

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

Mr. PITTS. Yes, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Pitts, in his remarks on this amendment, indicated that he felt this was one way of getting to and addressing the problem as it relates to exposing to the community at large who some of these persons are who are committing some crimes. My question specifically is, why are you addressing yourself to those of age 14? Is it not a fact that the Juvenile Code indicates that a juvenile in this State of Pennsylvania is considered those anywhere from the ages of 9 up until age 17?

Mr. PITTS. Mr. Speaker, the reason that I put in the amendment for ages 14 and above—that is 14 through 17, I guess—is that I think there should be a certain degree of maturity before a child should be taken from the juvenile system. I think those below the age of 14 rightly belong in the juvenile system, the court system, but for certain serious offenses, I think beginning at age 14 is proper, age 14 and above.

Mr. RICHARDSON. I am asking, why? Why 14? Out of all the numbers, why 14?

Mr. PITTS. Because, Mr. Speaker, at age 14 they are a little bit more mature and more capable of committing some of these felonies that I think perhaps the younger ones are not.

Mr. RICHARDSON. If I told you, Mr. Speaker, that in the city of Philadelphia many of the "squidgets" who are participants of, what some people might know as, corner street social groups or, some other people might refer to them as, gangs, also might be involved in a lot of so-called mischief in the community and also receive records and that the ages of those who commit crimes are under 14 years of age and are much greater than those 14 and above, would your answer still be the same?

Mr. PITTS. Mr. Speaker, if you wish to offer an amendment to apply to those below age 14, I would not object to it.

Mr. RICHARDSON. I am asking you a question, Mr. Speaker. I am not offering any amendments; I am asking you a question.

Mr. PITTS. Well, I think my answer would be the same, Mr. Speaker.

Mr. RICHARDSON. Okay, the answer to that was that your answer would still be the same.

Mr. Speaker, if you are talking about juveniles, I think that the situation is one that if we want to get to the real heart of the problem that relates to juveniles, it seems to me that we should try and deal with the fact that the more publicity and the more show you give to young people that you only help or tend to intensify the problem by making more young people say, if I get my name in the newspaper, more people know that I am one who is out there making this kind of crime, and history has proven this, that they in cells go out and do more crime. What happens is that the newspapers glorify that, and another child who did not get publicity goes out and wants to get more attention so that his name can be published, and I think that this is a wrong attack to be used in trying to deal with crime as it relates to the juvenile and trying to get to what you are trying to get to, plus the fact that if we are sincere about the crimes that exist primarily in the urban setting, you will find that if they basically have private lawyers, most of the time they can get this cleared away clean before it ever gets to the precinct. It only happens in areas of urban communities

that you do not have an opportunity to have the precinct captain, or whoever else might be in charge, to sit down with the parents and whomever else might be involved and wipe that out.

I would say, Mr. Speaker, that the amendment that you offer is a bad one and that it would probably be in better taste if it was withdrawn.

I have concluded my interrogation of Mr. Pitts.

Mr. Speaker, I would like to know if I can speak on the amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I think that this amendment not only points out the fact that young people are being used in this Commonwealth but the fact that the crimes as we relate to them in the community, unless there is a kind of deterrent that is used around some love. Mr. Speaker, I just think that if we are serious about moving in some direction to deal with juvenile offenders that perhaps maybe we will begin to look at the criteria in these areas and begin to look at the fact that, in many areas, your own particular communities and environments dictate to a large extent what happens not only for juveniles but also for adults.

I just think that the amendment is in bad taste when you talk about the fact that these are still children and you start exposing them to the vast community and that it means that there is a greater responsibility on community people and persons like ourselves to be actively involved in what is going on in our communities and to really see the problems that face our young people. I just think that it seems to me to be an escapism to disclose these particular points of view to the public. What will the public do? Will this make them become more involved? I do not think so, not in the form that the amendment is offered, if it was actually making more persons understand that our communities are such communities only because we allow certain things to go on in them. It is we who must change the problems that exist within our communities. It will not happen even if you disclose the kinds of names that you are talking about; that does not stop crime in our neighborhoods. I just see that this is a very bad amendment.

GERMANENESS QUESTIONED

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

Mr. RICHARDSON. Mr. Speaker, I would like to make a motion. I have looked over this amendment and the bottom part of the last 2 lines indicate that an act committed by a child of 14 years of age or older would indicate that that would also include adults and the processing of adults, and I thought that this was a juvenile bill. Therefore, I raise the question to the Chair as to the germaneness of this amendment as to whether or not it is also including adults as well as it is including juveniles.

The SPEAKER pro tempore. What is your specific question?

Mr. RICHARDSON. The specific question is whether or not this is a germane piece of legislation. My understanding was that this was a juvenile bill, and under the code of the juvenile act it indicates juveniles are those anywhere up to age 17. This

says 14 years of age and older, and I am raising the question as to whether or not we are also discussing adults in this amendment.

The SPEAKER pro tempore. The gentleman has raised a question of germaneness. Those voting "aye" vote to hold that it is germane; those voting "no," that it is not germane.

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

Mr. RITTER. Mr. Speaker, I believe that the amendment is germane. If you read the definition for "delinquent child" on page 2, it says, "means a child ten years of age or older". There is nothing at all that is in the amendment where it says 14 years of age or older that would make it inconsistent or not germane to this bill. I think that the amendment is germane, and if the gentleman is going to pursue his point, I would ask that we vote that the amendment is germane.

The SPEAKER pro tempore. Those voting to hold that the amendment is germane will vote in the affirmative; those who hold that it is not, will vote in the negative. Members will proceed to vote.

On the question recurring,

Will the House agree to the germaneness of the amendments?

The following roll call was recorded:

YEAS—185

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

Flaherty	Lincoln	Ruggiero	Zwinkl
Foster, A.	Livengood	Ryan	
Foster, W.	Logue	Salvatore	Irvis,
Freind	Lynch	Scanlon	Speaker
Fryer	Mackowski	Scheaffer	

NAYS—5

Barber	Milliron	Richardson	White
Harper			

NOT VOTING—10

Beloff	Johnson	Pott	Shelton
Cessar	McIntyre	Reed	Yohn
Gamble	O'Donnell		

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

On the question recurring,

Will the House agree to the amendments?

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

Mr. WILLIAMS. Mr. Speaker, I would like the privilege of interrogating Mr. Pitts first and then I would like to make some comments on the amendment.

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

Mr. PITTS. Yes, Mr. Speaker.

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

Mr. WILLIAMS. Mr. Speaker, first of all, do you have any idea in your mind as to the specific felonies that you are concerned with when you referred to a felony in your amendment? Specifically, what felonies do you consider are the acts which you say express a mature adult kind of mind?

Mr. PITTS. Mr. Speaker, I do not know that I can give them all to you but I will give you a few: rape.

Mr. WILLIAMS. Excuse me. I am sorry. I do not want to interrupt you, but the amendment covers all felonies, and I suppose you are indicating an act which may be a felony in our law in and of itself as sufficient to express a mind of an adult. Would that be true?

Mr. PITTS. Will you ask that again please?

Mr. WILLIAMS. By saying in the amendment that all charges of felonies are the kinds of charges that you think express a certain kind of mature—Mr. Speaker, I will reduce this to another way. For instance, a charge charging resisting arrest and an assault which would involve a police officer making that arrest on a child age 15, who may have pushed the officer, are you aware that in our law, depending on how it is put down by the district attorney, that that is or could be a felony in our law?

Mr. PITTS. Yes, Mr. Speaker.

Mr. WILLIAMS. Okay. Are you also aware, depending on how the district attorney puts it down, that it might not be a felony?

Mr. PITTS. That is correct.

Mr. WILLIAMS. So it is your position that as long as the policeman or the district attorney or whoever acts on that piece

of paper with the same set of facts, that one child should be able to be charged with a felony and thereby have it disseminated in the news that he is being charged with a felony, and, on the other hand, in the other situation, the same offense, the same allegations, depending upon how the policeman or how the assistant D. A. puts it down on a piece of paper, it should not be a felony? Does that not seem to be a bit unequal to a youngster?

Mr. PITTS. Mr. Speaker, the way I have it worded is that any act which would be considered a felony if the act were committed by an adult would apply here.

Mr. WILLIAMS. I understand exactly how it is. I guess I am asking whether you know—and it is a fact—that under our criminal law, you can be charged with a felony if you are being taken under arrest and if you do anything. You might strike a police officer in the process, however slight. That in our law, passed by this legislature, is a felony depending on whether the policeman or the D. A. writes it down as a felony. In other words, the same facts, you just allege, on the one hand, is an assault, and that is simple assault, and, in the next instance, you just say it is an assault committed on a police officer while making an arrest. That makes it a felony, depending upon how you write it down on a piece of paper. My question is: Do you understand that that is our present law?

Mr. PITTS. Mr. Speaker, I understand what you are saying. I understand that it is a serious crime.

I am not talking about—

Mr. WILLIAMS. Well, I guess I am saying it is not considered so serious when—

Mr. PITTS. Will you let me answer?

Mr. WILLIAMS. Well, of course. I am just saying that maybe you do not understand that depending on how the D. A. writes it down or a cop writes it down that it is a felony in one case and, in the other case, merely by the whim of whoever writes it down, it is not a felony. You make the standard of seriousness as that of a felony. Is that correct?

Mr. PITTS. Mr. Speaker, if you want to make a speech, you can make a speech. If you want to ask me a question, I will try to answer it.

Mr. WILLIAMS. Okay, I will proceed to make my speech.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I am very, very concerned about this particular amendment also because, frankly, it is unfair to juveniles; secondly, it is discriminatory; and, more importantly, it just does not work for the reasons offered by the offerer.

In the first instance, it is unfair in that what we have here is a dictate to publicize a charge. Our law is complete with the whole presumption of innocence and all of that, and I suppose we believe it. In this case, we are talking about young men and women.

