

Legislative Journal

TUESDAY, JUNE 14, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 44

HOUSE OF REPRESENTATIVES

The House convened at 10 a.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:

As that flag continues to wave "o'er the land of the free and the home of the brave," we turn to Thee, O God, in gratitude and praise. We thank Thee for that first proclamation made by Congress 200 years ago today which established our flag as the Stars and Stripes. We are grateful that the stars have grown in number yet remain united in strength and purpose. We praise Thee for the protective care Thou hast exercised over us as a people, and we pray that Thou wilt continue to guide and direct the destiny of these United States. We beseech Thee to fill us as Thy stewards, challenge us as Thy workmen, and enable us to have that flag continue to proclaim liberty and justice for all. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, June 13, 1977, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. The Chair thanks the gentlemen.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair announces that Jim Wiggins will be filming on the floor of the House in silent film. He will be filming for WPVI-TV in Philadelphia and WTAE-TV in Pittsburgh.

At this time the Chair also grants the request of Ken Lester, WGAL-TV of Lancaster, for permission of the House to shoot film on the House floor. That permission is granted.

MASTER ROLL CALL RECORDED

The SPEAKER. All the members are alerted to report immediately to the floor of the House. The Chair is about to take the master roll call.

The members will proceed to vote.

The following roll call was recorded:

YEAS—199

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	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
Cessar	Hayes, D. S.	O'Brien, B.	Thomas
Cianciulli	Hayes, S. E.	O'Brien, D.	Trello
Cimini	Helfrick	O'Connell	Valicenti
Cohen	Hoefel	O'Donnell	Vroon
Cole	Honaman	O'Keefe	Wagner
Cowell	Hopkins	Oliver	Wansacz
Davies	Hutchinson, A.	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	Williams
Dombrowski	Kernick	Pott	Wilson
Donatucci	Klingaman	Pratt	Wilt
Dorr	Knepper	Prendergast	Wise
Doyle	Kolter	Pyles	Wright, D.
Duffy	Kowalshyn	Rappaport	Wright, J. L.
Dumas	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	Zwikl
Foster, W.	Lynch	Ruggiero	
Freind	Mackowski	Ryan	Irvis,
Fryer	Madigan	Salvatore	Speaker
Gallagher			

NOT VOTING—1

Shelton

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1305 By Messrs. GALLEN, RENWICK, LETTERMAN, HALVERSON and NOYE

An Act amending "The Game Law," approved June 3, 1937 (P.L. 1225, No. 316), requiring a certificate of competency for certain hunters.

Referred to Committee on Game and Fisheries.

No. 1306 By Messrs. HELFRICK, THOMAS and LEVI

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to sell and convey a certain tract of land situate in the Township of Mount Carmel, County of Northumberland and Commonwealth of Pennsylvania.

Referred to Committee on State Government.

No. 1307 By Mr. SALVATORE

An Act amending "The Support Law," approved June 24, 1937 (P.L. 2045, No. 397), repealing provisions relating to property of persons liable for expenses incurred for support and assistance.

Referred to Committee on Health and Welfare.

No. 1308 By Messrs. MILLER, KUSSE, LEVI, FREIND, W.D. HUTCHINSON, MOEHLMANN, DORR, J.L. WRIGHT, MACKOWSKI, BRANDT, CIMINI, BITTLE, KLINGAMAN, SPITZ, PICCOLA, MANMILLER, MADIGAN, KNEPPER, WILT, WAGNER, R.R. FISCHER, E.H. SMITH, HASAY, D.M. O'BRIEN, DAVIES, PITTS, POLITE, Mrs. TAYLOR, Mrs. HONAMAN, Messrs. S.E. HAYES, LEHR, ZORD, O'CONNELL, BURNS, NOYE, KATZ, PICCOLA, HELFRICK, WENGER, LYNCH, D.S. HAYES and HAMILTON

An Act providing for authority for urban homesteading and the mechanics for establishing homesteading districts; expanding local government's authority in dealing with urban blight and decay; and providing exclusions from present statutory laws.

Referred to Committee on Business and Commerce.

No. 1309 By Messrs. A.C. FOSTER, DORR and ANDERSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), excluding coin operated car washes from the sales tax.

Referred to Committee on Finance.

No. 1310 By Messrs. BROWN, CIMINI, REED, Mrs. GILLETTE, Messrs. HOPKINS,

HALVERSON, KATZ, CASSIDY, COHEN, JONES and Mrs. HARPER

An Act amending the "Public Utility Law," approved May 28, 1937 (P.L. 1053, No. 286), prescribing further criteria and standards for the setting of rates; and permitting the implementation of lifeline rates.

Referred to Committee on Consumer Affairs.

No. 1311 By Messrs. J.L. WRIGHT, BURNS and WEIDNER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, removing the requirement that a veteran's disability be total in certain circumstances.

Referred to Committee on Transportation.

No. 1312 By Messrs. LINCOLN, GALLAGHER, DiCARLO, GATSKI, RAPPAPORT, FEE, McCALL, BERLIN, PETRARCA, SCHWEDER, WANSACZ, B.F. O'BRIEN, McLANE, COWELL, DOYLE, DOMBROWSKI, Mrs. GILLETTE, Mr. CAPUTO, Mrs. KELLY, Messrs. JONES, GIAMMARCO, SCHMITT, WHITE and COHEN

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), increasing the amount provided for auxiliary services for the benefit of children attending nonpublic schools in the Commonwealth.

Referred to Committee on Education.

No. 1313 By Messrs. LINCOLN, GALLAGHER, DiCARLO, GATSKI, RAPPAPORT, FEE, McCALL, BERLIN, PETRARCA, SCHWEDER, WANSACZ, B.F. O'BRIEN, GIAMMARCO, McLANE, Mrs. KELLY, Messrs. COWELL, DOYLE, DOMBROWSKI, Mrs. GILLETTE, Messrs. CAPUTO, JONES, SCHMITT, WHITE and COHEN

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), increasing the amount provided for the purchase of instructional materials for the benefit of children attending nonpublic schools in the Commonwealth.

Referred to Committee on Education.

No. 1314 By Messrs. GARZIA and DiCARLO

An Act requiring that certain eating establishments establish separate facilities for smokers and nonsmokers.

Referred to Committee on Health and Welfare.

No. 1315 By Messrs. BELLOMINI, DOMBROWSKI, DiCARLO, HASKELL, R.R. FISCHER, FEE, HOPKINS, D.S. HAYES, GREENLEAF, TENAGLIO, ARTHURS and O'KEEFE

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P.L. 177, No. 175), creating the Department of Aging and prescribing its functions, powers and duties;

establishing an Advisory Council on Services for the Aging and a Technical Advisory Committee on Services for the Aging; and providing for district planning and service areas and for area agencies.

Referred to Committee on State Government.

No. 1316 By Messrs. FREIND, CESSAR, ZEARFOSS, SPITZ, BURD, RYAN, DAVIES, LYNCH and W.D. HUTCHINSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P.L. 6, No. 2), relating to sale or use of tax exemption for volunteer fire companies.

Referred to Committee on Finance.

No. 1317 By Mr. WILSON

An Act amending the act of April 27, 1927 (P.L. 414, No. 270), entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, ***," adding provisions relating to the expunging of arrest records.

Referred to Committee on Judiciary.

No. 1318 By Messrs. RENWICK, LETTERMAN, HALVERSON, HASKELL, NOYE and KLINGAMAN

An Act amending "The Game Law," approved June 3, 1937 (P.L. 1225, No. 316), repealing the bonding requirement of deputy game protectors.

Referred to Committee on Game and Fisheries.

No. 1319 By Messrs. LETTERMAN, IRVIS, BUTERA, DeWEESE, PETRARCA, ARTHURS, GEORGE, ABRAHAM, MISCEVICH, CAPUTO, DeMEDIO, A.K. HUTCHINSON, GLEESON, McCALL, ENGLEHART, RYAN, ANDERSON, O'CONNELL, RENWICK and BENNETT

An Act designating the Keystone State Park as the John F. Laudadio State Park.

Referred to Committee on State Government.

No. 1320 By Mrs. KERNICK, Mr. COWELL, Mrs. GILLETTE, Messrs. NOVAK, ABRAHAM, MISCEVICH, TRELLO, MRKONIC, FLAHERTY and CAPUTO

An Act amending the act of May 29, 1931 (P.L. 280, No. 132), referred to as the Local Delinquency Tax Return Law, postponing the sale of real estate of certain persons for tax delinquencies.

Referred to Committee on Finance.

No. 1321 By Messrs. GALLEN, FRYER, RICHARDSON, DAVIES, MILLIRON, MACKOWSKI, STAPLETON, FREIND, POLITE, BURD, ZEARFOSS, SPITZ, Mrs. HONAMAN, Messrs. BRANDT, ARMSTRONG, MORRIS, COWELL, HASAY, GEESEY, MOEHLMANN, WENGER, LETTERMAN, PETRARCA,

A.K. HUTCHINSON, McLANE, SCHWEDER, Mrs. KERNICK, Messrs. LEVI, BITTLE, WANSACZ, HELFRICK, DININNI, MANMILLER, PICCOLA, Mrs. TAYLOR, Messrs. PITTS, VROON, E.H. SMITH, GREENLEAF, PYLES, WILSON, BURNS, S.E. HAYES, DORR, O'CONNELL, ANDERSON, MEBUS, LEHR and CASSIDY

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P.L. 30, No. 14), providing for the election of members of the board of education in districts of the first class and terms of office of such members, changing administrative provisions to conform thereto; and providing taxing power for such elected Board of Education.

Referred to Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 116

An Act amending the act of July 28, 1953 (P.L. 723, No. 230), entitled as amended "Second Class County Code" permitting advertisement of the titles and summarizations in lieu of the entire text of proposed ordinances.

Referred to Committee on Urban Affairs.

SENATE BILL No. 704

An Act amending the act of November 9, 1965 (P.L. 657, No. 323), entitled "Hazardous Substances Transportation Act" further providing for Federal and State regulations for powers and duties of the board making certain repeals further providing for enforcement of the act and making editorial changes.

Referred to Committee on Transportation.

SENATE BILL No. 757

An Act amending the act of December 6, 1972 (P.L. 1464, No. 333), entitled "Juvenile Act" further providing for disposition of delinquent children through certain acts of restitution and performance of certain functions.

Referred to Committee on Judiciary.

SENATE BILL No. 804

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), entitled "Public School Code of 1949" changing dates of organizational meetings levying of school taxes and the taxing powers of boards of education of school districts of the first class A.

Referred to Committee on Education.

HOUSE RESOLUTION

INTRODUCED AND REFERRED

By Messrs. RICHARDSON, WHITE, O'DONNELL, Mrs. HARPER and MR. WILLIAMS

HOUSE RESOLUTION No. 113

The House of Representatives of the Commonwealth of Pennsylvania request the State Treasurer of the Commonwealth of Pennsylvania to conduct a pre-audit of the books, accounts and

records of the Philadelphia school district.

Referred to Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate passed and returned the following bills without amendment:

HOUSE BILL No. 4

An Act amending the act of June 22, 1931 (P.L. 594, No. 203), entitled "Township State Highway Law" deleting highways in Northampton County.

HOUSE BILL No. 5

An Act amending the act of June 22, 1931 (P.L. 594, No. 203), entitled "Township State Highway Law" deleting a route in Northampton County.

HOUSE BILL No. 430

An Act amending the act of June 22, 1931 (P.L. 720, No. 262), entitled "City State Highway Law" deleting a route in the City of Titusville Crawford County.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows were prepared for presentation to the Governor:

HOUSE BILL No. 4

An Act amending the act of June 22, 1931 (P.L. 594, No. 203), entitled "An act establishing certain township roads as State Highways; authorizing their construction maintenance and improvement under certain conditions and restrictions; ***" deleting highways in Northampton County.

HOUSE BILL No. 5

An Act amending the act of June 22, 1931 (P.L. 594, No. 203), referred to as the township State Highway Law deleting a route in Northampton County.

HOUSE BILL No. 430

An Act amending the act of June 22, 1931 (P.L. 720, No. 262), referred to as the City State Highway Law deleting a route in the City of Titusville Crawford County.

Whereupon,

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

WELCOME

The SPEAKER. I have the delightful privilege of presenting a most mature guest from State College. His name is Matthew, and he elicited a promise from Dr. Helen Wise that if he worked in her campaign she would see that he saw the House of Representatives in Harrisburg. He has done better than that yet. He not only is visiting us here today, he also elicited from her a visit to the United States Congress, and he has made that visit.

He is 7 years of age. So apparently Mr. Cassidy is going to have a rival. We now have a 7-year-old sitting back here. Mike.

I would be pleased to have Mike Matthew escorted here to the podium by Dr. Wise so all of you may welcome him. I think this is a record. I do not think we have ever had a visitor quite this young officially here in the House.

Come up, Matthew. I would like you to see Matthew.

I am telling you, Cassidy worried me yesterday. Now the next day I get shaken by a 7-year-old coming up here. I wonder if somebody is sending me a message?

BILL REPORTED FROM COMMITTEE

HB 1262, PN 1554 (Amended) By Mr. PIEVSKY

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Appropriations.

FILMING PERMISSION GRANTED

The SPEAKER. For the information of the members, the Chair has given permission for Sanford Starobin of the Westinghouse Broadcasting Company to take silent footage on the floor of the House today. If you see Mr. Starobin taking that footage, you will know it is with the permission of the Chair.

CALENDAR

APPROPRIATION BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 770, printer's No. 1036**, entitled:

An Act to provide for the expenses of the Executive Legislative and Judicial Departments of the Commonwealth the public debt and for the public schools for the fiscal period July 1, 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.

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

Ordered, to be transcribed for third consideration.

NONPREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1250, printer's No. 1473**, entitled:

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

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. 1251, printer's No. 1474**, entitled:

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

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. 1252, printer's No. 1507, entitled:

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.

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. 1253, printer's No. 1476, entitled:**

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.

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. 1254, printer's No. 1477, entitled:**

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.

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. 1255, printer's No. 1508, entitled:**

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.

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. 1256, printer's No. 1479, entitled:**

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

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. 1257, printer's No. 1480, entitled:**

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

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. 1258, printer's No. 1481, entitled:**

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County Pennsylvania.

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. 1259, printer's No. 1482, entitled:**

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

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. 1260, printer's No. 1483, entitled:**

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

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. 1261, printer's No. 1484, entitled:**

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

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. 1264, printer's No. 1487, entitled:**

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

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. 1265, printer's No. 1488**, entitled:

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

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. 1266, printer's No. 1489**, entitled:

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.

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. 1267, printer's No. 1490**, entitled:

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.

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. 1268, printer's No. 1491**, entitled:

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

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. 1269, printer's No. 1492**, entitled:

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

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. 1270, printer's No. 1493**, entitled:

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.

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. 1271, printer's No. 1494**, entitled:

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

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. 1272, printer's No. 1495**, entitled:

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

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. 1273, printer's No. 1496**, entitled:

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

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. 1274, printer's No. 1497**, entitled:

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

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. 1275, printer's No. 1498**, entitled:

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

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. 1276, printer's No. 1499**, entitled:

An Act making appropriations to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

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. 1277, printer's No. 1500**, entitled:

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

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. 1278, printer's No. 1501**, entitled:

An Act making appropriations to the Philadelphia College of Art Philadelphia Pennsylvania.

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. 1279, printer's No. 1502**, entitled:

An Act making an appropriation to the Trustees of the Berean Training and Industrial School at Philadelphia Pennsylvania.

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. 1283, printer's No. 1506**, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

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

Ordered, to be transcribed for third consideration.

LABOR RELATIONS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 209, printer's No. 1296**, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (2nd Sp. Sess. 1937, P.L. 2897, No. 1), further providing for the definition of week.

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

Ordered, to be transcribed for third consideration.

BUSINESS AND COMMERCE BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 631, printer's No. 697**, entitled:

An Act amending the "Banking Code of 1965" approved November 30, 1965 (P.L. 847, No. 356), further clarifying the definition of undivided profits providing for deposit insurance or a pledge of assets to secure deposits *** and providing for monthly interest loans for individuals partnerships and other unincorporated entities.

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

Ordered, to be transcribed for third consideration.

STATE GOVERNMENT BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 404, printer's No. 998**, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P.L. 1333, No. 320), further providing for times for filing expense accounts.

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. 656, printer's No. 1000**, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P.L. 1333, No. 320), requiring additional information to be included on expense accounts.

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. 751, printer's No. 1017**, entitled:

An Act amending the "Civil Service Act" approved August 5, 1941 (P.L. 752, No. 286), further providing for the holding of examinations.

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. 920, printer's No. 1062**, entitled:

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.

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

Ordered, to be transcribed for third consideration.

PROFESSIONAL LICENSURE BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 156, printer's No. 156**, entitled:

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.

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

Ordered, to be transcribed for third consideration.

CONSUMER AFFAIRS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 513, printer's No. 996**, entitled:

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.

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

Ordered, to be transcribed for third consideration.

FEDERAL-STATE RELATIONS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 389, printer's No. 427**, entitled:

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

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

Ordered, to be transcribed for third consideration.

HEALTH AND WELFARE BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 470, printer's No. 485**, entitled:

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.

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. 518, printer's No. 536**, entitled:

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.

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

Ordered, to be transcribed for third consideration.

URBAN AFFAIRS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 282, printer's No. 1297**, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P.L. 932, No. 317), providing for certain exemptions from taxation.

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

Ordered, to be transcribed for third consideration.

SB 431 CALLED UP

The SPEAKER. The Chair would wish to alert the members that the next bill may be marked on your calendar as a "hold" by Mr. Knepper, but Mr. Caputo has advised the Chair that he wishes this bill to be called up. Is Mr. Caputo on the floor of the House?

Mr. Trello indicates that he wishes the bill called up? The inquiry is directed to Mr. Trello first. Did Mr. Trello address the Chair? The Chair was unable to hear him.

Mr. TRELLO. Mr. Speaker, the reason why I think this bill is so important—

The SPEAKER. No, I do not wish to engage—

Mr. TRELLO. You do not wish me to speak on the bill?

The SPEAKER. Are you asking that the bill be called up or is Mr. Geisler doing it? Mr. Geisler is? All right. The Chair will recognize you in due course then, Mr. Trello.

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 431, printer's No. 441**, entitled:

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

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 Allegheny, Mr. Trello. The gentleman is now in order to speak on the measure.

Mr. TRELLO. Thank you, Mr. Speaker.

I just spoke with my colleague from Allegheny County, Mr. Knepper, and he is releasing the hold that he had on the bill. I see no reason to speak on it because everybody from Allegheny County in this House knows how important this bill is, and I encourage you to vote for it.

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—140

Abraham	Gallagher	McClatchy	Ryan
Armstrong	Gamble	McGinnis	Scanlon
Arthurs	Garzia	McIntyre	Schmitt
Barber	Gatski	McLane	Schweder
Bellomini	Geisler	Meluskey	Scirica
Beloff	George, C.	Milanovich	Shupnik
Bennett	George, M.	Milliron	Sirianni
Berlin	Giammarco	Miscevich	Spencer
Berson	Gillette	Morris	Stairs
Bittinger	Gleeson	Mrkonic	Stapleton
Borski	Goodman	Mullen, M. P.	Stewart
Brandt	Gray	Mullen, M. M.	Stuban
Brunner	Greenfield	Musto	Sweet
Caltagirone	Greenleaf	Novak	Taylor, F.
Caputo	Grieco	O'Brien, B.	Tenaglio
Cassidy	Harper	O'Connell	Trello
Cianciulli	Haskell	O'Donnell	Valicenti
Cimini	Hayes, D. S.	O'Keefe	Wagner
Cohen	Hoeffel	Oliver	Wansacz
Cole	Honaman	Pancoast	Wargo
Cowell	Hutchinson, A.	Petrarca	Wass
Davies	Itkin	Pievsky	Weidner
DeMedio	Johnson	Polite	White
DeWeese	Jones	Pratt	Wiggins
DiCarlo	Kelly	Prendergast	Williams
Dombrowski	Kernick	Pyles	Wilt
Donatucci	Kolter	Rappaport	Wise
Doyle	Kowalshyn	Ravenstahl	Wright, D.
Duffy	Laughlin	Reed	Yahner
Dumas	Letterman	Renwick	Zeller
Englehart	Lincoln	Rhodes	Zitterman
Fee	Livengood	Richardson	Zwikel
Flaherty	Logue	Rieger	
Foster, A.	Lynch	Ritter	Irvis,
Foster, W.	Manderino	Ruggiero	Speaker
Fryer	McCall		

NAYS—57

Anderson	Geesey	Madigan	Seltzer
Bittle	Goebel	Manmiller	Shuman
Brown	Halverson	Mebus	Smith, E.
Burd	Hamilton	Miller	Smith, L.
Burns	Hasay	Moehlmann	Spitz
Butera	Hayes, S. E.	Mowery	Taddonio
Cessar	Helfrick	Noye	Taylor, E.
DeVertter	Hopkins	O'Brien, D.	Thomas
Dietz	Katz	Parker	Vroon
Dininni	Klingaman	Piccola	Wenger
Dorr	Knepper	Pitts	Wilson
Fischer, R. R.	Lehr	Pott	Wright, J. L.
Fisher, D. M.	Levi	Salvatore	Zearfoss
Freind	Mackowski	Scheaffer	Zord
Gallen			

NOT VOTING—3

Hutchinson, W.	Shelton	Yohn
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The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

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

HB 408 CALLED UP

The SPEAKER. The Chair would advise the gentleman, Mr. O'Keefe, that this bill has now been on the calendar for 15 days.

The Chair has a list of four amendments. The Chair would ask the gentleman, Mr. O'Keefe, and the majority leader as to their pleasure on this bill.

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

Mr. O'KEEFE. Mr. Speaker, I believe that we are in agreement that the hold is off and we are going to process the bill today.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I am informed that the hold is removed. My calendar is marked for a vote on Tuesday.

The SPEAKER. The Chair thanks the gentleman.

Would the gentleman advise the Chair if Mr. Itkin, Mr. Sweet, Mr. Wagner and Mr. Ryan still have amendments?

Mr. MANDERINO. I believe they do.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order,

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

An Act amending "The Library Code" approved June 14, 1961 (P.L. 324, No. 188), authorizing additional State aid.

On the question,

Will the House agree to the bill on third consideration?

Mr. ITKIN offered the following amendments:

Amend Sec. 1 (Sec. 303), page 4, lines 10 and 11, by striking out "one million dollars (\$1,000,000)" and inserting five hundred thousand dollars (\$500,000)

Amend Sec. 1 (Sec. 303), page 4, lines 24 and 25, by striking out "one million dollars (\$1,000,000)" and inserting five hundred thousand dollars (\$500,000)

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin, to explain the amendments he is offering to the House.

Mr. ITKIN. Mr. Speaker, in order to explain my amendment, I had distributed to each member's desk yesterday a tabulation of state-aid payments to public libraries. If the members would care to locate that sheet on their desks, it will be easier to facilitate the discussion of this amendment.

If one looks at HB 408, one finds that HB 408 changes the distribution of how the moneys appropriated for state libraries should be given to the various county and other library systems in the Commonwealth.

Last year, in our General Appropriations Act 7A, we appro-

priated some \$8.896 million to be distributed according to the existing Library Code formula. That formula provided for a total allocation of some \$8.4 million, leaving a balance of \$478,000 in the library fund which, according to present law could not be distributed since the maximum in the formula had been reached.

HB 408 is an attempt to revise the formula and to provide for increased library payments to the various libraries in the Commonwealth. In doing that, certain changes have been made in the various categories of how libraries receive assistance with state appropriations. In one instance, there has been a change in aid to county libraries by increasing the maximum from \$8,000 to \$1 million and adding Allegheny County and Philadelphia County to those recipients under that particular category.

Now I know there has been some question as to the change in terms of what the change from \$8,000 to \$1 million will actually do. There has been some fear raised that this looks like a tremendous increase in library appropriations to Philadelphia and Allegheny Counties. Mr. Speaker, that simply is not the case, and if you will look at the tabulation that I provided you, according to the present library formula distribution, of the \$8.9 million which is distributed presently, Philadelphia County gets about 20 percent; Allegheny County gets 16 percent; and the rest of the state gets some 64 percent of the distribution. Now what HB 408 purports to do is to alter the percentage of distribution so that Philadelphia County will now get almost 36 percent of the pie; Allegheny County will get approximately 16 percent of the pie; and the rest of the state will get some 49 percent of the pie.

Now what that means is that basically Allegheny County will receive its proportional share of state aid as it has in the past, while the ratio to Philadelphia will increase substantially from 20 percent to 36 percent, and that increase will, of course, be taken from the rest of the state which will be reduced substantially.

Now the purpose for my amendment is to reduce the imbalance which I think the new library formula provides. Under my amendment, what will happen is that Philadelphia County will still receive a significant increase over what it has received in the past, rising from 20 to 24 percent; Allegheny County will rise from 16 percent to 19 percent; and the rest of the state will rise from 49 percent to 57 percent. In so doing, what, in essence, my amendment will achieve will be to increase the appropriations that will be provided to libraries outside of Philadelphia by some 18 percent over existing revenues.

As a consequence, it would appear that we are, through this amendment, shortchanging Philadelphia. I do not wish that position to be accepted as fact because it is simply not the case. Under my amendment, Philadelphia will still receive proportionately more money than it has received in the past. I do take serious exception to the fact that Philadelphia in this bill will take an inordinate amount of the additional library money available and thereby shortchange the rest of the state including Allegheny County. I think that this particular amendment is a very reasonable and equitable means of handling the addi-

tional money that will be available in this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the distinguished majority whip, Mr. Greenfield.

Mr. GREENFIELD. Mr. Speaker, I will be brief.

This amendment takes away funds that are so needed in Philadelphia to provide adequate library service to the multitude and great population that we have in Philadelphia, to the students, to our school children and those great numbers of people who use the library system.

I think it would be a great mistake at this point in time to reduce that educational and instructional type of activity. It would greatly restrict the availability of the library service, and I urge a negative vote.

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

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

I do not want to get into a debate with our illustrious whip, however, Philadelphia County, with 16.5 percent of the state's population, receives 20.4 percent of the present library funds. The new bill, with Mr. Itkin's amendment, will give them 24 percent, and after having a conference with the sponsors of the bill, we do support the Itkin amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair advises the gentleman, Mr. Itkin, that this is his second time to speak on this question. Does the gentleman wish to be recognized?

Mr. ITKIN. Yes, I do, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I take exception to what our distinguished majority whip from Philadelphia has said.

I would like to point out that Philadelphia has a population of 16½ percent of the statewide population. Under the present formula that now exists, they get 20 percent of the library distribution of funds. Now under the present HB 408, they will get 36 percent of all the excess funds to be distributed when they represent only 16 percent of the statewide population. Now under my amendment they would get more than the 20 percent they have been getting; they will get 24 percent. What it will do to every other library in the state that qualifies for library aid under my amendment is that they will get 18 percent more than you would get if this amendment is rejected.

So the question is whether you wish to see a more equitable distribution of library funds for your libraries, which means 18 percent more than this present bill contains and in essence correct an inequity which provides library assistance to Philadelphia more than 2¼ times per capita.

I would like to point out that by doing so, by giving them 2¼ times more, you are depriving your own libraries of the support that they desperately require because they are going to have to get less. It is how the pie is divided. We are not putting any more money in there; the money is there. The question is, who gets it and how is it to be distributed?

I think that the request by the majority whip to oppose this

amendment has caused a very parochial position on his part.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if Mr. Itkin would consent to interrogation?

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

Mr. ITKIN. Yes; I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Thank you very much, Mr. Speaker.

Mr. Speaker, I would just like to ask a couple of questions: One, in the county of Philadelphia, recognizing that we have approximately 250,000 children in the Philadelphia school system, I know that a great number of thousands use the Philadelphia libraries in the schools. Would you indicate that the same amount of percentage should be used across the board for Allegheny County which has less students in its school system?

Mr. ITKIN. First of all, let me set the record straight: This has nothing to do with libraries in the public school system. We fund the libraries in the public school system separately from the state libraries. This is only money that goes to the normal public library system. So that moneys that are given to the school districts in support of libraries within the schools have no relevance to this particular bill or the appropriation contained in the General Appropriation Act for distribution according to this formula.

Mr. RICHARDSON. I am sorry. We have been involved so much on the school question. Let me phrase it this way: In the city of Philadelphia, where our public libraries are, I would like to make it clear that all of the surrounding counties do use our libraries. I think that it would certainly be incorrect, Mr. Speaker, to try and divide the pie to make it equal when, in fact, we do take in more people who use our libraries in the city of Philadelphia. My direct question is: How do you feel that the proposed library formula that is used here—Which formula did you use to derive that plan?

Mr. ITKIN. Mr. Speaker, I think my amendment is very equitable in that it takes into account that the large urban library systems like the one in Philadelphia do receive and do provide for support to those people in contiguous counties who use the library materials in the Philadelphia system. What my amendment will still do, Mr. Speaker, is provide 1½ times per capita assistance to Philadelphia. So it takes into account that there are people from the surrounding counties who will make use of the Philadelphia library system.

I think that adding 50 percent to what they would be entitled to on a per capita basis is extremely generous and, I am sure, equitable as far as Philadelphia is concerned.