What we are saying is that we will make sure that we publicize the charge. It says nothing about the disposition of the case even. Many, many, many of the cases in which people are charged with an offense, it is publicized in the newspaper and then, when a jury or someone else acquits them rightfully of the charge, there is nothing. I am just saying that this seems

to accentuate the unreal and to give an unfair and prejudiced advantage to an individual called a juvenile.

Secondly, it is discriminatory in that in Philadelphia County and in other counties, I suppose, also, adults and juveniles are charged differently. In other words, an adult goes to an arraignment; there is a judge; and there is a process for the sifting of charges. Then in many cases, depending on the felony, in all cases there is a preliminary hearing within 48 hours. You go before a magistrate in a public hearing. Newspapers and everybody can be there to determine whether or not there is sufficient information to make out a prima facie case against that particular adult American citizen.

For juveniles, all that happens is someone makes an allegation. They tell the policeman. They process some papers. The juvenile and his mother or his father go to a preliminary kind of a sitdown where the paperwork sits on the desk and they decide from the paperwork whether or not they are going to take you to court. Then what happens is that a clerk, usually an attorney, who turns out hundreds of information today, types it down. Many times they put in five more charges than are even intended. Then, eventually, the juvenile, maybe a few weeks or a month later, gets to court.

What I am saying is that we are saying with no procedure whatsoever, with the right of this American juvenile to face his accuser and just on paperwork, we want to publicize it. I say that that is a shame to our American system.

Juveniles, because they are juveniles, are not equal under that law. It is all paperwork, and, in most cases, because the assistant district attorneys and the policemen put in everything but the kitchen sink. The juvenile only has a chance to defend himself and to respond to the allegations to determine whether any one of them is true when he gets to court.

Quite conceivably, you may have five charges, Mr. Speaker, one of which is a felony which is dropped at the proceeding because there is no such thing as a felony. And we put this youngster in the newspapers. It is discriminatory and abundantly repugnant to fairness and constitutionality when it comes to people. I do not think that the children of this Commonwealth should be considered in the class of nonpeople.

Finally, Mr. Speaker, and, more importantly, it seems to me in this country that we should do every responsible thing we can do to confront the misdirection, to confront the struggles and the problems that young people have, many of which we have helped to create.

What we are saying is that we are not even imposing a penalty that would be a deterrent to a crime. We are saying that if you merely allege, if you merely put down on a piece of paper, that a child commits a crime, whether he did it or not, that we, this government, want to publicize that as our contribution to preventing crime. I say how silly, how surface.

Mr. Speaker, I know these amendments are offered in sincerity and concern, but I say that they are so surface and knee-jerk reactive to fundamental rights, fundamental fairness, out of balance with our own philosophy in law that, indeed, we would have the egg on our face if we dare do this irresponsible act.

Mr. Speaker, I urge everyone to vote against the amendments not because of the motivations in offering them, but that it is a

firm and substantial attack on fairness and on probably the most constructive aspect of the laws that we have now.

Thank you.

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

Mr. CAPUTO. Mr. Speaker, I would ask Mr. Pitts to not necessarily answer questions, but please listen.

I have no particular objection to the idea behind your amendment, but I am concerned with the manner in which it is proposed. In the first place, you indicate that after a court finds that a child has committed a delinquent act which could be considered a felony if committed by an adult, the name of the child and the act shall be open to the public. Now, I think you mean that after a child who has been prosecuted in the proper court has exhausted all of the appeals to which any accused would be entitled. Is that what you mean in that sentence? Or just a finding by some judge in the juvenile court that he has committed a felony?

Mr. PITTS. My intent as I gave it to the drafter was that the finding of the judge in the juvenile court that he was guilty.

Mr. CAPUTO. In that event, Mr. Speaker, I would have to oppose it because, as we all know, the finding of a court in any criminal offense is not the last and final step. All other persons who would be accused and found guilty at the court level would be entitled to the appeals listed in our constitution, in our criminal procedure rules and in the Constitution of the United States. Many men and many persons who have been convicted at the court level have been subsequently exonerated after their appeals have been processed.

Secondly, in the second part of the amendment, the amendment would provide that if the child has previously committed one or more delinquent act or acts which would be considered felonies or misdemeanors if committed by an adult, that the name of that child shall be open to the public subsequent to the commencement of proceedings. Mr. Speaker, when you say "subsequent to the commencement of proceedings," do you mean that such a person falling in that category would be subjected to the public announcement of their indiscretion, or alleged indiscretion, at the time that a complaint was filed against them, because that is the commencement of a proceeding?

Mr. PITTS. That is correct, Mr. Speaker. As I understand it, proceedings can be commenced in three ways, either on the filing of a petition or transfer from criminal court or in the case of an out-of-state crime—

Mr. CAPUTO. Transcript of the record.

Mr. PITTS. —subject to the interstate compact.

My intent here was that after a person has been found guilty on the first offense of a felony, on subsequent offenses then, upon the filing of a petition, the name could be released as well as his offense.

Mr. CAPUTO. Well, I am afraid it does not read that way because you do not only include felonies, but you say misdemeanors.

Mr. PITTS. That is correct.

Mr. CAPUTO. And you say that this may be publicized immediately after the commencement of proceedings pursuant

to this act.

Now proceedings under this act can be filed not only in the ways you mentioned, but by a complaint by a police officer against an individual. That person is often taken into custody, given a preliminary hearing, either processed through a grand jury or, in those counties where they do not have a grand jury, indicted and tried. But you are saying immediately after the commencement of the proceedings, which could precede by weeks or months the final determination of the accused. Is that right?

Mr. PITTS. As I understood it. I was not able to hear you clearly. But if he has been found guilty previously of a felony, then on subsequent offenses, misdemeanors or felonies, when the proceeding is initiated, his name and the offense could be released.

Mr. CAPUTO. Well, I hope I understand you.

You are indicating that if a young man 14 or 15 years of age was arrested for a violation of the vehicle code, which is a misdemeanor in certain cases, that you would be able to publish his record for prior convictions before he was even adjudged guilty of that accusation?

Mr. PITTS. For prior convictions he would have had to have been found guilty, and then if he was arrested for a misdemeanor, his name and the offense could be released.

Mr. CAPUTO. This is right. I understand that, but then you are saying that a person who had been convicted of a felony, a young man, after he was 14 years of age, was subsequently arrested when he was 16 immediately after he got his driver's license, for drunken driving which is a misdemeanor. At the time he was arrested, which would be the commencement of the action against him on the drunken driving charge, could they then say that he burglarized some store for which he had been convicted when he was 14 years old prior to his trial on the drunken driving charge?

Mr. PITTS. Yes, Mr. Speaker.

Mr. CAPUTO. Mr. Speaker, I must object to this amendment because of that reason. I think that on the second charge, a person accused of a misdemeanor especially—and that forms part of this amendment—should be given a fair trial, a trial that any adult is entitled to, and that is nondisclosure of previous offenses. I do not see why boys between 14 and, as defined in the act who could go up to 21 — only that particular group, boys or girls from ages 14 to 17 and in certain instances to 21 — should have this additional onus of being traced with their prior indiscretions and their prior breaking of the law when they go on trial. I am afraid it would be unconstitutional, but I would like to beat it just on the general principle. I would urge a "no" vote on the amendment.

The SPEAKER pro tempore. I was getting rather confused as to whether or not that was an interrogation or a speech but it did rather well without me.

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

Mr. BITTINGER. Thank you, Mr. Speaker.

I may be at a bit of a disadvantage here because I am not an attorney and I am a little dumb when it comes to reading law. I am in the habit of presuming that something means what it

says when I read it and not six dozen other things. I must admit that I do not see anywhere in this amendment any reference to the publication of a prayer record for the person in question.

I have the feeling that one of the prior speakers either misunderstood or misread the amendment or again maybe it is my dumbness, not being an attorney. So far as I can see, this has nothing to do with releasing information, name or charge, based on mere allegation. The amendments say, if I may quote, "whenever a court finds that a child has committed a delinquent act which would be considered a felony if the act were committed by an adult," or if, in effect, the child had been what amounts to convicted of such an act previously.

The age of 14, I suspect, is an arbitrary age. This is not my amendment, but I suspect that it is arbitrary as is the age of 21 for drinking, and neither age really makes any particular sense. It is just an arbitrary age that someone may have pulled out of a hat, but it is as good as any other age for working with, I suspect. I found that youngsters between the ages of 14 and 18 who have had a brush with the law tend to know more about their rights under the law than even I do my own rights.

I think maybe it is time in this country that we admit that rehabilitation has not worked in an awful lot of cases and probably will not work. There is no crime or dishonor in admitting that we tried and failed, but all too often the people involved in our juvenile systems refuse to admit that. I think that it is time we do. We are going to have to. We have a problem with discipline or a lack thereof in our youngsters today, in an awful lot of them. Family discipline frequently is broken down, and I think it is time, if we are going to be responsible as a legislature, that we start moving maybe in another direction.

Finally, I think that the kids have to understand that they have to have some kind of responsibility for their own actions. All too often a youngster is very much aware that up to age 18 he is a "juvenile" and is protected by our juvenile laws in court and has a great deal of protection and therefore figures he can get away with figurative murder, not literal, and quite frequently tries to do so.

I think it is time that he or she has a little responsibility, and I think this amendment is one start—it is not the whole answer, but I think it is one start—toward getting where we have to go. I very strongly support the amendment.

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

Mr. RHODES. Mr. Speaker, I do not want to belabor this point. I do not want to try the patience of my colleagues, but I just want to point out two things quickly for the gentleman from Cambria County.

I, too, am not an attorney. I hope that does not make us excluded from the House, but if you will read the amendment carefully, you will see that one of the consequences of the amendment is that if a child has had any kind of a previous record in terms of felony and has been charged with any misdemeanor or felony, his name can be put out to the press before he is found to have committed that act.

Mr. Speaker, remember that a juvenile proceeding in Pennsylvania is a closed proceeding, so if that child is found inno-

cent of having committed that act, it will never be known to the public as to whether he was found innocent or guilty. All we will know is that he was in the paper having been charged with this act, and that is one of the nefarious impacts of this amendment.

Secondly, let me point out, Mr. Speaker, we do not have to send any messages to any juveniles through this amendment. The juvenile law in this State is for juveniles who we think can be rehabilitated. Those juveniles who are beyond rehabilitation are transferred to adult court, and it is happening more and more in Pennsylvania.

Thank you, Mr. Speaker. I ask for a "no" vote on the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—93

Abraham	Greenleaf	Morris	Smith, L.
Anderson	Grieco	Mowery	Spencer
Armstrong	Halverson	Mrkonic	Spitz
Arthurs	Hamilton	Mullen, M. P.	Stairs
Bittinger	Hasay	Novak	Stapleton
Bittle	Hayes, S. E.	Noye	Taylor, E.
Brandt	Helfrick	O'Brien, D.	Taylor, F.
Burd	Honaman	O'Connell	Thomas
Butera	Hopkins	O'Keefe	Trello
Cimini	Hutchinson, W.	Pancoast	Valicenti
Davies	Katz	Piccola	Vroon
DeVerter	Klingaman	Pitts	Wagner
Dietz	Lehr	Polite	Wargo
Dininni	Levi	Pott	Wass
Dorr	Lynch	Pratt	Weidner
Doyle	Mackowski	Pyles	Wenger
Fischer, R. R.	Madigan	Ritter	Wilson
Foster, A.	Manmiller	Ryan	Wilt
Foster, W.	McClatchy	Salvatore	Wright, D.
Freind	McGinnis	Scheaffer	Wright, J. L.
Fryer	Miller	Seltzer	Zearfoss
Gallen	Miscevich	Sirianni	Zeller
Geesey	Moehlmann	Smith, E.	Zord
Goebel			

NAYS—101

Barber	Flaherty	Kowalyszyn	Richardson
Bellomini	Gallagher	Laughlin	Rieger
Bennett	Gamble	Letterman	Ruggiero
Berlin	Garzia	Lincoln	Scanlon
Berson	Gatski	Livengood	Schmitt
Borski	Geisler	Logue	Schweder
Brown	George, C.	Manderino	Scirica
Brunner	George, M.	McCall	Shuman
Burns	Giammarco	McIntyre	Shupnik
Caltagirone	Gillette	McLane	Stewart
Caputo	Gleeson	Mebus	Stuban
Cassidy	Goodman	Meluskey	Sweet
Cianciulli	Gray	Milliron	Taddonio
Cohen	Greenfield	Mullen, M. M.	Tenaglio
Cole	Harper	Musto	Wansacz
Cowell	Haskell	O'Brien, B.	White
DeMedio	Hayes, D. S.	O'Donnell	Wiggins
DeWeese	Hoeffel	Oliver	Williams
DiCarlo	Hutchinson, A.	Parker	Wise
Dombrowski	Itkin	Petrarca	Yahner
Donatucci	Johnson	Pievsky	Zitterman
Duffy	Jones	Prendergast	Zwikl
Dumas	Kelly	Rappaport	
Englehart	Kernick	Ravenstahl	Irvis,

Fee	Knepper	Renwick	Speaker
Fisher, D. M.	Kolter	Rhodes	

NOT VOTING—6

Beloff	Milanovich	Shelton	Yohn
Cessar	Reed		

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

GAVEL RETURNED TO SPEAKER

The SPEAKER pro tempore. The Chair has been advised that there should have been no picture taking without prior notice to the members, and the Chair apologizes.

The Chair returns the gavel to the Speaker.

THE SPEAKER (K. LEROY IRVIS)
IN THE CHAIR

MR. CASSIDY THANKED

The SPEAKER. The Chair sincerely thanks the gentleman for doing a fine job here. The Chair was recollecting that when the Chair first came here as a new member, new members were not permitted not only to take the gavel, but we were not even welcomed at the podium. Moreover we were not welcomed in the Speaker's office, and I think I did not get into the majority leader's inner sanctum until I had been here for 2½ years.

I trust that what Mr. Cassidy has just accomplished will be taken as the signal to the newer members that the old days are dead forever.

Congratulations, Mr. Cassidy.

On the question recurring,

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

Mr. PICCOLA offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, line 4 by inserting brackets before and after "eighteen" and inserting sixteen

Amend Sec. 1 (Sec. 2), page 2, line 6 by inserting brackets before and after "eighteen" and inserting sixteen

Amend Sec. 1 (Sec. 2, page 2 line 7 by striking out "eighteen" and inserting sixteen

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

Crime, especially crime by juveniles, in my opinion, is the most serious problem that is facing us in this Commonwealth today. We talk about it, we draft legislation and we try to wrestle with the problem. We hire more law-enforcement officials, we throw more money at it and we try to attract Federal dollars, yet in the end the common criminal and the juvenile delinquent laughs in our faces and behind the backs of our judges and our prosecutors.

My amendment to this bill, I believe, by reducing the age definition of a child for the purposes of the juvenile delinquency act will go a long way toward dealing effectively with juvenile crime or crime in this age category.

My amendment would require that 16-year-olds and 17-year-olds be tried as adults in our criminal justice system. This would remove, among other things, the confidentiality doctrine which we have been discussing.

I think this publicity and the fact that these individuals would be tried as adults would be an effective deterrent to the commission of serious offenses and some that are not so serious.

Seven other states have adopted this amendment to their acts, including the State of New York, and have considered 16-year-olds and 17-year-olds as adults.

Already juveniles of the ages of 16 and 17 who have committed serious offenses have been tried as adults if certain transfer procedures are met. The great bulk of the others, however, seem to know exactly how far they can go and limit their behavior so that the juvenile courts will retain jurisdiction of their offenses, and they consider the juvenile justice system as a slap on the fingers for their gross misbehavior.

I resent, Mr. Speaker, a definition which calls a young thug who knocks over an elderly woman and steals her pocketbook, perhaps injuring her in the process, a child under the present formulation of this act. That person, in my estimation, is not a child and is responsible for his actions.

The elderly in this state, Mr. Speaker, are demanding protection, and they are looking to this legislature to provide that protection. They are looking for protection against these so-called juvenile offenders. I believe this amendment will provide a measure of that protection. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. Scirica. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the concern of Mr. Piccola, but I must oppose his amendment. The reduction of the juvenile age, the age of criminal responsibility in Pennsylvania, represents a more serious change, a more drastic change, in our Juvenile Act than anything contained in HB 1. This amendment goes to the very heart of the Juvenile Act, to the essential question of why children should be treated differently from adults. If we look at the beginning of our present act, we see that the main purpose says that consistent with the protection of the public interest, the purpose of the act is to remove the consequences of criminal behavior from children and to substitute a program of supervision, care, and rehabilitation.

This state, along with practically every other state in the country, has decided that because of the immaturity, because of the susceptibility to treatment and rehabilitation of all juveniles, that we will treat them differently, that we will spare them the onus of a criminal record, that we will spare them contact with hardened criminals, and, hopefully, they will be rescued from further criminal careers.

As Mr. Piccola pointed out, only seven states in the country have as the age of criminal responsibility the age of 16. Every other state has the age of 17 or 18. One of the definitive studies in the juvenile area, I think, gives good evidence as to why we should continue to maintain our age at 18. This study was done in Philadelphia by Marvin Wolfgang of the University of Penn-

sylvania about 5 years ago, in which he looked at 10,000 juveniles coming into the Philadelphia juvenile courts. They found out that 94 percent of that 10,000 figure, after two contacts with the law, had no further contact with either the juvenile authorities or with the adult authorities. Therefore, we are left with a figure of 6 percent of those juvenile offenders who needed either incarceration or continual treatment.

Our staff estimates that 20 percent of our juvenile offenders in Pennsylvania are of the age of 16 and 17, or a total figure of 10,000 juveniles who are processed annually through our courts. If we pass this amendment, we will release into the criminal courts an additional 10,000 people per year, which will have an enormous impact on the functioning of those courts. If we pass this amendment, we will sweep into the adult criminal system all children ages 16 and 17 who are charged with committing either a felony or a misdemeanor, and I point out that it includes any misdemeanor, not just the serious felonies. It includes misdemeanors of the second and third degree, which have such crimes as disorderly conduct, loitering and harassment.

The consequences of this amendment are that we will be treating children of 16 and 17 as adults, which means that they will go through a preliminary arraignment, that if they cannot make bail, they will be sent not to a detention home but to the county jail; they will mix with experienced criminals, and if an information is filed and if they are convicted, they can be sent to any state penitentiary. But probably the most important consequence of this amendment is that those juveniles age 16 and 17 will receive minimal treatment, if, indeed, any treatment at all, and instead will be subject to the rigors of the adult system. Those of you who have dealt with our juvenile probation officers know that they are one of the few agencies in the Commonwealth that are worth their salt. They do an excellent job.

The other main reason for rejecting this amendment is that the Pennsylvania law has a unique feature in it that is not present in many of the other juvenile acts across the country. Section 28 provides for the transfer to adult court, on petition of the district attorney, of any juvenile who the district attorney and the committing judge decide should be treated as an adult. We have seen an increase in the transfers to adult courts since the closing of Camp Hill, and perhaps that has been a proper action. But our system has worked well. Because of this safety valve, the courts have been able to treat as adults those juveniles mentioned by Mr. Piccola who have indeed committed heinous crimes.