Mr. RICHARDSON. My question is: How did you arrive at the formula that is used? What process did you use?

Mr. ITKIN. There was no sophisticated analysis in terms of just how much Philadelphia should receive in this. It was a question of balancing population and considering also the additional requirements of the Philadelphia system in serving surrounding population.

I felt it was more than generous, assuming that for every three people who use the Philadelphia library system one person did not live in Philadelphia. I think that is really more than generous in fact to assume that of three people using the Philadelphia library system, only two would be residents of Philadelphia. In that regard, I felt that I was not shortchanging Philadelphia but restoring some semblance of equity to the library systems throughout the state.

Mr. RICHARDSON. Thank you very much, Mr. Speaker.

I would like to have an opportunity to speak on the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman. The gentleman may proceed.

Mr. RICHARDSON. Thank you very much, Mr. Speaker.

I think it is quite clear that Philadelphia is definitely being cut from \$1 million to \$500,000. For the city of Philadelphia that recognizes a population of close to 2 million people, it is quite conceivable that the Itkin amendment is definitely directed at Philadelphia to wipe them out completely. Five hundred thousand dollars will certainly not be enough to take care of the residents and persons who use the public library in the city of Philadelphia. I would hope that the members who are here recognize the importance of what libraries mean to a number of persons who do attend schools or universities. Although some of them have some libraries on their own campuses, the public libraries in our city are used quite frequently by a number of persons.

I would hope that this amendment would be defeated. I ask all the members of the House to vote against it.

Thank you very much, Mr. Speaker.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to speak briefly in favor of this bill.

A lot of numbers have been thrown about, indicating or suggesting that one particular community or another might incur a serious cutback in terms of available dollars for library services. In fact that is simply not the case. The Itkin amendment would not reduce anybody's appropriation. Communities would continue to get the same number of dollars that they have received under the past formula.

The Itkin amendment addresses only the question of what we are going to do with approximately \$500,000 that remains in the fund that have not been addressed by current law. The Itkin amendment suggests a new formula in contrast to that which is proposed in the bill, that would simply be fairer to all the communities in the Commonwealth.

We hear a lot of conversation about young people, students in need of library services. Those young people exist in every community in this state. The need for those library services exists in every community of this state. I think the bottom line is that the Itkin amendment would provide a distribution of these excess funds that will be fairer to the young people in every community of this state. So I would urge my colleagues to support the Itkin amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

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

I would like to urge the House members to vote against the Itkin amendment. There has been some discussion using words like equity and what constitutes fairness. Obviously, what is occurring is that there has been a demonstration of need on the part of the Philadelphia library system and on the part of a number of other library systems.

There is now an attempt by the authors of the bill and on the basis of the testimony that has been received to divide up the current excess. That division has been made and it now comes to the House floor.

But what occurs here is a very politically attractive process; That is, taking money that was designed to go to Philadelphia under the bill and dividing it up. Half of it goes to the author of the amendments' county and the other half goes to all the other counties in the state. Now that is the theory.

I understand how politically attractive it can be. But when you are talking about a maximum diversion of about \$50,000, you ought to understand that it is important to take a look at the specifics of each county's situation. This is not a traditional plea for Philadelphia needs more; it is just an argument against the obviously political process that runs counter to the experience of need.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PIEVSKY. Mr. Speaker, I wonder if Mr. Itkin would consent to brief interrogation?

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

Mr. ITKIN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. PIEVSKY. Mr. Speaker, what would happen if this bill were fully funded?

Mr. ITKIN. Mr. Speaker, if this bill were fully funded, it would add another \$4-plus million to have to be appropriated. I would like to point out, Mr. Speaker, that these measures, the formula, are not really guided by full funding since there is a pro rata factor involved. We only distribute what we put in the Appropriation Act. For example, this next fiscal year, even in anticipation of this bill being enacted into law, there is only some \$600,000 being provided in additional money. So what we are really talking about, Mr. Speaker, is 10 cents or 15 cents on the dollar. In other words, if Philadelphia were to get \$2 million fully funded, then with 10 cents on the dollar, it would come out to be \$200,000. So we are not really talking about fully funding it. It depends upon what the appropriation bills contain in terms of new money.

Mr. PIEVSKY. Well, is it true, Mr. Speaker, that Philadelphia contributes three times as much to the county library?

Mr. ITKIN. It may be true. I do not know how you interpret that Philadelphia contributes three times the amount to the library system. In terms of what state support?

Mr. PIEVSKY. Right.

Mr. ITKIN. That might be true.

Let us see. That probably is true. I agree with you there.

Mr. PIEVSKY. All right, from your amendment, how much does Pittsburgh get?

Mr. ITKIN. The Allegheny County library systems, all of them, will get an additional \$14,000 under my amendment, which is an 18-percent increase just like all the other library systems.

Mr. PIEVSKY. How much would Philadelphia get?

Mr. ITKIN. Under my amendment, Philadelphia would get \$114,672, which is much more than Allegheny County gets even when you factor in per capita, the population differential.

Mr. PIEVSKY. But do you think it is getting its fair share as far as its contributions are concerned?

Mr. ITKIN. I think it is. I think, for example, the Carnegie Library of Pittsburgh, to which the city of Pittsburgh makes a substantial contribution of support, is nowhere reflected in the legislation to take account of that support in terms of an additional state library subsidy.

What we are in essence doing is giving quite a substantial increase to Philadelphia in view of the support it is giving and has given. I would like to point out that Philadelphia never received this type of increase before, although their contribution to the library system has been a continuing thing. In fact, it is nothing new for Philadelphia to support its library system, as it is nothing new for Allegheny County and the city of Pittsburgh to support its library systems. We have both done that job in the past.

Mr. PIEVSKY. Mr. Speaker, my figures show that Pittsburgh would get \$84,000 and Philadelphia only gets \$128,000. Compared to the contributions, the mathematics do not gee up. I do not think we are getting our fair share out of your amendment.

Mr. ITKIN. I am not suggesting that in terms of the support of existing systems that the state ought to match dollar for dollar what one system contributes in support of its own system. Obviously, there should be a minimum support of all library systems. If one particular county decides that its library system is so important that it is willing to appropriate substantial sums of money, I do not think it is fair for the entire state to have to support, in a matching sort of way, any special effort that one county may give to its own library service above and beyond what their residents receive in terms of library services they provide. I think that this law has been enforced for some years.

Philadelphia has received a much more reduced appropriation in the past, and we are taking into account the financial needs of Philadelphia by, in fact, giving it a far greater share under the new bill than it has received in the past. All we are saying is, by your taking more for Philadelphia, you are making the limited available dollars remaining less to us.

We all have pressing needs for libraries in our communities. I am suggesting that if it is the will of this legislature that \$600,000 is not enough, then we collectively increase it and distribute the pie accordingly. I am saying that when you only put \$600,000 in the bill, then you should not expect to be able

to take 35 percent of that for yourself and leave the remaining 65 percent to the rest of the state. It is just not fair, with your per capita and with your percentage of population.

Mr. PIEVSKY. Mr. Speaker, I am sure you are aware that the Philadelphia libraries serve a five-county resource area? At this time Philadelphia cannot afford to lose that money for the job we are doing down there. What your amendment does is going to hurt us.

Mr. ITKIN. I do not think it is going to hurt you because you have never had the money in the first place. What we are talking about is whether Philadelphia will receive an additional \$169,000 or an additional \$115,000. That is really the thrust of the question. I am saying with only \$478,000 to distribute this year, I think you are asking for too much. I am saying it is about time that we view this in a much more equitable light.

I may be the first one to admit that Philadelphia has economic problems and it is about time Philadelphia gets its own house in order. We are willing to do some means of supporting it, but we are certainly not going to shortchange our residents because of the economic needs of Philadelphia.

Mr. PIEVSKY. Mr. Speaker, I oppose the amendment.

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

The following roll call was recorded:

YEAS—156

Abraham	Gamble	McCall	Seltzer
Anderson	Garzia	McClatchy	Shuman
Armstrong	Gatski	McGinnis	Shupnik
Arthurs	Geesey	McLane	Sirianni
Bellomini	Geisler	Meluskey	Smith, E.
Bennett	George, C.	Milanovich	Smith, L.
Bittinger	George, M.	Miller	Spencer
Bittle	Gillette	Milliron	Spitz
Brandt	Goebel	Miscevich	Stairs
Brown	Goodman	Moehlmann	Stapleton
Brunner	Greenleaf	Morris	Stewart
Burd	Grieco	Mowery	Stuban
Caltagirone	Halverson	Mrkonic	Sweet
Caputo	Hasay	Mullen, M. M.	Taddonio
Cassidy	Haskell	Musto	Taylor, E.
Gessar	Hayes, D. S.	Novak	Taylor, F.
Cimini	Hayes, S. E.	Noye	Tenaglio
Cole	Helfrick	O'Brien, B.	Thomas
Cowell	Hoeffel	O'Connell	Trello
Davies	Honaman	Pancoast	Valicenti
DeMedio	Hopkins	Parker	Vroon
DeVerter	Hutchinson, A.	Petrarca	Wagner
DeWeese	Hutchinson, W.	Piccola	Wansacz
DiCarlo	Itkin	Pitts	Wargo
Dietz	Kernick	Polite	Wass
Dininni	Klingaman	Pott	Wenger
Dombrowski	Knepper	Pratt	Wilt
Dorr	Kolter	Prendergast	Wise
Doyle	Kowalshyn	Pyles	Wright, D.
Duffy	Laughlin	Ravenstahl	Yahner
Englehart	Lehr	Reed	Yohn
Fee	Letterman	Renwick	Zearfoss
Fischer, R. R.	Levi	Ritter	Zeller
Fisher, D. M.	Lincoln	Ruggiero	Zitterman
Flaherty	Livengood	Ryan	Zord
Foster, A.	Logue	Scheaffer	Zwinkl
Foster, W.	Mackowski	Schmitt	
Freind	Madigan	Schweder	Irvis,
Fryer	Manderino	Scirica	Speaker
Gallen	Manmiller		

NAYS—39

Barber	Gallagher	Lynch	Rieger
Beloff	Giammarco	McIntyre	Salvatore
Berlin	Gleeson	Mebus	Scanlon
Berson	Greenfield	Mullen, M. P.	Weidner
Borski	Hamilton	O'Brien, D.	White
Burns	Harper	O'Donnell	Wiggins
Cianciulli	Johnson	Oliver	Williams
Cohen	Jones	Pievsky	Wilson
Donatucci	Katz	Rappaport	Wright, J. L.
Dumas	Kelly	Richardson	

NOT VOTING—5

Butera	O'Keefe	Rhodes	Shelton
Gray			

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

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

Mr. SWEET offered the following amendments:
Amend Bill, page 1, by inserting between lines 11 and 12 Section 1. The act of June 14, 1961 (P.L. 324, No. 188), known as "The Library Code," is amended by adding a section to read:

Section 101.1. Declaration of Legislative Intent.—It is hereby declared to be the intent of the General Assembly that both State funds and available Federal funds shall be used to provide library services to rural areas and small municipalities as well as other municipalities throughout the Commonwealth.

Section 2. The introductory paragraph and Clause (17) of section 201 of the act, added December 21, 1967 (P.L. 887, No. 398), are amended to read:

Section 201. State Library and State Librarian; Powers and Duties.—The Department of [Public Instruction] Education shall have the power, and its duty shall be—

(17) To receive funds allocated to the State for library purposes by the Federal government or by private agencies and to administer such funds in library maintenance, improvement or extension programs consistent with Federal and State Library objectives. Priority in the administration and distribution of Federal funds shall be given to small libraries which on the effective date of this act are receiving State-aid but which may lose such aid because of an inability to maintain the minimum per capita collection requirements as promulgated by the State Librarian.

Amend Sec. 1, page 1, line 12, by striking out "1." and inserting 3.

Amend Sec. 1, page 1, lines 12 and 13, by striking out "303, act of June 14, 1961 (P.L. 324, No. 188), known as "The Library Code," and inserting 303 of the act

Amend Bill, page 9, by inserting after line 30 Section 4. The act is amended by adding a section to read:
Section 304.1. Requirements for Rural Libraries.—Rural li-

braries, having a population service area of fewer than 30,000 persons, shall not be required to submit plans for the use of funds which provide for a minimum population service area of 30,000 persons, a paid staff member or a well-balanced minimum collection of one and one-half currently useful book titles per capita and the State Librarian shall have authority to approve such plans notwithstanding any rule or regulation to the contrary.

Amend Sec. 2, page 10, line 1, by striking out "2." and inserting 5.

On the question,

Will the House agree to the amendments?

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

Mr. SWEET. Thank you, Mr. Speaker.

The reason I rise and offer these amendments is because there is a series of libraries located in small towns and townships around Pennsylvania that may well lose state funding if there is not some flexibility added to the rules and regulations in the enforcement of the Library Code as it is currently written. Therefore, I have drafted amendments which will allow the librarian to address two issues that are of importance to particularly small libraries that I have had discussions with in western Pennsylvania. The two particularly vexing regulations that the library board has adopted are the volume requirement, which requires 1½ volumes per capita for each library, that they have to have that many volumes per capita in their service area; and the other requirement is that there be paid full-time staff members employed by those libraries in order to qualify for these funds.

I have encountered a number of libraries that are having extremely difficult times maintaining that 1½ volume requirement because of the escalating costs and the inflation concerning book prices. I have also encountered several libraries that have well-qualified people who would like to be volunteers and work in libraries, but that would not help the library as far as meeting its state requirements. Therefore, I am asking that the state librarian be allowed, under certain situations, for libraries which are defined as rural libraries, being those with a service area of under 30,000 people, to be able to waive either of these requirements.

This does not mean that every library that opens its doors in any town that has fewer than 30,000 people will automatically qualify. It only means that the librarian is given the authority—under certain situations where the libraries are doing a fine and excellent job, are meeting the financial requirements in terms of financial contribution locally, are meeting the qualification requirements as far as the quality of their staff but cannot, for very specific or unique reasons, meet the volume requirement or the paid full-time staff requirement—to be allowed to be considered for an award. This would not require that they be given a grant. It merely allows the librarian, if in his judgement that library is doing an outstanding job, to allow a grant and waive either of these two requirements.

My amendment also addresses the problem of a seeming over-emphasis in the distribution of both state and Federal funds upon special esoteric, exotic kinds of services rather than the purchase of books so that school students and adults throughout the smaller towns of this state can avail themselves of library services. Therefore, it would be expressing the intent of this legislature that the Library Code and the library grant program address itself to the problems of small towns in this Commonwealth and not just of the larger cities. But please note, I am not expanding the pie; I am not even redistributing

the pie very much. I am merely allowing a waiver under certain restricted circumstances if the state librarian so deems it necessary.