Finally, Mr. Speaker, for 2 years now Mr. Rhodes and I have been working on this bill. We have had public hearings. We have had numerous meetings with the Juvenile Judges Commission, with the State Conference of Trial Judges, with the juvenile courts of Allegheny and Philadelphia Counties, with many other judges, probation officers across the state. In all of those meetings, not one judge, not one district attorney has ever asked that we reduce the juvenile age to 16. We have fought over many matters; we have negotiated many points, but that point was never asked of us, and the reason, I think, is because the courts realize that with the transfer provision they

can treat as an adult any child who warrants that kind of treatment. Therefore, for these reasons I respectfully urge that we vote against the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RHODES. Mr. Speaker, I heartily endorse the comments of my colleague from Montgomery County, Mr. Scirica. There is no need for this amendment to our act with our transfer provision, and I ask for a "no" vote on the amendment.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. Mr. Speaker, I rise in support of my colleague's amendment. Yesterday I attended a funeral of a family friend who was kidnapped about 10 days ago, shot in the head, and found in a plastic bag in the woods. It was done by one of these rehabilitated juveniles.

The SPEAKER. The Chair thanks the lady for her comments.

The Chair recognizes the gentleman, Mr. Scirica. For what purpose does the gentleman rise?

Mr. SCIRICA. Thank you, Mr. Speaker.

The lady from Susquehanna County pointed out an omission that I should have mentioned earlier, and that is simply this: For crimes of murder, juveniles are immediately treated as adults. There is no transfer necessary. If a juvenile is charged with a murder, that juvenile immediately goes into adult court.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—56

Anderson	Garzia	McGinnis	Stairs
Armstrong	Geesey	Mowery	Sweet
Bittle	Halverson	Mrkonic	Taylor, E.
Brandt	Hamilton	Mullen, M. P.	Thomas
Burd	Hayes, S. E.	Noye	Trello
Cimini	Helfrick	Piccola	Vroon
DeVerter	Honaman	Pitts	Wagner
Dietz	Hutchinson, W.	Pyles	Wargo
Dininni	Klingaman	Ritter	Wass
Dorr	Lehr	Scheaffer	Wenger
Fischer, R. R.	Levi	Seltzer	Wilson
Foster, A.	Madigan	Sirianni	Wright, D.
Foster, W.	Manmiller	Smith, E.	Wright, J. L.
Gallen	McClatchy	Smith, L.	Zeller

NAYS—139

Abraham	Gamble	Lynch	Richardson
Arthurs	Gatski	Mackowski	Rieger
Barber	Geisler	Manderino	Ruggiero
Bellomini	George, C.	McCall	Ryan
Bennett	George, M.	McIntyre	Salvatore
Berlin	Giammarco	McLane	Scanlon
Berson	Gillette	Mebus	Schmitt
Bittinger	Gleeson	Meluskey	Schweder
Borski	Goebel	Milanovich	Scirica
Brown	Goodman	Miller	Shuman
Brunner	Gray	Milliron	Shupnik
Burns	Greenfield	Miscevich	Spencer
Butera	Greenleaf	Moehlmann	Spitz
Caltagirone	Grieco	Morris	Stapleton

Caputo	Harper	Mullen, M. M.	Stewart
Cassidy	Hasay	Musto	Stuban
Cianciulli	Haskell	Novak	Taddonio
Cohen	Hayes, D. S.	O'Brien, B.	Taylor, F.
Cole	Hoeffel	O'Brien, D.	Tenaglio
Cowell	Hopkins	O'Connell	Valicenti
Davies	Hutchinson, A.	O'Donnell	Wansacz
DeMedio	Itkin	O'Keefe	Weidner
DeWeese	Johnson	Oliver	White
DiCarlo	Jones	Pancoast	Wiggins
Dombrowski	Katz	Parker	Williams
Donatucci	Kelly	Petrarca	Wilt
Doyle	Kernick	Pievsky	Wise
Duffy	Knepper	Polite	Yahner
Dumas	Kolter	Pott	Zearfoss
Englehart	Kowalyszyn	Pratt	Zitterman
Fee	Laughlin	Prendergast	Zord
Fisher, D. M.	Letterman	Rappaport	Zwinkl
Flaherty	Lincoln	Ravenstahl	
Freind	Livengood	Renwick	Irvis,
Fryer	Logue	Rhodes	Speaker
Gallagher			

NOT VOTING—5

Beloff	Reed	Shelton	Yohn
Cessar			

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

On the question recurring,

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

Mr. MILLER offered the following amendments:

Amend Sec. 1, page 1, line 20, by inserting after "26," subsection (a) of section 27.

Amend Sec. 1 (Sec. 25), page 15, line 6, by inserting a bracket before "or"

Amend Sec. 1 (Sec. 25), page 15, line 7, by inserting a bracket after "Justice"

Amend Sec. 1, page 16, by inserting between lines 14 and 15 Section 27. Order of Adjudication; Noncriminal.—(a) An order of disposition or other adjudication in a proceeding under this act is not a conviction of crime and does not impose any civil disability ordinarily resulting from a conviction or operate to disqualify the child in any civil service application or appointment. A child shall not be committed or transferred to a penal institution or other facility used primarily for the execution of sentences of adults convicted of a crime [unless there is no other appropriate facility available, in which case the child shall be kept separate and apart from such adults at all times].

* * *

On the question,

Will the House agree to the amendments?

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

Mr. MILLER. Thank you, Mr. Speaker.

The purpose of the amendment language, while it does not specifically name the previous juvenile correctional facility of Camp Hill, deals directly with the use of that facility as a detention center for juveniles. As many of you are aware, we went through a number of stormy periods of time during the change-over of deinstitutionalizing Camp Hill for juveniles during the past year. While it is not my intent to raise the problems and specter that were caused by removing juveniles from the Camp Hill institution, it is my intent to insert language into HB 1 which would prevent the reopening of Camp Hill Correctional

Institution for juveniles in the future.

As you may be aware, the state has added approximately 150 secure slots at the New Castle facility, and it is the hope of this sponsor of the amendment that the Camp Hill Correctional Institution will no longer be used—

The SPEAKER. Will the gentleman yield?

Would the gentleman advise the Chair, and through the Chair the members, if he has one or two amendments. Just one?

Mr. MILLER. One amendment, Mr. Speaker.

The SPEAKER. And is the Chair advised that the gentleman's amendment reads, "Section 27. Order of Adjudication; Noncriminal.—(a)"? Is that how it starts?

Mr. MILLER. Yes, sir. I just gave you my amendment copy. That is the language in the beginning, yes.

The SPEAKER. Very well then. The Chair does have the correct amendment, and the gentleman may proceed.

Mr. MILLER. Not to belabor the House, the hour is late, the intent of the amendment is to finally close the last chapter on the book of the use of Camp Hill Correctional Institution as a place for interning juveniles. As you know, we now have alternative secure facilities, particularly at the New Castle facility, to handle those difficult cases for juveniles.

Finally, I would just like to point out that there is, for your information, one remaining juvenile at the Camp Hill institution, and it is my hope, with the amending of HB 1 and its final passage, that Camp Hill will no longer be a facility used for the incarceration of juveniles in the Commonwealth. I encourage your support for the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Rhodes, on the amendment offered by Mr. Miller.

Mr. RHODES. Mr. Speaker, the point the previous speaker made is well taken. It does clean up HB 1 to take this provision out. There is no intention of using the Camp Hill facility the way it has been used in the past. I have no objection to the amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Abraham	Gamble	Madigan	Ryan
Anderson	Garzia	Manderino	Salvatore
Armstrong	Gatski	Manmiller	Scanlon
Arthurs	Geesey	McCall	Scheaffer
Barber	Geisler	McClatchy	Schmitt
Bellomini	George, C.	McGinnis	Schweder
Bennett	George, M.	McIntyre	Scirica
Berlin	Giammarco	McLane	Seltzer
Berson	Gillette	Mebus	Shuman
Bittinger	Gleeson	Meluskey	Shupnik
Bittle	Goebel	Milanovich	Sirianni
Borski	Goodman	Miller	Smith, E.
Brandt	Gray	Milliron	Spencer
Brown	Greenfield	Miscevich	Stairs
Burd	Greenleaf	Moehmann	Stapleton

Burns	Grieco	Morris	Stewart
Butera	Halverson	Mowery	Stuban
Caltagirone	Hamilton	Mrkonic	Sweet
Caputo	Harper	Mullen, M. P.	Taddonio
Cassidy	Hasay	Mullen, M. M.	Taylor, E.
Cianciulli	Haskell	Musto	Taylor, F.
Cimini	Hayes, D. S.	Novak	Tenaglio
Cohen	Hayes, S. E.	Noye	Thomas
Cole	Helfrick	O'Brien, B.	Trello
Cowell	Hoeffel	O'Brien, D.	Valicenti
Davies	Honaman	O'Connell	Wagner
DeMedio	Hopkins	O'Donnell	Wansacz
DeVerter	Hutchinson, A.	O'Keefe	Wargo
DeWeese	Hutchinson, W.	Oliver	Wass
DiCarlo	Itkin	Pancoast	Weidner
Dietz	Johnson	Parker	Wenger
Dininni	Jones	Petrarca	White
Dombrowski	Katz	Piccola	Wiggins
Donatucci	Kelly	Pievsky	Williams
Dorr	Kernick	Pitts	Wilson
Doyle	Klingaman	Polite	Wilt
Duffy	Knepper	Pott	Wise
Dumas	Kolter	Pratt	Wright, D.
Englehart	Kowalyszyn	Prendergast	Wright, J. L.
Fee	Laughlin	Pyles	Yahner
Fischer, R. R.	Lehr	Rappaport	Yohn
Fisher, D. M.	Letterman	Ravenstahl	Zearfoss
Flaherty	Levi	Reed	Zitterman
Foster, W.	Lincoln	Renwick	Zwinkl
Freind	Livengood	Rhodes	
Fryer	Logue	Richardson	Irvis,
Gallagher	Lynch	Ritter	Speaker
Gallen	Mackowski	Ruggiero	

NAYS—5

Foster, A.	Spitz	Zeller	Zord
Smith, L.			

NOT VOTING—6

Beloff	Cessar	Shelton	Vroon
Brunner	Rieger		

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

The SPEAKER. For the information of the members, the Trello amendment on your desk is incorrect. It should simply be destroyed. It was worded incorrectly. The corrected amendment has not yet been duplicated.

Unless there is objection, the Chair recognizes the gentleman, Mr. Trello, and asks him to very carefully explain the new amendment. Is there objection from the floor? No objection.

On the question,

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

Mr. TRELLO offered the following amendments:

Amend Bill, page 19 by inserting between lines 21 and 22 Section 4. No costs incurred by the enactment of this amendatory act shall be borne by the respective counties.

Amend Sec. 4, page 19, line 22 by striking out "4" and inserting 5

On the question,

Will the House agree to the amendments?

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

Mr. TRELLO. Mr. Speaker, the amendment that was passed out previously, I find, would probably cause the state to lose an awful lot of Federal money, so I had it redrafted. The amendment that you have on your desks simply states that the state will bear all the costs of the implementation of this program. Now if the state is to bear all the costs, then that means we get no Federal money, so I had it redrafted to read that the 67 counties in this Commonwealth will not pay any part of implementing this program. In other words, the Federal and state governments will pay 100 percent of the program.

The reason why I am offering this is simply this: I spent three 4-year terms as a councilman in a small borough in western Pennsylvania, and in those three terms the local elected officials were sick and tired of legislation being passed in Harrisburg and Washington that cost local government a lot of money, and I think this is another program. They say there is an amendment here on a 90-10 basis. Ninety percent is fine if the Federal and state governments are going to pay that, but I say 10 percent of what? It might be 10 percent of 2 million, 5 million, maybe a billion for all we know. I just do not think it is fair, all these programs that are being implemented on the Federal and state levels, that local governments have to use their real estate taxes to support things like the food stamp program, welfare programs, juvenile programs, and everything else.

I am urging everybody to support this amendment because I think this is borne from the Federal and state governments. If they want us to have this—and I think we should have it—then let us let them pay for it. Our real estate taxes are being stretched out now with school programs and running our local boroughs and every other program. That is how simple my amendment is — that the state and Federal governments implement all the costs of implementing this piece of legislation.

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

Mr. ZELLER. Mr. Speaker, thank you.

I can sympathize with Mr. Trello's feelings, as a former local official myself, but if he thinks that this bill is not going to cost the taxpayers any money, I have got news for him. It is going to cost you a real bundle, and whether it comes from the local level or whether it comes from the state level, it is all going to come out of the same pocket. But this is going to cost us a lot of money. As a matter of fact, I went to my car to see if I could find the article in relation to another state that ran into the same problem, which is nothing but an offshoot of the Birch Bayh of Indiana liberal move and also our good Dr. Jerome Miller. You have not seen anything yet.

All I say right now is this: As far as I am concerned, no matter how you vote on this one, you are a loser.

The SPEAKER. The Chair thanks the gentleman.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Earlier today we adopted, by agreement, the Rhodes amendment, which in effect said that no county shall

be required to pay more than 10 percent of the cost, et cetera, et cetera. I support the Trello amendment, Mr. Speaker, but by accepting the Trello amendment, if we simply insert language into a certain line on the bill, how do we dispose of the Rhodes amendment which is already there?

A further point, Mr. Speaker: The Trello amendment deals with lines 16 and 17 while the Rhodes amendment deals with line 21.

The SPEAKER. The Chair finds it very difficult not to offer personal opinions from the Chair. The Chair will have to learn to restrain his personal opinions, so the Chair will not answer the question asked by the gentleman, Mr. Ritter, for it is not within the province of the Chair to give that answer. The Chair would suggest that the gentleman, Mr. Ritter, interrogate the gentleman, Mr. Trello, as to the effect that the adoption of his amendment would have on the Rhodes amendment, which has already been adopted by the House.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. Mr. Speaker, I appreciate your advice, but let me pose a parliamentary inquiry to the Chair.

The SPEAKER. The gentleman will state it.

Mr. RITTER. If we adopt the amendment offered by Mr. Trello—and I do not have that amendment, but that is the one that says in effect that no county shall be required to spend any money—how does that affect the amendment already adopted by this House offered by the gentleman, Mr. Rhodes?

The SPEAKER. It is the opinion of the Chair that the latter amendment would in effect negate the adoption of the prior Rhodes amendment, inasmuch as the latter amendment would be inconsistent with the prior adopted amendment.

Mr. RITTER. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have consistently taken the microphone when the state has provided funding mechanisms for various programs across this state where we are providing a very large share of the total costs. In this case we are, under the present bill with the amendments put in today, undertaking 90 percent of the costs of the program that we are talking about.

The amendment offered would make the state put in the additional 10 percent and relieve counties of all costs. I think that this is not the direction to go. I have said in the past that we must, even if it is a 10-percent figure, keep the counties or the local municipalities in the boat with us because that is where the control is. For any kind of accountability, we at the state level are not the ones who will be sentencing the juveniles, who will be placing the juveniles in these homes. The counties have to have some concern about what the program is costing, and to keep them in with what I consider is nominal, a 10-percent cost figure, will at least insure that someone is watching the store. Otherwise, the state is giving a blank check to the local courts to go ahead and spend all the money they want in rehabilitating people and we will pick up the tab here in Harrisburg.

I think with the amendment that went in earlier today that cut a 50-50 proposition down to a 90-10 proposition where the state is picking up 90 is about as far as we should go, and I would urge everyone to oppose this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. TRELLO. To speak in behalf of the amendment.

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

Mr. TRELLO. I went shopping Saturday for Father's Day for next Sunday for my dad and I was thinking about buying him a color television set for his own room, but I cannot —

The SPEAKER. Will the gentleman, Mr. Trello, yield to the gentleman, Mr. Williams?

Mr. TRELLO. Certainly.

PARLIAMENTARY INQUIRY

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

Mr. WILLIAMS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, based on your earlier colloquy, saying that the amendment here would negate the previous amendment which was adopted seems to me is, in effect, a reconsideration motion of the same proposition. I think I have heard the other Speaker before say that we should not do a vain act. My point is, is not this particular amendment actually, in effect, a reconsideration of the previous amendment?

The SPEAKER. It is the opinion of the Chair that it is not.

Mr. WILLIAMS. Thank you.

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

Mr. TRELLO. As I was saying, I was shopping for a color TV, and they were on sale. They were knocking \$22 off a \$400 set, and I told the saleslady that I could not afford to save any more money with all these sales that are going on.

The fact that this is 90-10 reminds me of the sales that some of these department stores have. You cannot afford to save any more money. It is 90-10, and I still again say 10 percent of what? Nobody seems to be able to give me the figure of what it is going to cost per child, and nobody has given me an answer in regard to will Allegheny County only house Allegheny County juvenile offenders or will we take in Westmoreland County, Beaver County, Fayette, Greene County, or everything? I do not know that, and that is why I say 10 percent of what?

I appreciate what the majority leader says about 90-10, that each county should have some sort of responsibility towards implementing this bill, but if they cannot tell me what it is going to cost, then I do not think that our real estate taxes that we raise in Allegheny County should go towards paying for some of these programs that they are paying for right now.

I think that members from all 67 counties should stop and think about all the programs that were promoted by the Federal and state governments where they allocated money for the first 2 or 3 years and then all of a sudden gave you the ball and said run with it. So I would like to see everybody support this amendment, and let us let the big share that the Federal Gov-

ernment is giving the state and the rest that the state is going to put in—let them pay for the program because nobody knows what it is going to cost.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RHODES. Mr. Speaker, may I yield to Representative Caputo?

The SPEAKER. Mr. Caputo is to follow Mr. Rhodes. Do you wish Mr. Caputo to speak first?

Mr. RHODES. Yes.

The SPEAKER. Very well. The Chair recognizes the gentleman from Allegheny, Mr. Caputo.

Mr. CAPUTO. Thank you, Mr. Speaker.

Mr. Speaker, I want to make an apology to my colleague and member of my delegation, Mr. Trello. I discussed with Mr. Trello an amendment to this bill which would limit the liability of all counties, especially the 14 counties in the western part of the state which have sort of issued us a directive, to 10 percent of the cost. Evidently somewhere along the line Mr. Trello and I did not understand each other, and he has offered now an amendment that would eliminate any cost from the counties throughout the state. I had hoped he would have offered an amendment that would limit it to 10 percent of the cost, because the amendment we have already adopted, Mr. Rhodes' amendment, although it says 10 percent, does not actually limit the counties to payment of 10 percent of the entire program.

We do not know what this is going to cost, but this is important legislation. This is legislation that has been advocated and has been supported by every person in this Commonwealth who feels for young children, and personally I would like to congratulate Mr. Scirica and Mr. Rhodes and their committee for the hard work that they have put into this bill.

I do not want to see this bill fall because the citizens in the county may have to pay a small part of the cost—and I hope it is very, very small—and I certainly intend to try to get a real assessment of what it is going to cost the individual counties before this bill becomes the law, because I am going to make that one of my efforts, and I hope to transfer that evidence, testimony, or information—whatever you want to call it—to the Senate before they finally act on this bill.

However, I think with Mr. Rhodes' amendment we have put a saddle on the bill and the costs are limited, and I guess what we work out with the Department of Welfare is going to finalize the actual cost to the various counties throughout the state.