Thank you, Mr. Speaker.

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

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

The only concern we have for the adoption of the amendment is that many libraries across the state have made a great sacrifice to meet the requirements of the volume and the work requirements in order to qualify for the state fund. If this amendment is adopted, we have to question whether or not some of our libraries are worthwhile in establishing the quotas that they have. I would think that 1½ volume per head count is not very much and I would think that most places could qualify. So with that, I would oppose the amendment.

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

Mr. ZELLER. Mr. Speaker, would Mr. Sweet consent to brief interrogation?

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

Mr. SWEET. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, are you saying that those communities and political subdivisions are over 30,000 or under 30,000?

Mr. SWEET. This amendment would only apply to libraries with service areas of under 30,000. Occasionally that is more than one municipal subdivision.

Mr. ZELLER. Service areas under 30,000?

Mr. SWEET. That is correct.

Mr. ZELLER. Thank you, Mr. Speaker.

I support the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—181

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

Cianciulli	Hayes, D. S.	Mullen, M. M.	Thomas
Cimini	Hayes, S. E.	Musto	Trello
Cohen	Helfrick	Novak	Valicenti
Cole	Hoeffel	Noye	Vroon
Cowell	Honaman	O'Brien, B.	Wagner
Davies	Hopkins	O'Brien, D.	Wansacz
DeMedio	Hutchinson, A.	O'Connell	Wargo
DeVerter	Hutchinson, W.	Oliver	Wass
DeWeese	Itkin	Pancoast	Weidner
DiCarlo	Johnson	Parker	Wenger
Dietz	Jones	Petrarca	White
Dininni	Katz	Piccola	Wiggins
Dombrowski	Kelly	Pievsky	Williams
Donatucci	Kernick	Polite	Wilt
Dorr	Klingaman	Pott	Wise
Duffy	Knepper	Prendergast	Wright, D.
Dumas	Kolter	Pyles	Yahner
Englehart	Kowalyszyn	Rappaport	Yohn
Fee	Laughlin	Ravenstahl	Zearfoss
Fischer, R. R.	Lehr	Reed	Zeller
Fisher, D. M.	Letterman	Renwick	Zitterman
Flaherty	Levi	Rhodes	Zwikl
Foster, A.	Lincoln	Richardson	
Foster, W.	Livengood	Ritter	Irvis,
Freind	Logue	Ruggiero	Speaker
Fryer	Lynch	Ryan	

NAYS—16

Bellomini	Gallagher	Pitts	Tenaglio
Berlin	Goebel	Pratt	Wilson
Burns	O'Donnell	Rieger	Wright, J. L.
Doyle	O'Keefe	Stapleton	Zord

NOT VOTING—3

Gray	Shelton	Taylor, E.
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The question was determined in the affirmative and the amendments were agreed to.

On the question recurring,

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

Mr. WAGNER offered the following amendments:

Amend Bill, page 1, by inserting between lines 11 and 12 Section 1. Section 204, act of June 14, 1961 (P.L. 324, No. 188), known as "The Library Code," is amended by adding a paragraph to read:

Section 204. Powers and Duties.—The Advisory Council on Library Development shall have the power, and its duty shall be—

* * *

In promulgating these rules and regulations, the council shall make provisions for and recognize differences among libraries such as the population of the service area, the existence of other libraries serving the service area, the library needs of the service area, the local financial ability of the citizens and municipality, the budget of the library, the provisions of reasonable terms of the trust or endowment documents which created the library.

Amend Sec. 1, page 1, line 12 by striking out "1" and inserting 2

Amend Sec. 1, page 1, lines 12 and 13 by striking out "act of June 14, 1961 (P.L. 324, No. 188), known as "The Library Code,"" and inserting of the act,

Amend Bill, page 9, by inserting after line 30

Section 3. Subsection (a) of section 304 and the last paragraph of section 411 of the act, subsection (a) of section 304

amended December 1, 1971 (P.L. 578, No. 150), are amended to read:

Section 304. State Librarian to Approve Plans; District Library Center Cooperative Program; Referendum.—(a) Each library desiring to receive State-aid under this act shall submit to the State Librarian a plan for the use of the funds and no payments of State-aid shall be made until such plan is approved by the State Librarian in accordance with rules and regulations approved by the Advisory Council on Library Development. In determining whether a library has complied with the rules and regulations, the State Librarian shall consider only whether the library is offering the best services it can reasonably be expected to offer and has complied with said rules and regulations to the best of its ability. Subsequent changes and modifications in a library plan may be submitted at any time for approval by the State Librarian. Libraries qualifying for aid shall have five years to achieve applicable standards. Further extensions of time may be permitted with the approval of the State Librarian acting under regulations made by the advisory council.

* * *

Section 411. Board of Library Directors; Terms of Members; Vacancies.—* * *

In the case of a local library established by deed, gift or testamentary provisions, or by any association, corporation of group, [prior to the effective date of this act,] wherein provision is made for the appointment of a board of directors, this section shall not be construed to require the municipal officers of each municipality aiding in the maintenance of a local library to appoint [more than two of the] library directors of such local library.

Amend Sec. 2, page 10, line 1 by striking out "2" and inserting 4

On the question,

Will the House agree to the amendments?

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

Mr. WAGNER. Thank you, Mr. Speaker.

This is along the lines of Mr. Sweet's amendment. It was distributed about a month ago, only somewhat broader. I will read the sentence to the members.

It basically says that in promulgating these rules and regulations, the advisory council shall make provisions for and recognize differences among libraries such as the population of the service area, the existence of other libraries in the service area, the financial ability of the citizens and the municipality, and the budget of the library. It goes on to also say then that in determining whether or not the local library meets these regulations, "the State Librarian shall consider only whether the library is offering the best services it can reasonably be expected to offer and has complied with said rules and regulations to the best of its ability."

Mr. Speaker, again, there were 60 libraries that were denied state aid last year which had heretofore been receiving state aid, all because they were not meeting the regulations with regard to hours that they have to stay open per week, number of personnel, number of books that they have to order, number of periodicals, personnel qualifications, percent of capital expenditures, and so on. In addition, there are now proposed regulations by the advisory committee telling libraries what type of books they have to get, such as how many percent

fiction, how many percent nonfiction, how many percent adult, and how many percent juvenile.

The problem that you get into, for instance with juvenile, is if you have a brand new school, elementary or senior high school, which has a good library, then maybe the emphasis on the local library ought to be for adult books. Whereas if the school does not have an up-to-date library or is an out-of-date library, maybe they ought to have some discretion to order more juvenile books. This does allow this type of local individual requirements to come into play.

I want to point one thing out to you of what our libraries are facing. Libraries are required by state law to offer free service to everybody within their service area. If they do not offer free service, then they must charge those individuals. If they offer free service to a service area, then they must claim them. And when they bring that township in or that borough into the requirements, then the state says, ah, you have increased your service area by 3,500. Now you must hire another full-time personnel. So it is a kind of round robin thing. If a library wants to offer free service, fine; the state says, okay, now bring in the whole thing and you are going to increase your other financial obligations. This would stop that type of thing. I ask for support of the amendment. I know that there are a lot of libraries that would need this type of help.

One other small thing that I should bring to the attention of the members is, it basically comes to libraries which were created about 50 and 60 years ago by private benefactors that said that it would provide for the appointment of trustees, such as from the churches, from the community, or from the YMCA. The regulations now say and state law now says that it must be appointed by municipal individuals. What we are saying here is that in the case of a library created by a document of trust or a deed of trust, so that it otherwise covers the board of trustees, that that provision shall prevail.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Wagner amendment—in contradistinction to the Sweet amendment which also relaxed the rules under which library aid can be given with the discretion of the state library having to do with the regulations that are in effect—is, I think, going too far. What the Wagner amendment in effect is saying in the first part of the amendment is that certain things will be taken into consideration by the department when it makes the rules and regulations which will govern the distribution of aid to those libraries that are eligible. I have not a whole lot of quarrel with that. But in the second part of the amendment and the third part of the amendment, what he is saying is that the department, in determining whether or not a library qualifies under the regulations, merely tears up the regulations. What he is saying is that you will take all sorts of things into consideration on whether the regulations have been abided by or not.

I think that the proper approach is the approach that Mr. Sweet took: Take those parts of the regulations that are giving you problems that apply statewide and give the flexibility necessary on those individual points, as Mr. Sweet indicated, the volume requirement and the volunteer basis.

Most of those library regulations that have been made by the department that administers this particular funding are valid and good regulations. There are solid reasons for them to be in existence. To merely waive all regulations because of the size of the community, et cetera, I think, is going down the wrong path. I think there are valid reasons that we make those regulations.

For instance, I can see a deed of trust, perhaps, that would require the appointment of a certain group, as Mr. Wagner has alluded to, that will run the library, and it really, although it appears to serve the public, is not a public library. I think there is a great question as to whether or not our state dollars ought to go into that kind of facility, where the public really does not have the control. I do not think we ought to tear up the regulations, and I think that is what this amendment would do. It says, "In determining whether a library has complied with the rules and regulations, the State Librarian shall consider only whether the library is offering the best services it can reasonably be expected to offer and has complied with said rules and regulations to the best of its ability." I think that is no standard at all. What you are doing is saying, if that is the best they can do, then we will still keep them in the category of libraries that will be given aid.

If you read the rules and regulations set up by the State Library Board, you will find that they have valid and solid basis and reason. They have valid reasons for existing in most cases because public monies are being spent. I do not think we ought to just tear up the regulations because those regulations are needed. Where the regulations have become too stringent and you can point to a specific regulation, such as the volunteer regulation, the paid-staff regulation, or the volume requirement, I think we have given enough leeway with the Sweet amendment that many of the smaller libraries can look forward to running a good ship and perhaps getting some state aid. I do not think that the Wagner amendment is in the best interest of the library program in Pennsylvania. I think those regulations must exist and must be followed and I would oppose the Wagner amendment.

The SPEAKER. Does the gentleman wish to use up his second opportunity to speak on the question?

Mr. WAGNER. Yes.

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

Mr. WAGNER. Mr. Speaker, if I understood Mr. Manderino's comments, he agreed to the first portion of the amendment. If that is the case, then I would move to divide. There is a motion to divide, Mr. Speaker.

Mr. MANDERINO. I think that is divisible.

The SPEAKER. Is the question to the Chair as to whether or not the amendment is divisible?

Mr. WAGNER. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman advise the Chair where he proposes to divide the amendment?

Mr. WAGNER. Yes, Mr. Speaker. I would propose to divide as follows: The first page of the amendment would be considered as a separate question. On the second page of the

amendment, the section 411 provision would be a separate amendment. I would withdraw that portion of the amendment dealing with section 304.

AMENDMENTS DIVIDED

The SPEAKER. It is the opinion of the Chair that the amendment is divisible.

Mr. WAGNER. Then I so move, Mr. Speaker.

The SPEAKER. A motion is not required. The Chair has decided that the amendment offered by the gentleman, Mr. Wagner, is divisible and the amendment has been divided. Page 1 of the amendment is to be considered as a separate amendment. On page 2, section 3 and section 304 are not to be considered. Is that correct?

Mr. WAGNER. That is correct.

The SPEAKER. On page 2, section 411 is to be considered as a separate amendment?

Mr. WAGNER. That is correct.

The SPEAKER. The amendment is so divided.

The question before the House is now, Shall the amendment submitted by the gentleman, Mr. Wagner, be adopted? The amendment the Chair refers to now begins on page 1, continues completely through page 1 and stops at page 1. That is the only question now before the House.

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

Mr. O'KEEFE. Mr. Speaker, I believe we can agree to that.

The SPEAKER. Is there objection to the agreement on the amendment?

On the question,

Will the House agree to Part I of the Wagner amendments?

Part I of the amendments was agreed to.

The SPEAKER. Now the gentleman, Mr. Wagner, offers the following amendment: On page 2, his amendment begins with the words "Section 411. Board of Library Directors; Terms of Members; Vacancies."

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

Mr. O'KEEFE. Mr. Speaker, we oppose that part of the amendment.

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

Mr. WAGNER. Mr. Speaker, may I explain again what that sentence does?

The SPEAKER. The gentleman is now speaking to a separate amendment. The gentleman is not violating the rules and he may proceed.

Mr. WAGNER. Thank you, Mr. Speaker.

For the information of the members, this deals with the composition of the board of trustees or the board of directors of a small community library. Present law says this: In the case of a local library established by deed, gift or testamentary provisions, this section shall not be construed to require the municipal officers of each municipality to appoint more than two members.

The problem is that often these trust documents which were created 50 and 60 years ago make no provision whatsoever for municipal appointment. I would agree with the gentleman that for a library incorporated now, today, consideration should be given to the existing law requiring that municipal officers at least have some input. The problem that you have is that 50 or 60 years ago the government was not into this area. Consequently, you had many deed, you had trust documents; you had various associations come forward as private organizations appointing a private board of directors.

I say this: The State Library now has regulations as to what services must be provided, so they still have a handle on that private organization. If that private organization is not abiding by its regulations, then it receives no state aid. The people are protected.

Again, this is to protect existing private libraries that basically cannot change their documents without filing a court proceeding.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, in the part of the Wagner amendment that we have already adopted by agreement, when regulations are made there is a direction in the amendment that the provisions of reasonable terms of the trust or endowment documents which created the library will be taken into consideration.

I think, again, with that part of the amendment, we have certainly gone far enough. To mandate, as section 411 would mandate, that we must give aid even though we have no control over the board of directors or the public has no control over the board of directors, is going too far. I think you can get into a situation where a library may serve anyone who comes in the door but it is run strictly by whoever was appointed or whatever designation was given to the board in the original agreement of trust, and it may not, in truth, be a place where we should be putting public moneys.

What I am saying is, there is enough leeway to take care of that situation in the first part of the amendment, and I would oppose going as far as this part of the amendment goes. I would ask for a negative vote.

MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. At this time the Chair is going to appoint the gentleman from Berks, Mr. Lester Fryer, to act in the role of the Speaker as the Speaker pro tempore. It is necessary for the Speaker and certain other officers to meet concerning budgetary figures and possible tax figures. The Speaker will not be voted on any issue as long as the Speaker is off the floor. The rules of the House are that only those members in their seats shall be voted. The Speaker intends to abide strictly by that rule.

The Chair now turns the gavel over to the Honorable Lester Fryer. The Chair thanks the gentleman for presiding.

THE SPEAKER PRO TEMPORE (LESTER K. FRYER) IN THE CHAIR

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

Mr. ZELLER. Mr. Speaker, I would like to ask if Representative Wagner would consent to a brief interrogation.

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

Mr. WAGNER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, with a privately owned library, would this not allow a "porno" bookstore, an adult bookstore, to go into an incorporated affair and then be eligible to come under this amendment?

Mr. WAGNER. No, it would not.

Mr. ZELLER. Would you please explain to me why it would not?

Mr. WAGNER. I have faith in the state regulations. State regulations deal with the type of material which must be ordered. There must be 1½—although we amended that—currently useful volumes per capita. They go into staff hours of operation. For instance, municipalities of up to 30,000 must have 50,000 periodicals, currently useful materials.

Mr. ZELLER. Mr. Speaker, this is a very serious subject and I would like to have the members hear this part of it, because I am fearful, with the answer, Mr. Speaker, that with the so-called permissiveness of almost all agencies in the state and the nation, I would not be surprised but what this could get in the door. As a matter of fact, they are thinking of taking the elevators out of the Capitol. We have so many "homos" down there, they fly up and down the elevator shafts. I think I am very, very fearful of what could happen, so I would like to oppose this amendment.

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

Mr. RITTER. Mr. Speaker, I assume we are speaking now about the last part of the amendment, section 411. Is that correct?

The SPEAKER pro tempore. The sponsor of the amendment signifies that "yes" is the answer.

Mr. RITTER. Mr. Speaker, I am also a sponsor of this amendment, but I must admit that I either did not read it correctly or did not take the time to read it, because I agree with the majority leader. I think that section 411—it was certainly not my intent when I cosponsored the amendment to do that which would, in effect, take away representation of local municipalities that may be aiding in the establishment and maintenance of a library. I think that the first part of the amendment that we already adopted, as the majority leader pointed out, does give some proper recourse for the advisory board to look at the reasonable terms of the trust and endowment, and so on. For those reasons, Mr. Speaker, I would urge that we defeat section 411 of this amendment.

On the question,

Will the House agree to Part II of the Wagner amendments?

The following roll call was recorded:

YEAS—82

Anderson	Greenleaf	Mebus	Smith, L.
Armstrong	Halverson	Miller	Spencer
Arthurs	Hasay	Milliron	Spitz
Bittle	Haskell	Moehlmann	Stairs
Brandt	Hayes, D. S.	Mowery	Stuban
Burd	Hayes, S. E.	Noye	Taddonio
Butera	Helfrick	O'Connell	Taylor, E.
Cessar	Honaman	Pancoast	Thomas
Cianciulli	Hopkins	Parker	Trello
Davies	Hutchinson, W.	Piccola	Vroon
DeVerter	Klingaman	Pitts	Wagner
Dietz	Knepper	Polite	Wass
Dininni	Lehr	Pott	Weidner
Dorr	Levi	Pyles	Wenger
Fischer, R. R.	Lynch	Reed	Wilson
Fisher, D. M.	Mackowski	Ryan	Wilt
Foster, A.	Madigan	Scheaffer	Wright, J. L.
Foster, W.	Manmiller	Seltzer	Yohn
Freind	McClatchy	Sirianni	Zearfoss
Gallen	McGinnis	Smith, E.	Zord
Goebel	McIntyre		

NAYS—113

Abraham	Fryer	Letterman	Rhodes
Barber	Gallagher	Lincoln	Richardson
Bellomini	Gamble	Livengood	Rieger
Beloff	Garzia	Logue	Ritter
Bennett	Gatski	Manderino	Ruggiero
Berlin	Geesey	McCall	Salvatore
Berson	Geisler	McLane	Scanlon
Bittinger	George, C.	Meluskey	Schmitt
Borski	George, M.	Milanovich	Schweder
Brown	Giammarco	Miscevich	Shuman
Brunner	Gillette	Morris	Shupnik
Caltagirone	Gleeson	Mrkonic	Stapleton
Caputo	Goodman	Mullen, M. P.	Stewart
Cassidy	Greenfield	Mullen, M. M.	Sweet
Cimini	Grieco	Musto	Taylor, F.
Cohen	Hamilton	Novak	Tenaglio
Cole	Harper	O'Brien, B.	Valicenti
Cowell	Hoeffel	O'Brien, D.	Wansacz
DeMedio	Hutchinson, A.	O'Donnell	Wargo
DeWeese	Itkin	O'Keefe	White
DiCarlo	Johnson	Oliver	Wiggins
Dombrowski	Jones	Petrarca	Williams
Donatucci	Katz	Pievsky	Wise
Doyle	Kelly	Pratt	Wright, D.
Duffy	Kernick	Prendergast	Yahner
Dumas	Kolter	Rappaport	Zeller
Englehart	Kowalshyn	Ravenstahl	Zitterman
Fee	Laughlin	Renwick	Zwinkl
Flaherty			

NOT VOTING—5

Burns	Scirica	Irvis,
Gray	Shelton	Speaker

The question was determined in the negative and Part II of the Wagner amendments was not agreed to.

REQUEST TO CONSIDER RYAN AMENDMENTS

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

Mr. RYAN. Mr. Speaker, I earlier submitted amendments, and at the request of Mr. Manderino I withdrew them so Representatives Sweet and Wagner could offer theirs. I would like mine considered at this time.

On the question recurring.

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

Mr. RYAN offered the following amendments:

Amend Title, page 1, line 8, by inserting after "laws," "authorizing the use of volunteers in lieu of full-time paid staff members and Amend Bill, page 1, by inserting between lines 11 and 12

Section 1. The introductory paragraph and clauses (5) and (15) of section 201, act of June 14, 1961 (P.L. 324, No. 188), known as "The Library Code," are amended to read:

Section 201. State Library and State Librarian; Powers and Duties.—The Department of [Public Instruction] Education shall have the power, and its duty shall be—

(5) To coordinate a State-wide system of local libraries and to counsel local libraries on minimum standards for number and quality of library staff, resources of books and other materials, location of new local libraries, hours and physical facilities. Nothing contained herein shall restrict or limit public libraries in the selection of resources of books and other material not determined from counselling or require the use of paid employees when volunteers are available.

(15) Generally, to promulgate rules and regulations for the purpose of carrying out the powers and duties relating to libraries as are imposed by law: Provided, That such rules and regulations shall not, directly or indirectly, prohibit the inclusion of a particular book, periodical or material, the works of a particular author or the expression of a particular point of view and shall not prohibit the use of volunteers in fulfilling staffing requirements to receive State aid. Such rules and regulations shall not take effect until approved by the Advisory Council on Library Development.

Amend Sec. 1, Page 1, line 12, by striking out "1" and inserting 2

Amend Sec. 1, page 1, lines 12 and 13, by striking out "act of June 14, 1961 (P.L. 324," in line 12 and "No. 188), known as "The Library Code," in line 13 and inserting of the

Amend Sec. 2, page 10, line 1, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. Does the gentleman care to explain the amendment?

Mr. RYAN. Yes.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. RYAN. Mr. Speaker, some years ago regulations were adopted by the Library Board of the Commonwealth which, among other things, had the effect of putting local libraries in a position that they would not be reimbursed by the state if their personnel were not full-time paid personnel.

Now Mr. Sweet's amendments, as I understand them—and I am sure he is on the floor and can correct me if I am wrong—among other things, permitted the Library Board discretion as to whether or not local libraries could use volunteers rather than full-time paid librarians. I believe that was the effect of it. For the record, he nods his head in the affirmative.

My amendments, Mr. Speaker, would require the Library Board to permit volunteer staff rather than full-time paid staff and make no other changes. In other words, if the Library Board has certain qualifications they expect of the people who are running the libraries, that is fine. The only thing that this

amendment does is say that the staff may be volunteer staff.

By way of example, the problem we are having in certain of the libraries in Delaware County—and I would think that this is true throughout the state—is for many years volunteers have been manning these libraries. I am thinking of one in particular, in Wallingford, Pennsylvania, the Helen Kate Furness Free Library, that is manned by volunteers, for the most part. Many of these volunteers are married women who have good qualifications; some of them have their master's degree in library science I know. They are eminently qualified, but they are unable to work on an 8-hour basis. They do not care to work on an 8-hour basis. Yet the state would come along and say, because you are not paying them, your library now does not qualify for state reimbursement.

When I was first called on this, I tried to take a practical approach to the problem and I told them what you should do then if necessary to get around the bureaucracy is to pay them and have them donate their pay back to the library, which is eligible for a tax deduction; there would be no tax consequences because of it. The people, however, are reluctant—and I do not blame them—to take an end run on the law in order to avoid the bureaucracy. They are willing to work; they want to work; they are qualified to do this job. Yet because the bureaucracy says they must be paid, we find ourselves in a position that the local libraries cannot afford to pay the volunteers and the volunteers are unwilling to work full time, and it is somewhat of a Catch-22 situation.

What I am proposing now is that the discretion be taken away from the Library Board and that these volunteers be permitted to work if they meet all the other requirements of the state regulations. I would ask that this amendment be seriously considered by all of you who have this problem, and many of you probably have it and are not aware of it yet. Believe me, it is coming.

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

Mr. MANDERINO. Mr. Speaker, I rise in opposition to the Ryan amendment.

With the Sweet amendment, as Mr. Ryan indicated, we have now left the discretion with the State Librarian to provide aid even though there may be volunteer help. The difference in the Ryan amendment to that portion of the Sweet amendment would make it mandatory. I am sure that the State Librarian, in deciding in what manner aid can be given to local libraries that do not have an entire paid staff, will set up certain guidelines. I do not think that the doors should be open all the way. I know that the guidelines that will be set up will have some attempt at fairness so that everyone is treated equally in the same circumstance.

I think we have taken a big step forward with the Sweet amendment so far as the smaller libraries across the state. I have some qualms that the Ryan amendment, which mandates that aid without guidelines, would open the doors wider than we ought to be ready to open them at this time. I think the problem that Mr. Ryan alludes to will be solved with the Sweet amendment, but it gives us the added safeguard that there will

be guidelines, I am sure, formulated in the regulations for those libraries that have volunteer help.

Keep in mind that our whole system of aiding libraries has some relationship to the cost that the state ought to bear for the service that is being given to the local people, and to give the same kind of aid where there is volunteer help as we do where there is the necessity of paid help would not be, in my opinion, fair. I think we ought to allow the State Librarian the discretion to set those guidelines and to do the job under the Sweet amendment.

For those reasons I would oppose and ask the members of the House to vote in the negative on the Ryan amendment.

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

Mr. ARTHURS. May I ask Mr. Sweet a question, please, or just verify it by someone else even?

If I understand the Sweet amendment, we are talking about a service area of 30,000 persons or less. Is that right? Mr. Sweet is indicating that that is a fact.

We are running into the same problem in libraries where we are serving more than the 30,000 but yet we are not the city-type library. For that reason, we, too, feel that we could do a much better job and qualify better if we did have volunteer help. So in this particular case the Sweet amendment does not help areas such as mine. For that reason I would ask support of the Ryan amendment.

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

Mr. RYAN. Mr. Speaker, Mr. Manderino left the floor to go to the meeting with the Speaker. On his way out he did comment to me that he thought I was unduly alarmed that there may be some political motivation, and that is not the case at all. I explained to Mr. Manderino and I explained to the members here that the Sweet amendments, as Mr. Arthurs stated, do not cover the problem that is present in the Delaware County area where there are in many cases more than 30,000 people involved in the service area.

The other part of Mr. Manderino's comments that I would like to address myself to is, my amendments do not change staffing, do not change the educational requirements or any other guidelines set up by the state other than to provide that paid employees need not be required when volunteers are available, and that the Library Board "... shall not prohibit the use of volunteers in fulfilling staffing requirements to receive State aid." That is all my amendment says — "... shall not prohibit the use of volunteers in fulfilling staffing requirements to receive State aid." If the state has certain educational requirements on the staff makeup, fine. The only thing this will do is say that if you can get it for nothing, why pay for it?

I myself, speaking for myself, think that if we can help the local communities by permitting them to use qualified volunteers rather than requiring them to use paid employees, we have an obligation to do it to try and save them money and to permit these libraries to continue to operate at the lowest possible cost. I cannot understand why anyone would be opposed to an amendment like this.

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

Mr. A.C. FOSTER. Mr. Speaker, I rise in support of this amendment and I cannot really believe that anyone would oppose it. I had certainly thought it would go in as an agreed-to amendment. After all, the very thing that we are here for is to try to save the tax dollars, and anytime you can get a service on a donation basis, on a volunteer basis, I certainly think we should avail ourselves of it. I cannot believe that there would be opposition to this amendment, and I strongly urge its support.

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

Mr. GARZIA. Mr. Speaker, I also support the Ryan amendment. I can say to Republicans and Democrats that this is a bipartisan amendment. I was approached by people from Delaware County who are in this program, and they told me about the problem they have with volunteer service, that they cannot put them on. Now if this is a way that we can save a few dollars for the library districts, I think we ought to support the Ryan amendment.

This should be a nonpartisan vote, and I hope that my side votes for this amendment.

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

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

Will Mr. Ryan stand for interrogation, please?

The SPEAKER pro tempore. Will the minority whip consent to interrogation?

Mr. RYAN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. O'KEEFE. Mr. Speaker, in your remarks you indicated that your amendment would help the populations over 30,000 in Delaware County since Mr. Sweet's did not. Can you name any community in Delaware County of over 30,000 that does not already qualify under the program?

Mr. RYAN. I did not know that the Sweet amendments were coming up with the 30,000 requirement, Mr. Speaker. I am familiar, however, with the Helen Kate Furness Free Library in Wallingford, which I would guess serves more than Nether Providence. I do not know what that district is, so I cannot give you an absolutely straight answer on that because I have not had an opportunity to check it out. I would be willing to accept your figures if you have them.

But it does not matter, because what the Sweet amendment does is it gives the Library Board discretion. I do not want them to have discretion as to this point. Why should we allow a library board sitting here in Harrisburg to determine whether or not we can use volunteers in Delaware County, Blair County, Chester County, or any other county? We should tell them it is none of their affair whether these people are paid or are not paid as long as they are qualified. I think that, perhaps, is their obligation — to see that the libraries are properly staffed with qualified people. But if we have qualified volunteers, I think the state should keep its hand out of our business and permit us to use those volunteers.

I cannot answer your question but I wanted to make that re-

mark, that it does not really matter anyway, and I think if you address this question to Mr. Sweet, you will find that he will support my amendments.

Mr. O'KEEFE. Mr. Speaker, I am glad I asked the question so that I could get a speech.

I can inform Mr. Ryan that Middletown, Lima, Media and Upper Providence already qualify for the state requirements. I would also like to say that all of these libraries have their friends in libraries and use them as volunteers continually and on a continual basis. To break down the requirements as to who qualifies will further break down the pot, so in that case I would oppose the amendment.

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

Mr. ZELLER. Mr. Speaker, I would like to bring out an important part of this, and that is, why I support the Ryan amendment.

We talk about too much government. We all talk about it. That is the thing we hear in the education system. I talked to the superintendents of schools and the school board directors and they talked about too much government in Harrisburg and how regulations to the school district is one of the reasons why they have the big problems. Knock off some of these regulations and we would not have to have a subsidy increase.