But perhaps the main reason why I am, with all due respect to Mr. Trello, opposing his amendment at this moment is that this bill depends a great deal on an act that we have already passed, Act 148, which is an act that is going to fund this program. That act, section 704.1, states: "No less than seventy-five percent and no more than ninety percent of the reasonable cost including staff costs of child welfare services, informal adjustment services provided pursuant to section 8 of the act of December 6, 1972 . . . known as the 'Juvenile Act,' and such services approved by the department,"—meaning the Welfare

Department—"including but not limited to, foster home care, group home care, shelter care, community residential care, . . ." and other services that they offer.

If we eliminate the participation of the counties, it is going to have the effect of repealing Act 148, the implementing program that is going to make this program possible throughout the state. Now we have an additional job to do after we pass this act. We have to rise to the occasion and fully fund Act 148 so that the counties will get 90 percent of their costs.

I want to once again apologize to Representative Trello and ask you to defeat his amendment.

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

Mr. RHODES. Mr. Speaker, I rise briefly in opposition to the amendment, endorsing the comments by Representative Caputo. I would like to answer a couple of questions raised by Representative Trello.

First of all, the cost of this program, as estimated by every agency of the Commonwealth which is involved in this national effort as was experienced in Pennsylvania to transfer the status offender to the dependent or deprived category, is estimated at \$1.5 million statewide. There are plenty of Federal funds available through our Governor's Justice Commission program to cover that cost in the next fiscal year. So for the member who asked the question about the amount, that is the amount statewide.

Let me further state that if the Speaker's ruling holds that passing this amendment in effect negates the amendment I inserted into the bill at the outset of this debate, I would like to point out why these costs could go way out the window. The amendment I inserted had a number of limitations on the kinds of programs that could be funded at this 90-10 relationship of state-to-county.

If we take those limitations — for example, that the programs are necessary; for example, that the counties apply for the Federal funds and they are found eligible for them — if we take those limitations out, which are all part of the amendment I inserted, Mr. Speaker, then the amendment that Mr. Trello introduced merely says that everything shall be paid by the state. Who shall decide what is necessary to comply with this act under those circumstances? That is what I am worried about, Mr. Speaker. We do not have control over what the counties would do, and they might do anything and charge it to the necessary implementation of HB 1.

So, Mr. Speaker, the limitations we have inserted already are sufficient. I would like to point out that the Pennsylvania County Commissioners Association endorses the amendment that I introduced—endorsed the bill, by the way—and so we are covered in terms of local concern and local support. I urge a "no" vote on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—58

Abraham	Foster, A.	McClatchy	Renwick
Anderson	Fryer	McGinnis	Ritter
Arthurs	Gallen	Meluskey	Ruggiero
Brandt	Gamble	Milanovich	Scheaffer
Cassidy	Garzia	Miscevich	Smith, L.
Cianciulli	Geesey	Moehlmann	Stuban
Cohen	George, C.	Mrkonic	Sweet
DeVerter	Halverson	Mullen, M. M.	Taylor, F.
Dininni	Kowalshyn	Noye	Trello
Dombrowski	Laughlin	Pancoast	Wagner
Dorr	Lehr	Petrarca	Wright, D.
Duffy	Letterman	Piccola	Yahner
Engelhart	Levi	Pratt	Zeller
Fee	Madigan	Pyles	Zwinkl
Fischer, R. R.	Manmiller		

NAYS—136

Armstrong	Giammarco	Manderino	Seltzer
Barber	Gillette	McCall	Shuman
Bellomini	Gleeson	McIntyre	Shupnik
Bennett	Goebel	McLane	Sirianni
Berlin	Goodman	Mebus	Smith, E.
Berson	Gray	Miller	Spencer
Bittinger	Greenfield	Milliron	Spitz
Bittle	Greenleaf	Morris	Stairs
Borski	Grieco	Mowery	Stapleton
Brown	Hamilton	Mullen, M. P.	Stewart
Brunner	Harper	Musto	Taddonio
Burd	Hasay	Novak	Taylor, E.
Burns	Haskell	O'Brien, B.	Tenaglio
Butera	Hayes, D. S.	O'Brien, D.	Thomas
Caltagirone	Hayes, S. E.	O'Connell	Valicenti
Caputo	Helfrick	O'Keefe	Vroon
Cimini	Hoefel	Oliver	Wansacz
Cole	Honaman	Parker	Wargo
Cowell	Hopkins	Pievsky	Wass
Davies	Hutchinson, A.	Pitts	Weidner
DeMedio	Hutchinson, W.	Polite	Wenger
DeWeese	Itkin	Pott	White
DiCarlo	Johnson	Prendergast	Wiggins
Dietz	Jones	Rappaport	Williams
Donatucci	Katz	Ravenstahl	Wilson
Doyle	Kelly	Rhodes	Wilt
Dumas	Kernick	Richardson	Wise
Fisher, D. M.	Klingaman	Rieger	Wright, J. L.
Flaherty	Knepper	Ryan	Zearfoss
Foster, W.	Kolter	Salvatore	Zitterman
Freind	Lincoln	Scanlon	Zord
Gallagher	Livengood	Schmitt	
Gatski	Logue	Schweder	Irvis,
Geisler	Lynch	Scirica	Speaker
George, M.	Mackowski		

NOT VOTING—6

Beloff	O'Donnell	Shelton	Yohn
Cessar	Reed		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. COHEN. Mr. Speaker, in my haste to get back to my seat,

I voted the wrong way. I would like the record to show that I intended to vote in the negative on the Trello amendment to HB 1.

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. ZELLER. Mr. Speaker, this morning I heard our good friend, Mr. Seltzer, with all these amendments. How many amendments went into this bill — two? three?

The SPEAKER. Three amendments have been inserted in the bill. Two of those amendments were adopted as agreed to and they were offered by Mr. Rhodes. The third amendment was offered by Mr. Miller and was adopted by a vote on the floor of this House.

Mr. ZELLER. I would like to know why so many members here are so anxious to get this one going and a vote right away, because I thought they would like to see it in print. I am not going to push it, but it just kind of bothers me, the action taken this morning, and all of a sudden nobody wants to see it in print. It must be a real goody.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, because of the length of time this bill has been debated, I would like to submit my remarks for the record in favor of this bill.

The SPEAKER. The Chair thanks the gentleman.

If he keeps going like that, he is going to be a dangerous candidate. I have always thought that probably somebody could win an election by promising the people not to campaign and to keep his mouth shut. I might work.

Mr. BUTERA presented the following remarks for the Legislative Journal:

Mr. Speaker, in 1971 the General Assembly enacted a comprehensive Juvenile Act, and in the past 6 years we have had the opportunity to observe the workings of that law and examine its consequences. HB 1 represents the first major revision of Pennsylvania's Juvenile Law, and it is a revision which is desperately needed.

All across Pennsylvania there have been young men and women thrown into adult penal institutions for no other reason than no one really cares. We have juveniles who have been declared delinquent solely because it is the only way the state government, or society, has had to help them. It is a terrible thing when in order to help some kids we have to declare them delinquent.

This legislation has three major provisions:

It would provide that by the end of 1978 all juveniles will be removed from adult county jails, and inasmuch as only 21 counties now have detention facilities, it would appropriate \$1.5 million to aid counties in providing proper care for such children.

It would remove status offenders from the delinquent category and therefore prevent their detention along with delinquents. Many young people are now being detained as status offenders — they have been declared delinquent and are being detained as a result of offenses which would not be offenses if the person were an adult.

The legislation would also reassert the control of the juvenile court over the placement and transfer of children who are institutionalized.

I would like to commend both Representative Rhodes and Representative Scirica, and many others, for their diligent efforts on behalf of this legislation and on behalf of the children of Pennsylvania. I am certain that neither Mr. Rhodes nor Mr. Scirica believes that HB 1 is the answer to all the problems with young people in our society, but it is a step which must be taken to alleviate what I believe amounts to a criminal act against guiltless children by our own state government.

Mr. Speaker, I ask for a "yes" vote on HB 1.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. Mr. Speaker, I agree with Mr. Zeller. I think we have a right to know exactly what we are voting on, and I do not think that anybody in here knows any more about what they are voting on than I do and I do not know too much about it right now.

The SPEAKER. The Chair has been informed that there were two amendments admitted. The Chair thought Mr. Rhodes had submitted two separate amendments, but it was one amendment in two parts, and that amendment was agreed to and accepted. The Miller amendment was accepted by a vote on the floor of this House.

MOTION TO TABLE HB 1

The SPEAKER. The clerk will strike the vote.

The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. Mr. Speaker, would it not be possible for this vote to go over until tomorrow until we have the printed copy? Would that not be the right way to do it?

The SPEAKER. To answer the lady's question, the proper method would be for the lady or some other member to make the motion that the bill be passed over until tomorrow. Then if the members on the floor of the House, by a majority vote, accepted that motion, the bill would be passed over until tomorrow. But the Chair does not have the power to arbitrarily pass over the bill once all of the questions preliminary to the passage of the bill have been answered, and they have been. Does the lady care to make such a motion?

Miss SIRIANNI. Mr. Speaker, I move that we have it prepared for final passage, that the bill be passed over for final passage.

The SPEAKER. The lady's motion is to place HB 1, PN 1237, as amended, on the final passage postponed calendar.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would ask all members to vote in opposition to the motion made by the lady. We have on many occasions passed bills on third consideration after they had been amended. The only amendments that went into this bill were an amendment agreed to by the entire House, and the second amendment was voted on but it was next to unanimous. I do not think there was any question that the import of that amendment was dealing with not sending juveniles any longer to Camp Hill.

I think the issues are clear, that there is no reason to delay this for printing and go through the extra cost and the extra delay, and I would ask an opposition to the motion.

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

Miss SIRIANNI. I ask that it be placed on the table with the amendment to be prepared for final passage.