We talk about librarians. The librarians are a built-in bureaucracy who do not want volunteers, because they want to take care of their buddies and they want more librarians paid. Okay. Be ready to pay for them.

Now, if we are going to have volunteers such as we have in our volunteer fire departments, ambulance corps, and so forth, and they are accredited to come under the loan programs, and so forth, why not volunteers in the library system to save our local people money; as a matter of fact, to save the state money and to spread more money around the state to all libraries?

So that is why I feel that if we are talking about a volunteer system, what is wrong with it? I think we had better get back to the volunteer system in a lot of things, otherwise we are going to be paying through the nose to the point where we cannot pay anymore. So let us get on with this amendment and vote it in.

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

Mr. GREENFIELD. Mr. Speaker, can I interrogate Mr. Ryan, please?

Mr. RYAN. Yes, Mr. Speaker.

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

Mr. GREENFIELD. Mr. Speaker, under your amendment, would this affect the grant of aid under the formula to the counties or to the districts?

Mr. RYAN. To the counties?

Mr. GREENFIELD. Well, to the library districts.

Mr. RYAN. Well, it affects them in the sense that right now the one library that I made mention of, Helen Kate Furness Library, in Wallingford, has been advised that they will not qualify for state aid because they do not have paid employees working in their library. So to that effect, yes, it will; to that

extent, rather.

Mr. GREENFIELD. What I am getting at is, if the library district has volunteers only on the staff, would they then get less funding under the formula?

Mr. RYAN. Mr. Speaker, I would guess to the extent that they have not made an expenditure which would qualify for matching funds, they would get less. But if you follow that through though, Mr. Speaker, if we have to spend a dollar to get a dollar and we can get the \$2 for nothing with a volunteer, it saves the state a dollar and it saves the local library board a dollar, all dollars being paid by taxpayers.

Mr. GREENFIELD. Well, I think what Mr. Manderino was getting at was that a better system of operation would be under the Sweet amendment to allow those guidelines to be effective, so that we would know what type of aid, assistance and help that we are getting and to give better control over the library system and funding to this discretionary system under the State Librarian, which I think is more beneficial than restricting it down and making it mandatory under your amendment. Can you reply to that?

Mr. RYAN. Mr. Speaker, I disagree entirely with Mr. Manderino and with Mr. Greenfield. I think their major premise is wrong in that this has nothing to do with the quality of the operation of a library. It is strictly a financial situation. The guidelines you make reference to are meaningless to me. If you require educational requirements, I say so be it, put them in. If you have other requirements, so be it, put those requirements in and enforce them. The only thing that I am saying is that if you can find a volunteer who meets all of the qualifications, then we are being ridiculous to say that you must pay a volunteer, which is in effect what you are saying.

Mr. GREENFIELD. Well, I think you made the point that I was trying to make.

The SPEAKER pro tempore. Will the gentleman cease?

The sound has built up to a very high degree. The gentlemen have an honest difference of opinion on an amendment of which you are going to be asked to cast a vote. It would seem to me that it would be respectful for one member to accord another member the right of free expression in this hall. Now could you not please cut down on some of the conversation? If you have a lengthy conversation, take it outside. I do wish you could do that because it is only fair to the speakers who are expressing a viewpoint.

The gentleman will continue.

Mr. GREENFIELD. Mr. Speaker, I think that you made the point exactly as I was trying to make it. By your amendment you are eliminating any discretion on the part of the State to set up any requirements or guidelines or controls whatsoever on the personnel within the library system. You are saying that you cannot restrict the use of volunteers under any circumstances where a library is able to solicit and to garner that kind of assistance. We are saying under the Sweet amendment that at least we should have the opportunity to set up some guidelines.

Mr. RYAN. But, Mr. Speaker, what you are saying then under the Sweet amendment is that the library board would have the right to set up as a guideline that the people who work

in the library must be paid. That is the only place that you and I can differ because that is the only thing my amendment does, to say that the library board cannot require that the people staffing the library be paid people and that if you have a qualified volunteer, then they are okay. Now all this other business is hogwash. My amendment is simple: You cannot require that they have paid employees if volunteers are available. That is all that it says. All the rest of it is flak.

Mr. GREENFIELD. It is not flak because volunteers—

Mr. RYAN. Well, it is something else, but I will not put that on the record then.

Mr. GREENFIELD. Mr. Speaker, it is not your conception, whatever your conception is, because unless you have some guidelines, it is conceivable that the hour requirements might be inapplicable and unsuitable to a proper library-functioning system. I think that your type of thinking and Mr. Sweet's are along the same line. The only difference, Mr. Speaker, is that there is some discretion on the state level. It is not entirely on the local level that you want to try and make it.

Mr. RYAN. Mr. Speaker, will the gentleman consent to interrogation?

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

Mr. GREENFIELD. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RYAN. Have you read my amendment?

Mr. GREENFIELD. Yes, sir; yes, I have.

Mr. RYAN. Where in my amendment can you possibly draw the conclusion that this would affect any guideline the state may set up as to the library's hours of operation?

Mr. GREENFIELD. It says it ". . . shall not prohibit the use of volunteers in fulfilling staffing requirements to receive State aid."

Mr. RYAN. What does that have to do with—

Mr. GREENFIELD. That is a broad general statement that they cannot restrict the use of volunteer help under any circumstances.

Mr. RYAN. That is right.

Mr. GREENFIELD. That is right, and that is exactly what I am saying.

Mr. RYAN. It has nothing to do with the hours of operation. It says that if you have volunteers, the state cannot say you cannot use volunteers. Look at the paragraph above it; read that, the underlined part.

Mr. GREENFIELD. No, you read it, Mr. Speaker.

Mr. RYAN. It says they cannot "require the use of paid employees when volunteers are available." That is all this amendment does. It is volunteers versus paid employees. I say that if the taxpayers on a statewide basis and on a local basis have good volunteers, they should be permitted to use them. Those who oppose the amendment are opposed to the principle that qualified volunteers should be permitted in the libraries. That is all we are arguing about.

Mr. GREENFIELD. You used the proper words. What we are speaking about is not merely funding but it is also quality. A library system is for a purpose, to grant—

Mr. RYAN. This has nothing to do with the quality.

Mr. GREENFIELD. I disagree with you on that. That is where we asked that the Sweet amendment be retained.

Mr. RYAN. Look, it says ". . . shall not prohibit the use of volunteers in fulfilling staffing requirements . . ." Now if the staffing requirements are that the staff have a degree in library science, so be it. That is okay. We have no quarrel with that if the library board wants to do that.

Mr. GREENFIELD. That is exactly right. If I may interrupt you for just a moment, that is exactly what I am getting at. You are eliminating the discretion to set up any guidelines under your amendment.

Mr. RYAN. We are not.

I will yield to Mr. Arthurs. Maybe he reads it differently than I.

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

Mr. ARTHURS. Would Mr. Greenfield consent to interrogation?

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

Mr. GREENFIELD. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ARTHURS. Mr. Speaker, with the financial problems that Philadelphia has and with the amendment that went in this morning, it looks as though they are not going to be helped as much as you had hoped. Do you not think it would be good for Philadelphia and Philadelphia's libraries that if a person qualified, who met every bit of qualifications that were set up by the State Library Board, worked for nothing? Would it not help Philadelphia?

Mr. GREENFIELD. I guess you did not get my message or my point.

Mr. ARTHURS. Yes, I did. But I also—

Mr. GREENFIELD. You have a right to be questioned.

Mr. ARTHURS. Yes.

Mr. GREENFIELD. The Sweet amendment addresses itself to this situation. It says it will be permissible to use volunteers under the guidelines of the State. It will be permissible. This says it will be mandatory. The only thing we are saying is we would like to stay with the Sweet amendment and give the option for an opportunity of the State to make some guidelines for proper performance. This is a quality type of situation. We are dealing with the situation as we do under the educational system. Libraries should be properly staffed and properly functioning for them to provide the kind of material that they do. We are saying that this sounds a little too restrictive in that kind of quality sense. All we are asking is that the State allow us to prepare guidelines for volunteer service. That is all there is.

Mr. ARTHURS. Mr. Speaker, you have missed another important point and that is that the Sweet amendment referred to an area, a service area, of 30,000 people or less. We are only taking care of very small amounts. Now I have a library in Butler County.

Mr. GREENFIELD. And that would not affect Philadelphia, is that right?

Mr. ARTHURS. Sure it would affect Philadelphia if you have a library that serves less than 30,000, sure. In a particular area, I do not know.

I am talking about in Butler County, for example, we have a library that has a much greater area. But we know now because of the minimum wage laws and we know now because of the regulations of the State Library Board that we are losing finances because we cannot fill the requirement of paid people. We have many people in Butler County who qualify as librarians and we have people who can work in libraries and we have young people in high school who are taking this particular course who would be more than pleased to work in the library for the experience that they would obtain, but because the regulations say that they must be paid and they must be paid a minimum wage, we cannot afford to do it.

Mr. Ryan's amendment does not say that you are doing away with the requirement of what else it takes and the requirements that you must meet to be a librarian or to work in a library. It does not refer to that at all. The only thing that it says is that you do not have to be paid.

Now, coming from Philadelphia, in particular, I would think that you would be glad to get all the free help you could. I know that Butler County will take it.

Mr. GREENFIELD. I do not want to belabor the point. I just want to make the issue clear. It is not a matter of trying to restrict the economies that can be provided by this kind of legislation. We are all interested in economies. All we are asking and all that Representative Manderino wanted to see is that the State has some discretion, some option, some control over the quality and standards of operation.

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

The following roll call was recorded:

YEAS—161

Abraham	Gallen	McGinnis	Schweder
Anderson	Garzia	McLane	Scirica
Armstrong	Gatski	Mebus	Seltzer
Arthurs	Geesey	Meluskey	Shuman
Bellomini	George, M.	Miller	Shupnik
Bennett	Goebel	Milliron	Sirianni
Berlin	Goodman	Miscevich	Smith, E.
Berson	Greenleaf	Moehlmann	Smith, L.
Bittinger	Grieco	Morris	Spencer
Bittle	Halverson	Mowery	Spitz
Brandt	Hamilton	Mrkonic	Stairs
Brown	Hasay	Mullen, M. P.	Stapleton
Burd	Haskell	Mullen, M. M.	Stewart
Burns	Hayes, D. S.	Musto	Stuban
Butera	Hayes, S. E.	Novak	Sweet
Caltagirone	Helfrick	Noye	Taddonio
Caputo	Hoeffel	O'Brien, B.	Taylor, E.
Cassidy	Honaman	O'Brien, D.	Taylor, F.
Cessar	Hopkins	O'Connell	Thomas
Cimini	Hutchinson, W.	O'Donnell	Trello
Cole	Itkin	Pancoast	Valicenti
Cowell	Katz	Parker	Vroon
Davies	Kelly	Petrarca	Wagner
DeVerter	Kernick	Piccola	Wansacz
DeWeese	Klingaman	Pitts	Wargo
DiCarlo	Knepper	Polite	Wass
Dietz	Kolter	Pott	Weidner
Dininni	Kowalyshyn	Pratt	Wenger

Dombrowski	Laughlin	Pyles	Wilson
Dorr	Lehr	Rappaport	Wilt
Duffy	Letterman	Ravenstahl	Wise
Englehart	Levi	Reed	Wright, D.
Fee	Lincoln	Rhodes	Wright, J. L.
Fischer, R. R.	Livengood	Ritter	Yahner
Fisher, D. M.	Lynch	Ruggiero	Yohn
Flaherty	Mackowski	Ryan	Zearfoss
Foster, A.	Madigan	Salvatore	Zeller
Foster, W.	Manmiller	Scanlon	Zitterman
Freind	McCall	Scheaffer	Zord
Fryer	McClatchy	Schmitt	Zwilk
Gallagher			

NAYS—34

Barber	Dumas	Hutchinson, A.	Pievsky
Beloff	Gamble	Johnson	Renwick
Borski	Geisler	Jones	Richardson
Brunner	George, C.	Logue	Rieger
Cianciulli	Giammarco	Manderino	Tenaglio
Cohen	Gillette	Milanovich	White
DeMedio	Gleeson	O'Keefe	Wiggins
Donatucci	Greenfield	Oliver	Williams
Doyle	Harper		

NOT VOTING—5

Gray	Prendergast	Irvis,
McIntyre	Shelton	Speaker

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BROWN. Mr. Speaker, I inadvertently voted incorrectly on HB 408, Ryan amendments. I had been recorded as "yes" but I would like to be recorded as "no" on the Ryan amendments.

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

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

The question is, shall the bill pass finally?

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

Mr. GOEBEL. Mr. Speaker, I would like to speak on the merits of the bill. I would just like to let the gentlemen know why I am going to have a negatory vote on this bill. I think what we are doing here is that we are putting the cart ahead of the horse. We are building a budget piecemeal. This is no way to build a budget. You are approving packages that can cost, like this one can cost, up to \$4 million over a 2-year period.

I think what you have to do first is decide what the taxpayers can bear, what is the taxation, and then see the top line. Then you divide it up and set your priorities. You do not build a budget by approving packages and programs and then sit there settled with a whole pile of stuff on your head that you have to finance with taxes.

That is why I am going to vote "no" on this. I am not against libraries, but I am against this type of budget building, approv-

ing it piecemeal. 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—196

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

NAYS—1

Goebel

NOT VOTING—3

Gray Irvis,
Shelton Speaker

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

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

STATE GOVERNMENT BILL
ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of **House bill No. 987, printer's No. 1307**, entitled:

An Act amending the act of December 11, 1967 (P.L. 707, No. 331), referred to as the Pennsylvania Thoroughbred Horse Racing Law further providing for the disposition of pari-mutuel pools.

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

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

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

Mr. ITKIN. Could I interrogate the sponsor of the bill prior to voting on the measure?

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

Mr. ENGLEHART. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ITKIN. Mr. Speaker, if this bill becomes law, will the bettor's take be reduced by this bill?

Mr. ENGLEHART. Is the gentleman's question, will the bettor's take be reduced?

Mr. ITKIN. That is what is returned to those who bet?

Mr. ENGLEHART. Yes, Mr. Speaker.

Mr. ITKIN. By how much?

Mr. ENGLEHART. Two percent of the total amount bet on two horseraces and 7 percent of the total amount bet on three horseraces.

Mr. ITKIN. What is returned to the bettors today under existing law?

Mr. ENGLEHART. Under existing law, 83 percent.

Mr. ITKIN. If this bill should become law, what would it be reduced to?

Mr. ENGLEHART. It will be reduced to 81 percent on bets of two horses, exactas and quinielas, and 75 percent on three horses.