The SPEAKER. The lady is merely reiterating her prior motion. And you would be wise to recognize that.

Miss SIRIANNI. I think, Mr. Speaker, this House would be wise to start knowing what they are voting on.

The SPEAKER. Why do you want to revolutionize things?

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, since you have already broken with tradition today on one occasion and made that wonderful comment about things are going to be different, I really do not think there is any rush to pass this bill tonight.

I am in favor of the bill. I want it to pass. But when we are dealing with major legislation, I have always felt in the past that when some members are a little bit upset about what is in a bill that we really should not rush it past them.

The Senate is not going to act tomorrow on this bill, and I do not think we are going to be losing any time. I would just hope that if this House does vote to postpone the final vote on HB 1, that that does not set off another 5 hours of debate.

I think that is the fear of Mr. Manderino and the fear I used to have. If we will discipline ourselves, I think then, it is a legitimate request.

The SPEAKER. The Chair thanks the gentleman.

The question before the House is, shall the House adopt the motion placed by the lady, Miss Sirianni, that HB 1, PN 1237, together with the amendments thereto be placed upon the table.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—80

Abraham	Goebel	Manmiller	Seltzer
Anderson	Grieco	McClatchy	Sirianni
Armstrong	Halverson	McGinnis	Smith, E.
Bittle	Hamilton	Mebus	Smith, L.
Brandt	Hasay	Miller	Spitz

Burd	Haskell	Moehlmann	Stairs
Butera	Hayes, D. S.	Mowery	Taddonio
Cimini	Hayes, S. E.	Noye	Taylor, E.
Davies	Helfrick	O'Brien, D.	Thomas
DeVerter	Honaman	O'Connell	Trello
Dietz	Hopkins	Pancoast	Vroon
Dininni	Hutchinson, W.	Parker	Wagner
Dorr	Katz	Piccola	Wass
Fischer, R. R.	Klingaman	Pitts	Weidner
Fisher, D. M.	Knepper	Polite	Wenger
Foster, A.	Lehr	Pott	Wilson
Foster, W.	Levi	Pyles	Wilt
Freind	Lynch	Ryan	Zearfoss
Gallen	Mackowski	Salvatore	Zeller
Geesey	Madigan	Scheaffer	Zord

Bittle	Gleeson	Milanovich	Smith, L.
Borski	Goebel	Miller	Spencer
Brandt	Goodman	Milliron	Spitz
Brown	Gray	Miscevich	Stairs
Brunner	Greenfield	Moehlmann	Stapleton
Burd	Greenleaf	Morris	Stewart
Burns	Grieco	Mowery	Stuban
Butera	Halverson	Mrkonic	Sweet
Caltagirone	Hamilton	Mullen, M. P.	Taddonio
Caputo	Harper	Mullen, M. M.	Taylor, E.
Cassidy	Hasay	Musto	Taylor, F.
Cianciulli	Haskell	Novak	Tenaglio
Cimini	Hayes, D. S.	Noye	Thomas
Cohen	Hayes, S. E.	O'Brien, B.	Trello
Cole	Helfrick	O'Brien, D.	Valicenti
Cowell	Hoefel	O'Connell	Vroon
Davies	Honaman	O'Keefe	Wagner
DeMedio	Hopkins	Oliver	Wansacz
DeVerter	Hutchinson, A.	Pancoast	Wargo
DeWeese	Hutchinson, W.	Parker	Wass
DiCarlo	Itkin	Petrarca	Weidner
Dietz	Johnson	Piccola	Wenger
Dininni	Jones	Pievsky	White
Donatucci	Katz	Pitts	Wiggins
Dorr	Kelly	Polite	Williams
Doyle	Kernick	Pott	Wilson
Duffy	Klingaman	Pratt	Wilt
Dumas	Knepper	Prendergast	Wise
Englehart	Kolter	Pyles	Wright, D.
Fee	Laughlin	Rappaport	Wright, J. L.
Fischer, R. R.	Lehr	Ravenstahl	Yahner
Fisher, D. M.	Letterman	Renwick	Yohn
Flaherty	Levi	Rhodes	Zearfoss
Foster, A.	Lincoln	Richardson	Zitterman
Foster, W.	Livengood	Rieger	Zord
Freind	Logue	Ritter	Zwikl
Fryer	Lynch	Ryan	
Gallagher	Mackowski	Salvatore	Irvis,
Gallen	Madigan	Scanlon	Speaker

NAYS—115

Arthurs	Gallagher	Manderino	Ruggiero
Barber	Gamble	McCall	Scanlon
Bellomini	Garzia	McIntyre	Schmitt
Bennett	Gatzki	McLane	Schweder
Berlin	Geisler	Meluskey	Scirica
Berson	George, C.	Milanovich	Shuman
Bittinger	George, M.	Milliron	Shupnik
Borski	Giammarco	Miscevich	Spencer
Brown	Gillette	Morris	Stapleton
Brunner	Gleeson	Mrkonic	Stewart
Burns	Goodman	Mullen, M. P.	Stuban
Caltagirone	Gray	Mullen, M. M.	Sweet
Caputo	Greenfield	Musto	Taylor, F.
Cassidy	Greenleaf	Novak	Tenaglio
Cianciulli	Harper	O'Brien, B.	Valicenti
Cohen	Hoefel	O'Donnell	Wansacz
Cole	Hutchinson, A.	O'Keefe	Wargo
Cowell	Itkin	Oliver	White
DeMedio	Johnson	Petrarca	Wiggins
DeWeese	Jones	Pievsky	Williams
DiCarlo	Kelly	Pratt	Wise
Dombrowski	Kernick	Prendergast	Wright, D.
Donatucci	Kolter	Rappaport	Wright, J. L.
Doyle	Kowalshyn	Ravenstahl	Yahner
Duffy	Laughlin	Renwick	Zitterman
Dumas	Letterman	Rhodes	Zwikl
Englehart	Lincoln	Richardson	
Fee	Livengood	Rieger	Irvis,
Flaherty	Logue	Ritter	Speaker
Fryer			

NOT VOTING—5

Beloff	Reed	Shelton	Yohn
Cessar			

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

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the constitution, the following roll call was recorded:

YEAS—190

Abraham	Gamble	Manderino	Scheaffer
Anderson	Garzia	Manmiller	Schmitt
Armstrong	Gatzki	McCall	Schweder
Arthurs	Geesey	McClatchy	Scirica
Barber	Geisler	McGinnis	Seltzer
Bennett	George, C.	McIntyre	Shuman
Berlin	George, M.	McLane	Shupnik
Berson	Giammarco	Mebus	Sirianni
Bittinger	Gillette	Meluskey	Smith, E.

NAYS—5

Bellomini	Kowalshyn	Ruggiero	Zeller
Dombrowski			

NOT VOTING—5

Beloff	O'Donnell	Reed	Shelton
Cessar			

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.

CONGRATULATE COMMITTEE AND HOUSE

The SPEAKER. The Chair wishes to congratulate the hard and dedicated work of the committee led by Messrs. Rhodes and Scirica. And the Chair wishes to congratulate the House of Representatives. We are now moving and I am proud of you.

Please do not leave the floor yet.

COMMITTEE MEETINGS ANNOUNCEMENT

The SPEAKER. There will be a meeting immediately following the recess, and we are declaring a recess rather than an adjournment so that the Chair can remain open and receive the report of the committee, the committee is the Transportation Committee. It is meeting in room 400.

Also, the Appropriations Committee is meeting immediately on the declaration of the recess.

The SPEAKER. There is one other piece of business which the Chair would hope the House would address itself to. The Chair has before it a motion of reconsideration.

**RECONSIDERATION OF VOTE
ON HOUSE BILL No. 69**

Mr. RENWICK moved that the vote by which **HOUSE BILL No. 69, printer's No. 79**, entitled:

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

was defeated on final passage on this day be reconsidered.

Mr. SWEET seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—91

Abraham	Fryer	Levi	Scirica
Armstrong	Gallagher	Logue	Smith, L.
Arthurs	Gamble	Madigan	Stewart
Bennett	Garzia	Manderino	Stuban
Berson	Geesey	McCall	Sweet
Bittle	Geisler	McGinnis	Taylor, F.
Brandt	George, C.	Meluskey	Trello
Brunner	George, M.	Milanovich	Valicenti
Caltagirone	Gleeson	Milliron	Wagner
Caputo	Goebel	Miscevich	Wansacz
Cohen	Goodman	Mrkonic	Wargo
Cole	Greenfield	Mullen, M. P.	Wass
Cowell	Greenleaf	Mullen, M. M.	Wilson
DeMedio	Halverson	Musto	Wilt
DeVerter	Harper	Novak	Wise
DeWeese	Haskell	O'Brien, B.	Wright, D.
Dombrowski	Hayes, S. E.	Petrarca	Yahner
Dorr	Hoeffel	Pievsky	Yohn
Doyle	Hutchinson, A.	Prendergast	Zeller
Duffy	Hutchinson, W.	Ravenstahl	Zwikel
Englehart	Klingaman	Renwick	
Fee	Kolter	Rhodes	Irvis,
Fischer, R. R.	Letterman	Ritter	Speaker
Flaherty			

NAYS—101

Anderson	Gillette	McLane	Scheaffer
Barber	Gray	Mebus	Schmitt
Bellomini	Grieco	Miller	Schweder
Berlin	Hamilton	Moehlmann	Seltzer
Bittinger	Hasay	Morris	Shuman
Borski	Hayes, D. S.	Mowery	Shupnik
Brown	Helfrick	Noye	Sirianni
Burd	Honaman	O'Brien, D.	Smith, E.
Burns	Hopkins	O'Connell	Spencer
Butera	Itkin	O'Keefe	Spitz
Cassidy	Johnson	Oliver	Stairs
Cianciulli	Jones	Pancoast	Stapleton
Cimini	Katz	Piccola	Taddonio
Davies	Kelly	Pitts	Taylor, E.
DiCarlo	Kernick	Polite	Tenaglio
Dietz	Knepper	Pott	Thomas
Dininni	Kowalshyn	Pratt	Vroon
Donatucci	Lehr	Pyles	Weidner
Dumas	Lincoln	Rappaport	Wenger
Fisher, D. M.	Livengood	Richardson	White

Foster, A.	Lynch	Rieger	Wiggins
Foster, W.	Mackowski	Ruggiero	Williams
Freind	Manmiller	Ryan	Wright, J. L.
Gallen	McClatchy	Salvatore	Zearfoss
Gatski	McIntyre	Scanlon	Zitterman
Giammarco			

NOT VOTING—8

Beloff	Laughlin	Parker	Shelton
Cessar	O'Donnell	Reed	Zord

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. LAUGHLIN. Mr. Speaker, I would like to be recorded in the negative on the reconsideration of HB 69. My switch was locked.