Mr. ITKIN. Where would the difference go?

Mr. ENGLEHART. It will have one-half to the owners of horses in the form of purses and one-half to the licensees of the tracks to meet their expenses.

Mr. ITKIN. Thank you, Mr. Speaker.

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

Mr. MCGINNIS. Mr. Speaker, I would like to speak against the bill.

Representative Itkin did question the fact that the taxpayers of Pennsylvania and the bettors will be cut 2 percent and that 2 percent will go to the track and the horseowners. But we had the pleasure of having the lobbyists of the thoroughbred racing track distribute to us the profit and loss statement of Eagle

Downs in the plea for the additional 2 percent. As a businessman, the only thing I saw in that profit and loss statement was bad management.

I do not think the House of Representatives should have to bail out someone who is running the track improperly. I intend to vote against this and for the taxpayers of Pennsylvania.

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

Mr. BELLOMINI. Mr. Speaker, I would like to tell the members of the House about the situation of the track licensee in our area, in Erie County, and the area in the Poconos. These two small tracks depend on the existence of this particular bill. I support this bill for the simple reason that these two tracks maintain an industry and employ a lot of people up there. I ask your support.

Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—152

Anderson	Freind	Levi	Salvatore
Arthurs	Fryer	Lynch	Scanlon
Bellomini	Gallagher	Mackowski	Scheaffer
Beloff	Gallen	Madigan	Schmitt
Bennett	Gamble	Manderino	Schweder
Berlin	Garzia	Manmiller	Seltzer
Berson	Gatski	McCall	Shupnik
Bittinger	Geesey	McClatchy	Sirianni
Bittle	Geisler	McLane	Smith, E.
Brown	George, C.	Milanovich	Smith, L.
Brunner	Gillette	Milliron	Spencer
Burd	Gleeson	Moehlmann	Stairs
Burns	Goebel	Morris	Stapleton
Butera	Goodman	Mowery	Stewart
Caltagirone	Greenfield	Mullen, M. P.	Stuban
Caputo	Greenleaf	Musto	Sweet
Cassidy	Grieco	Noye	Taddonio
Cessar	Halverson	O'Brien, B.	Taylor, E.
Cjanciulli	Hamilton	O'Brien, D.	Tenaglio
Cimini	Harper	O'Connell	Thomas
Cole	Hasay	O'Keefe	Trello
Cowell	Haskell	Oliver	Valicenti
Davies	Hayes, D. S.	Pancoast	Vroon
DeMedio	Hayes, S. E.	Parker	Wansacz
DeVerter	Helfrick	Petrarca	Wargo
DeWeese	Hoeffel	Piccola	Wass
DiCarlo	Honaman	Pievsky	Wenger
Dininni	Hopkins	Pitts	Wiggins
Dombrowski	Hutchinson, A.	Polite	Wilson
Donatucci	Hutchinson, W.	Pott	Wilt
Dorr	Katz	Pratt	Wise
Doyle	Klingaman	Prendergast	Wright, D.
Duffy	Knepper	Pyles	Wright, J. L.
Englehart	Kolter	Rappaport	Yahner
Fee	Kowalshyn	Renwick	Zearfoss
Fisher, D. M.	Laughlin	Rieger	Zeller
Foster, A.	Lehr	Ruggiero	Zitterman
Foster, W.	Letterman	Ryan	Zord

NAYS—41

Abraham	Jones	Miller	Scirica
Armstrong	Kelly	Miscevich	Shuman
Borski	Kernick	Mrkonic	Spitz

Brandt	Lincoln	Mullen, M. M.	Taylor, F.
Cohen	Livengood	Novak	Wagner
Dietz	Logue	Ravenstahl	Weidner
Fischer, R. R.	McGinnis	Reed	White
Flaherty	McIntyre	Rhodes	Williams
Giammarco	Mebus	Richardson	Yohn
Itkin	Meluskey	Ritter	Zwinkl
Johnson			

NOT VOTING—7

Barber	George, M.	O'Donnell	Irvis,
Dumas	Gray	Shelton	Speaker

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DUMAS. Mr. Speaker, I would like to be voted in the affirmative on HB 987, PN 1307. Unmistakably, I did not get a chance to vote.

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

HEALTH AND WELFARE BILL
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 49, printer's No. 1258**, entitled:

An Act amending the "Public Welfare Code" approved June 13, 1967 (P. L. 31, No. 21), changing provisions relating to the Employment Fund for the Blind and providing travel and maintenance reimbursements to certain persons.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. GREENFIELD. Mr. Speaker, I am not sure whether this bill will require extensive debate. Are there any amendments?

The SPEAKER pro tempore. Would the gentleman repeat the question?

Mr. GREENFIELD. I am not sure whether the current bill that is under consideration will require extensive debate or whether there are any amendments. What I am trying to do is get a break for lunch and then come back and vote it in a normal time.

Mr. Speaker, you can run the bill.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—197

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

NAYS—0

NOT VOTING—3

Gray	Irvis,
Shelton	Speaker

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

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

The SPEAKER pro tempore. We have one condolence resolu-

tion to come before the House. It is the understanding of the Chair that Representative Noye has a condolence resolution for a former member of this House.

RULES SUSPENDED TO CONSIDER RESOLUTION

Mr. NOYE. Thank you, Mr. Speaker.

I have sent the resolution to the desk.

Mr. Speaker, I move that the rules of the House be suspended at this time so that this condolence resolution can be immediately adopted.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS 187

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

NAYS—0

NOT VOTING—13

Barber	Gray	White	Irvis,
Brunner	Johnson	Williams	Speaker

Donatucci	Oliver	Wilson
Dumas	Shelton	Zearfoss

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

The following resolution was read:

**House of Representatives
Resolution**

WHEREAS, Herbert Pannebaker Dyson passed away on May 10, 1977, at the age of ninety-one; and

WHEREAS, Herbert Pannebaker Dyson, who had served a term in the State House of Representatives under Governor George H. Earle, was graduated from Franklin & Marshall Academy in 1903 and Lehigh University in 1907, and was a member and past master of Adams Lodge, F & A M. Mr. Dyson, who earned the love and admiration of all those who knew him, is survived by his wife, Emma, a son, Edgar, and a foster sister, Mrs. Anna Helm; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of Herbert Pannebaker Dyson, and extends its heartfelt condolences to the wife and family of this outstanding gentleman; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Herbert Dyson, West Main Street, New Bloomfield, Pennsylvania 17068.

FRED C. NOYE

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. Those in favor of adopting the resolution will rise in place until the fall of the gavel.

(Members stood.)

The SPEAKER pro tempore. The resolution is unanimously adopted.

REQUEST FOR RECESS

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

Mr. GREENFIELD. Mr. Speaker, I would ask now that we recess until 1:30. We will come back promptly at 1:30 for further votes on bills.

RECESS

The SPEAKER pro tempore. Without objection, this House is recessed until 1:30.

AFTER RECESS

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

**THE SPEAKER (K. LEROY IRVIS)
IN THE CHAIR**

The SPEAKER. The Chair thanks the gentleman from Berks, Mr. Fryer, for presiding.

The Chair alerts the members who have not reported to the floor that within 5 minutes the Chair intends to call up HB 67, PN 1295. The Chair would advise Mr. Garzia and Mr. Goebel, both of whom have amendments, to be prepared to offer their

amendments. Within 5 minutes the Chair is going to call this bill up for a vote.

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

PROPOSED AMENDMENT WITHDRAWN

Mr. GOEBEL. Mr. Speaker, I withdraw my proposed amendment to HB 67.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. WHITE. Mr. Speaker, yesterday we voted on HB 1, which passed this House of Representatives, and I would like to have these remarks submitted for the record.

The SPEAKER. The gentleman will send the remarks to the clerk. Those remarks will be spread upon the record.

Mr. WHITE submitted the following remarks for the Legislative Journal:

Mr. Speaker, I rise to support and urge the passage of House Bill 1.

In 1976 more than 200,000 children throughout the United States were incarcerated even though they committed no crime. These children, Mr. Speaker, were status offenders; run-aways, ungovernables, and truants. More than 2,000 of these young people were jailed in our Commonwealth facilities. One-third of all referrals made to the juvenile courts were status offenders, and, unfortunately, we lock up these children at a faster rate than the hard-core delinquents with whom they are mixed. In essence what we have done, is not to offer a positive alternative for status offenders but a negative experience which has produced an angry, emotionally abused child. We have begun a cycle that all too often leads that same child into a dependent or institutionalized situation for the rest of his life.

Mr. Speaker, while serving as the majority leader, you addressed the freshmen of this House and told us the uniqueness of the responsibilities for which we are charged. You told us that we are not only addressing the issues of today but we are also determining the quality of life for those yet unborn. It is this responsibility, that we face in the context of House Bill 1.

This bill takes a large step in the direction of better care for those children whom, up to now, we have considered as acting against societal standards.

Today we have the opportunity to mend our ways and step boldly onto the threshold for the rights of children.

I urge my colleagues to vote "yes" on House Bill 1.

CALENDAR

EDUCATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 67, printer's No. 1295**, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30, No. 14), further providing for penalties for defacing, injuring or destroying school property.

On the question,

Will the House agree to the bill on third consideration?

Mr. GARZIA offered the following amendments:

Amend Sec. 1 (Sec. 777), page 1, line 13, by inserting after "(a)" (a)

Amend Sec. 1 (Sec. 777), page 2, by inserting between lines 21 and 22

(b) The board of school directors of a school district is authorized to adopt regulations and procedures providing for rewards of up to one thousand dollars (\$1,000) to any person who provides information which aids in the conviction of any person for violating the provisions of subsection (a).

On the question,

Will the House agree to the amendments?

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

Mr. GARZIA. Mr. Speaker, my amendment puts back the language that was in the original bill. It gives the school directors the power to adopt procedures to provide for rewards of up to \$1,000 for information concerning any vandalism in that school district. Right now the school boards cannot do this. I understand that some of them have been doing it, but this amendment would just make it official, if it passes, that the school directors can propose a reward of up to \$1,000 to anyone who provides information about any vandalism on the school property.

On June 1, an article in the Philadelphia Inquirer stated that in Mr. Ryan's district 60 school buses had been vandalized, and as of today no one has been charged for this crime.

The SPEAKER. Will the gentleman desist?

The House will be in order. I am sure that gentleman taking up Miss Sirianni's time does not recognize the fact that Miss Sirianni is an advocate of law and order.

The Chair recognizes the lady, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, you are the fine gentleman who promised me that.

The SPEAKER. The Chair recognizes that, and the Chair is trying to live up to the kind remarks that the lady has made about the Chair in public and in the public press. The lady has placed a great burden on the Chair, however.

The Chair apologizes for the interruption. The gentleman, Mr. Garzia, may proceed.

Mr. GARZIA. All my amendment does is to give the school board the power to authorize a reward up to \$1,000 to anyone who aids in the conviction of anyone who commits a crime on school property.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—168

Abraham Gamble Manderino Scheaffer

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

NAYS—19

Burns	George, C.	Pancoast	Weidner
Cowell	Goebel	Polite	Wilson
Fisher, D. M.	Hoeffel	Pyles	Wise
Fryer	McClatchy	Renwick	Wright, J. L.
Gallagher	McGinnis	Shuman	

NOT VOTING—13

Barber	Gray	O'Connell	Shelton
Berson	Greenfield	Pott	Wiggins
Cessar	Jones	Rhodes	Yohn
Dumas			

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

On the question,

Will the House agree to the bill as amended?

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—188

Abraham	Gallen	Madigan	Scheaffer
Anderson	Gamble	Manderino	Schmitt

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

NAYS—1

Richardson

NOT VOTING—11

Barber	Gray	Pott	Taylor, E.
Beloff	Miscevich	Rhodes	Wansacz
Dumas	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.

VETERANS AFFAIRS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 884, printer's No. 1003**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes further providing for the issuance of a United States flag for certain deceased members of the Pennsylvania National Guard and the Pennsylvania Guard.

On the question,
Will the House agree to the bill on third consideration?
Mr. DOMBROWSKI offered the following amendments:

Amend Title, page 1, line 4, by removing the period after "Guard" and inserting , further providing for powers and duties of board of trustees of veterans' homes.

Amend Bill, page 1, by inserting between lines 6 and 7 Section 1. Part VI of Title 51, act of November 25, 1970 (P. L. 707, No. 230), known as the Pennsylvania Consolidated Statutes, is amended by adding a chapter to read:

PART VI
MISCELLANEOUS PROVISIONS
CHAPTER 95
INSTITUTIONS

Sec.
9501. Veterans' homes.
§ 9501. Veterans' homes.

The board of trustees of any veterans' homes shall have general direction and control of the property and management of the veterans' home. It shall have the power, and its duty shall be:

(1) Subject to the approval of the Governor, to elect a superintendent of the institution, who shall, subject to the authority of the board, administer the institution, and, if deemed advisable, a business manager.

(2) On nomination by the superintendent, from time to time, to appoint such officers and employees as may be necessary.

(3) To fix the salaries of its employees in conformity with the standards established by the Executive Board.

(4) Subject to the approval of the Adjutant General, to make such bylaws, rules, and regulations, for the management of the institution as it may deem advisable.

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 2. Title 51 is amended by adding a section to read:
Amend Sec. 2, page 2, line 12, 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 Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, I believe this is an agreed-to amendment.

Mr. WILLIAMS. Mr. Speaker, could I ask the gentleman to suspend?

The SPEAKER. The Chair recognizes the gentleman, Mr. Dombrowski. Does he yield to the gentleman from Philadelphia, Mr. Williams?

Mr. DOMBROWSKI. Yes.

Mr. WILLIAMS. Thank you, Mr. Dombrowski.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, with regard to HB 67, I voted in error in the affirmative. I intended for my vote to be in the negative. I would like for that to be recorded, please.

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

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

Mr. WHITE. Mr. Speaker, on HB 67 I also voted in error. I would like to be recorded in the negative on that vote.

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

The Chair returns the floor to Mr. Dombrowski. Mr. Dombrowski you are again recognized. You may now proceed upon the amendment.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

The amendment I am offering is an amendment that would give the board of trustees of the Pennsylvania Soldiers and Sailors' Home general direction and control of the property and management of the veterans' home.

Mr. Speaker, prior to the revision in the Military Code, the board of trustees at the home had such powers. The home ran for 90 years in that fashion, and I think the board appointed to the home there has done a terrific job.

There are several reasons for my amendment which I will point out, if need be, at a later time, after Mr. DeMedio finishes. He is going to bring up one point which I think I should mention. The board of trustees is composed of nine members, five of whom are from Erie County. Everybody seems to have the inclination that we overloaded the board with Erie County members, but this is not a true fact. The Pennsylvania Soldiers and Sailors' Home just happens to be located in Erie and that is why it is known as the Erie home. There are five members of the board from Erie County simply to have a quorum at the quarterly meetings. And Mr. DeMedio, in his presentation against the amendment, should admit that the man from his county who is assigned to the board and who has been a member for 7 years has yet to attend a meeting. This is the primary reason we would like to have people on the board who live in the immediate vicinity so they can attend the meetings and make decisions.