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

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, before the members leave the floor of the House, the amendments to the school subsidy bill which is on the calendar, HB 593, are beginning to become very numerous. I am informed by the Appropriations Committee that no one, no one, has requested a fiscal note on their amendments to HB 593. There are very few amendments to HB 593 that I can envision that do not have a fiscal impact.

We would ask anyone preparing amendments to HB 593 that will change the money being spent by that bill and will have any fiscal impact whatsoever, to request fiscal notes. Under the rules of the House, the amendments cannot be considered unless a fiscal note is obtained.

I thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Dr. Pancoast. For what purpose does the gentleman rise?

Mr. PANCOAST. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PANCOAST. If a printout has been obtained from the Department of Education with respect to a proposed amendment, is it necessary to submit that to the Appropriations Committee to duplicate what has been requested of the Department of Education?

The SPEAKER. It is the opinion of the Chair, reading rule 19(a), that only the Appropriations Committee of the House may write a fiscal note. That fiscal note, in the opinion of the Chair, may be identical to a departmental note, but the request has to be addressed, under rule 19, to the Appropriations Committee, and only that committee can issue the note.

Mr. PANCOAST. Thank you, Mr. Speaker.

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

Mr. ZELLER. We do not have to hang around then, is that the idea?

The SPEAKER. There will be no need for the members to return. The only piece of business to be conducted is the report of the committee.

We will be adjourning until 10 a.m. tomorrow. The adjournment motion will finally be placed and it will be for 10 a.m. tomorrow.

RESOLUTION INTRODUCED

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if I would be in order now to offer a resolution.

The SPEAKER. The gentleman is in order. We have not adjourned, and he may send the resolution forward. The House would not be able to act on the resolution.

Mr. RICHARDSON. Mr. Speaker, I am introducing a resolution today to call for an immediate preaudit of the Philadelphia school system in the city of Philadelphia.

We are presently under a great dilemma of the serious problems concerning our young people which I feel are our top priorities. It seems to me, while games are being played with our children's lives here in this Commonwealth and, in particular, in the city of Philadelphia, that something needs to be done.

The resolution asks that the Treasury Department call immediately on and give a preaudit of the school district in the city of Philadelphia to determine exactly why there is such a great loss of revenues there in the city and also to try to establish the cruxes that are proposed by the Philadelphia school system that have been offered. Perhaps maybe this would give us an opportunity to find out why basic things like kindergarten, early childhood education, libraries, counselors and other important matters that deal specifically with young people, like athletic programs that young people are involved in in senior high school, would be eliminated.

It would seem that this issue is a very grave one. I say for any members who want to get on the resolution that it would be on the desk for them to sign before it gets a number. I think that this matter is one that is of grave importance to each and every one of us.

There has been a lot of controversy raised about those who are upstate legislators who are opposed to two particular house bills because they do not know exactly what is going on in Philadelphia.

Our asking for this preaudit would certainly give us an opportunity to see exactly where things really are and maybe also begin to weed out some of the political bureaucratic drones who are taking advantage of our young people. It would seem to me that our situation cannot be put in the background, but it must be given top priority.

I would say that the questions particularly raised are ones of the patronage that exists in the whole school board of Philadelphia. If there is a waste and a lot of fat being used in that patronage, it seems to me that instead of cutting out children's programs, we would talk about eliminating some of the political patronage that exists there and not get rid of young people's programs that are necessary for their education. I cannot conceive of why we would get rid of what we feel are very basic fundamental kinds of educational programs that deal with the life and survival of our young people.

Hopefully, this will be one step in the right direction towards eliminating the kind of waste and fiscal mismanagement which is presently existing in the city, school or district administration.

Thank you very much for allowing me to make these remarks, Mr. Speaker. I hope that those members who have left the floor and did not hear that they do have an opportunity to sign that resolution if they choose to do so will hear this.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. This House now stands in recess subject to the call of the Speaker. There will be no other business taken up when the Speaker calls the House into order later except the reception of reports of committees and the motion on adjournment.

This House now stands in recess subject to the call of the Speaker.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (ROBERT E. BELLOMINI) IN THE CHAIR

BILLS REPORTED FROM COMMITTEES

HB 1171, PN 1534 (Amended) By Mr. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, making omnibus changes.

Transportation.

HB 1263, PN 1486 By Mr. PIEVSKY

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia, Pennsylvania.

Appropriations.

SB 746, PN 791 By Mr. PIEVSKY

An Act amending the act of December 30, 1974 (P.L. 1160, No. 369), entitled "Capital Budget Act for Fiscal Year 1973-1974 Highway Project Itemization Supplement" further providing for a project in Armstrong County.

Appropriations.

SB 793, PN 1052 (Amended) By Mr. PIEVSKY

An Act making appropriations to the Governor's Study Commission on Public Employee Relations for operation and administration.

Appropriations.

BILLS REREPORTED FROM COMMITTEE**HB 282, PN 1297**

By Mr. PIEVSKY

An Act amending "The Third Class City Code," approved June 23, 1931 (P.L. 932, No. 317), providing for certain exemptions from taxation.

Rereported from Committee on Appropriations.

HB 389, PN 427

By Mr. PIEVSKY

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

Rereported from Committee on Appropriations.

HB 751, PN 1017

By Mr. PIEVSKY

An Act amending the "Civil Service Act," approved August 5, 1941 (P.L. 752, No. 286), further providing for the holding of examinations.

Rereported from Committee on Appropriations.

HB 920, PN 1062

By Mr. PIEVSKY

An Act amending the act of May 20, 1937 (P.L. 728, No. 193), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; ***," providing for the disposition of written complaints and providing for appeals to go to the Commonwealth Court.

Rereported from Committee on Appropriations.

SB 156, PN 156

By Mr. PIEVSKY

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), entitled "The Administrative Code of 1929" further providing for the State Board of Examiners of Nursing Home Administrators and requiring certain members to have no financial interest.

Rereported from Committee on Appropriations.

SB 470, PN 485

By Mr. PIEVSKY

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

Rereported from Committee on Appropriations.

SB 518, PN 536

By Mr. PIEVSKY

An Act amending the act of December 30, 1974 (P.L. 1160, No. 369), entitled "Capital Budget Act of Fiscal Year 1973-1974, Highway Project Itemization Supplement" providing for the payment of certain costs allocated to the Department of Transportation for a bridge project in Allegheny County.

Rereported from Committee on Appropriations.

WELCOMES

The SPEAKER. The Chair is delighted to welcome 95 members of the Pennsylvania Rural Electric Association who are in the gallery at the present time. This delegation is here today with Kandy Strong, Maryanna Martin, Patti Stevens, and Bill McCullough, and they are the guests of the House of Representatives.

We are delighted to have you here.

We are always pleased to welcome the citizens of this Commonwealth to the hall of this House so that you may go home knowing the strength of at least one arm of your government. We hope your visit has been a warm one and we hope that you have enjoyed it. We trust that you will come back.

Before the children must leave, the Chair would like to interrupt the procedures at this point to welcome 160 sixth-grade students from the Green Street School in Hazelton which is in Luzerne County.

The students are here today with their teachers, Mrs. Lamont, Mrs. McCuban, Mr. Fornataro, Mr. Mascornick and Mr. Osuch.

They, the students and the teachers, are the guests of the gentleman from Luzerne, Mr. Gatski.

We are truly delighted to have you here to witness part of the legislative branch of your government. We hope your visit has been pleasant and we hope that someday, when some of you sit in the hall of this House, you will remember your visit here today.

Thank you for coming.

The Chair would like to recognize the presence of the Democratic State Committeeman from Blair County, Dr. Thomas Healy.

He is the guest of the gentlemen from Blair, Messrs. Milliron and Cassidy.

The Chair has the honor of introducing to the members of the House a group of senior students from Unionville-Chadds Ford High School. They are here with their teacher, Mrs. Supplee, and they are, together with their teacher, the guests of Representative Pitts from Chester County.

We are delighted that you have come to visit us. We trust that as you move in your career, you will have learned a little more about the function of this branch of your government.

The Chair has the privilege of welcoming to the floor of the House Miss Kathie Ruhl who is here as the guest of the Chair's very good friend, Forest Hopkins from Erie County.

We are delighted that you were able to come here and be with us. We trust you will enjoy your visit.

The Chair now takes the privilege of welcoming a guest to the floor of the House, Mr. John Kelly, who comes from Altoona, Pennsylvania.

He is the guest of Representatives Cassidy and Milliron.

We are delighted, Mr. Kelly, that you were able to visit us and we trust that your visit will be influential in your future career. Looking at your age, your future is ahead of you. We are happy to have you here, sir.

ADJOURNMENT

Mr. WENGER moved that this House do now adjourn until Tuesday, June 14, 1977, at 10 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 7:43 p.m., e.d.t.) the House adjourned.