Again, I am asking for the support of the membership to revert the control of the home back to the board of directors.

Thank you, Mr. Speaker.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, I did not want to interrupt the other speaker, but which amendment is Mr. Dombrowski referring to at this moment? We have three amendments on the desks, and I do not know which is which.

Mr. DOMBROWSKI. I am sorry, Mr. Speaker. I will try to explain it. When I first brought this amendment up, it was a combined amendment and I had it split. This is the one that reads: "Amend Title, page 1, line 4, . . ."

Mr. ZEARFOSS. Both of them do that.

Mr. DOMBROWSKI. This is the one regarding the board of trustees.

The SPEAKER. May the Chair interrupt just a moment?

Would you look on your amendment, Mr. Dombrowski, and see if it is labeled "A-729" up in the corner? Is that the amendment?

Mr. DOMBROWSKI. Yes, it is.

The SPEAKER. Do you now have the correct amendment, Mr. Zearfoss?

Mr. ZEARFOSS. Yes, Mr. Speaker.

GERMANENESS QUESTIONED

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

Mr. BITTINGER. Mr. Speaker, if I understand correctly, this is an amendment to HB 884, PN 1003?

The SPEAKER. You are correct.

Mr. BITTINGER. Maybe, again, I should be an attorney or something, but from what I can see of the amendment, I do not think it is germane to the bill in question. I would ask that that question be put to the House.

The SPEAKER. Does the gentleman move that the amendment offered by Mr. Dombrowski is nongermane to HB 884?

Mr. BITTINGER. I so move, Mr. Speaker.

The SPEAKER. It has been moved by Representative Bittinger that the amendment marked "A-729" offered by Mr. Dombrowski to HB 884 is nongermane. That question must be settled by a vote of the House.

The Chair recognizes the gentleman, Mr. Dombrowski, who will be limited to debate only the issue of germaneness.

Mr. DOMBROWSKI. Mr. Speaker, I am requesting that the Chair make a ruling on the germaneness of the amendment.

The SPEAKER. The Chair regrets to inform the gentleman that the House changed the rules this year and in this session the Chair is not empowered to rule on germaneness; only the House by vote may rule on germaneness.

PARLIAMENTARY INQUIRY

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

Mr. DiCARLO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, could the Chair, on the decision that you just voiced, cite for the membership the rule that you are referring to as the rule change?

The SPEAKER. Rule 27, reading on line 13: "Questions involving whether an amendment is germane to the subject shall be decided by the House." This is new language, Mr. DiCarlo, which was inserted in the rules for this session. Do you have that?

Mr. DiCARLO. Yes, I do, Mr. Speaker. I have a question, though, Mr. Speaker, and perhaps you can advise me correctly.

Rule 78 is talking about "Parliamentary Authority." And specifically, if you have HR 53, PN 806, page 67, it talks about ". . . the established precedents of the House and the established customs and usages of the House." Could you tell me, does the language in rule 78 negate the language in rule 27, Mr. Speaker?

The SPEAKER. The only way that the language the gentle-

man has cited to the House is operative is if there is no specific language to the contrary or no specific language which addresses the question. Then the House must fall back on established precedents of the House and the established customs and usages of the House.

Mr. DiCARLO. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for his inquiry and hopes it has been clarified in the minds of the members.

The Chair recognizes the gentleman from Erie, Mr. Dombrowski, to speak to the matter of germaneness.

Mr. DOMBROWSKI. I would just like to mention to the members that HB 884, PN 1003, amends "Title 51, (Military Affairs)", and my amendment does the same thing.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Bittinger, on the question of germaneness.

Mr. BITTINGER. Perhaps I should explain the reason I raise this question. I agree that they both deal with military affairs. As far as I am concerned, however, HB 884 concerns the use of burial flags and the issuance of burial flags, whereas the amendment is concerned with the veterans' homes. Except for the fact that both deal with military affairs, as far as I am concerned, they do not have anything to do with each other. For that reason I would request that the House members vote that the amendment is not germane.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DiCARLO. Mr. Speaker, on the issue of germaneness, is there someone in the House who perhaps can give this House a definition of germaneness based on prior precedent and the rules of the House or established history and practices?

Mr. DeMEDIO. Mr. Speaker—

The SPEAKER. Does the Chair understand that Mr. DeMedio is going to attempt to answer the question for Mr. DiCarlo?

Mr. DeMEDIO. Yes, Mr. Speaker.

Yesterday, we—

The SPEAKER. Just one moment.

The Chair would advise Mr. DiCarlo and Mr. DeMedio and the House that the sole judge of germaneness under the rules of the House is a vote of the members of the House, regardless of what germaneness was in the last session or 20 sessions before. Today that which is germane is ruled germane by a vote of the House; that which is nongermane is ruled nongermane by a vote of the House, and there is no other judge.

If the gentleman, Mr. DeMedio, wishes to advise the gentleman, Mr. DiCarlo, what has formerly been true, the Chair will recognize him for that purpose.

Mr. DeMEDIO. Mr. Speaker, you said exactly what I would have said. You said it much better.

Thank you, Mr. Speaker.

The SPEAKER. The Chair is delighted to know that it is doing something right anyway.

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

Mr. ZELLER. Mr. Speaker, in regard to germaneness, I would

suggest that we vote that it is not germane due to the fact that yesterday we had a similar incident in regard to the Gallagher amendment on the Election Code. I believe they both referred to the Election Code, but they were not germane to the subject. I think for that reason we voted it down. I think, likewise, we should vote this down.

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

Mr. DiCARLO. Mr. Speaker, I just want to refresh the memories of the body of this House. When we went through the rules' changes very early in this session, one of the issues that was dealt with in the original rules presented to the House was the subject of amendments, and there was an effort to kind of eliminate those types of amendments which could be offered on the floor of the House specifically dealing with specific titles and topics. At that time there was a vigorous debate on the floor of the House, with many members on both sides of the aisle rising and opposing that proposed rule change simply because of the occurrence that may happen today: We were afraid that members would not have the right or would not have the attempt to get up on the floor of this House to amend a piece of legislation that was related to or that amended the same title or same code.

I say to you today that it is very important that you do rule and do vote to uphold the germaneness of this amendment. If you do not do that and if you set a dangerous precedent, as you did the other day, you will be shortchanging every member on this floor sometime in the future. If you cannot get a bill out of committee, you will not even have the ability to talk about an issue on the floor of the House. I urge you to be very liberal and to be very broad in your conception of germaneness and to support the issue.

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

Mr. CASSIDY. Mr. Speaker, I rise to talk in favor of the motion made by Mr. Bittinger. I personally feel that putting the welfare of our veterans under the control of local politicians has nothing to do with burial flags, and I do not want to see a perfectly good bill cluttered up by such a controversial amendment.

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

Mr. DOMBROWSKI. I resent the fact that he called the board of trustees a bunch of local politicians. I think they were selected by the Governor, appointed by the Governor. They constitute nine members—

Mr. CASSIDY. Mr. Speaker, I rest my case.

The SPEAKER. The Chair thanks the gentleman, Mr. Dombrowski.

The Chair admits that the Chair is missing the rough-and-tumble of the floor right now. That is a lot more fun down there.

The gentleman, Mr. Cassidy, has rested his case. I understand that what the gentleman is doing is supporting the Bittinger position of nongermaneness.

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

Mr. DeMEDIO. Mr. Speaker, as the prime sponsor of HB 884, I oppose this amendment on the basis that the amendment is not germane to the issue of the offering of flags to our members of the National Guard upon their decease. There seems to be no relationship whatsoever between the two, and therefore, I ask all the members to vote against the germaneness of this amendment.

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

Mr. ZELLER. Mr. Speaker, I believe that Mr. DiCarlo would be considered 100 percent correct if he says that what we are trying to do here is to stop people from making amendments, and that is not the case. The case here is something we are talking about and let us give an illustration as far as the fruits from the trees. We have apples, oranges, all kinds of things. As a matter of fact, if we are relating to the same code of fruits, and we are talking about apples, then let us stay on apples. We are going to amend apples. But if we are talking about oranges or peaches, there is no reference to apples. So what I am saying is this: Let us stay on the issue of flags and let us leave the directors out of it. So, therefore, let us vote that the issue is not germane and let us get on with the business.

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

Mr. STEWART. Would the Chair please state once again for the record and for my own edification the precedent or lack of precedent that is set by each ruling of germaneness or ruling of nongermaneness?

The SPEAKER. I am sorry, the Chair did not understand the gentleman's question.

Mr. STEWART. Let me place it in the form of a question: If Mr. Dombrowski's amendment is ruled nongermane today, and perhaps Mr. DeMedio's bill comes up tomorrow for reconsideration and the amendment comes up again, does the ruling of nongermaneness today hold for tomorrow or do we vote it again?

The SPEAKER. Let the Chair place the question again. I checked with the Parliamentarian and he agrees with the Chair's assessment. The gentleman has asked the question: If the House decides today on Mr. Bittinger's motion that the Dombrowski amendment is nongermane and if HB 884 is brought up at a later date—he specified tomorrow, but, of course, it means at any later date—would the decision of the House of nongermaneness obtain? The answer is, Yes, it would. However, under the rules of this House, any matter may be reconsidered, so the motion on germaneness could be reconsidered. The House could reverse itself and declare that which it had said was nongermane on Tuesday to be germane on Wednesday, and I have seen that happen.

Mr. STEWART. Thank you, Mr. Speaker.

I urge a vote on nongermaneness.

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

Mr. RITTER. To talk about this. Mr. Speaker, on the issue of germaneness, I think it is very important that we get some things established on this question.

Representative DiCarlo was absolutely correct. In the beginning of this session, there were those of us—and I was one who voted that way—who voted that amendments to a particular code cannot be and are not germane unless they deal with the exact subject matter of the bill in question. But the majority of this House decided otherwise. They said that if you are talking about a code, whether it be the Military Affairs Code, the Motor Vehicle Code, or what have you, it is sufficient if an amendment deals with any portion of that code for it to be considered.

I think they made a mistake in the beginning of the session. As I said, I voted contrary to that. But what we did yesterday and what we are attempting to do today is to go back to the rule that we already rejected earlier in the session.

I would think that if you are going to vote that Mr. Dombrowski's amendment is not germane today, I plan, then, Mr. Speaker, on submitting a change in the rules to go back to the proposal that had been rejected earlier, and that is, that it must deal with the exact subject matter.

I think Mr. Dombrowski's amendment is germane. Under the rules of the House, it is germane because it does deal with the Code of Military Affairs, and on that basis it ought to be accepted. Whether you accept the amendment or not is another matter. But the member is entitled to offer this amendment because it does deal with the Military Affairs Code and I think he is entitled and the vote ought to so indicate it. I would ask that we vote that the amendment is in fact germane.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. I would like to speak just on the point that Mr. Ritter made on the rules.

I was the person proposing the original rule on germaneness in the introduction of the entire resolution. What we did when we adopted rules was to reject the proposition that you must be amending that exact portion of a code, the exact section of a code, to be germane. We did adopt a rule on germaneness after having rejected that particular proposition, and that was, that this House will decide in each case whether an amendment is germane to the main bill. That is the rule of this House.

It would seem to me that although not amending the exact same section of a code, an amendment may be substantially related to the subject matter of the bill, substantially enough that this House would determine that it is germane even though not amending the exact same section of the bill. That is possible.

What we did yesterday when Mr. Gallagher proposed an amendment to a code when the bill proposed also an amendment to the code was to decide that the Gallagher amendment was not substantially enough related to the main subject matter of the bill. The decision that we have to make now simply is this: Is the Dombrowski amendment substantially related to the subject matter of this bill that this House should consider it germane or not? And I think that we do have a rule that governs; it is the rule that this House will decide. I think it is a wise rule.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ITKIN. Mr. Speaker, I rise to reiterate what Mr. Ritter has said. I think we discussed this issue when we adopted the rules of the session, that we did not want to so restrict the offering of amendments on the floor for, I guess, the most important reason: that there would be times when a member would feel compelled to seek a review of his particular proposition by the entire House and that unless we allowed that individual the license to offer such an amendment to a bill existing on the floor, that he would be denied, as we all might possibly be denied, of having the issues that he was concerned about addressed fully by the entire House.

Now in the case in point, we have Mr. DeMedio who is the chairman of the Military and Veterans Affairs Committee, the committee to which, if a bill were introduced to address this issue, this particular amendment would come. And if Mr. DeMedio decided that this is not what he wanted to do, he could, in essence, deny the House further consideration of Mr. Dombrowski's proposition.

I think it is very, very important that we afford every member the opportunity when he feels that it is of compelling nature to do so to bring that question to the floor.

With respect to the majority leader, I do take question to the rejection of Mr. Gallagher's amendment of yesterday since I voted against germaneness not because I did not feel it was separate from the subject matter at question, but that the proposition Mr. Gallagher was offering was not germane to the election process and therefore was not germane to an amendment to the Election Code.

Consequently, I would urge all members of the House, whether you will ultimately support Mr. Dombrowski's amendment or not, to rule that his amendment is germane to the Military Code, as I believe it is. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

We understand Mr. DeMedio wishes to address the narrow point which has just been raised, and the Chair recognizes that there are other members waiting to be recognized and we will get to them in turn.

Mr. DeMEDIO. Mr. Speaker, by the same token, the gentleman from Allegheny, Mr. Itkin, brings out the fact that as chairman I could prevent a bill, having incorporated the substance of this amendment, from being reported out of my committee. As I say, by the same token, to hold that in every instance an amendment is germane because it amends the same code would be restrictive of the legislative process. By that I mean our committee did not have to report this bill out which would make uniform the giving of flags upon the decease, the death, of a member of the services or the National Guard, in this instance.

If this rule is followed by the House, which would, of course, be at variance with the holding of this House yesterday where- by the members held that an amendment to the same code, the

Election Code, because it was so different in substance, was not germane, and most certainly this is as strange to the substance of our bill, the bill before the House, as was the amendment yesterday to that bill in question, and, therefore, if this House is going to be uniform and if it is going to be consistent with this holding of yesterday—and that holding, more or less, held that not being similar in substance, that even though it was an amendment to the same code it was not germane, and I am saying to you that for consistency and in the interest of not restricting the legislative process—where you have an amendment that is so formed to the bill in question, the members should hold that it is not germane.

Thank you, Mr. Speaker.

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

Mr. MORRIS. Thank you, Mr. Speaker.

Sometime on the floor of this House I am afraid I misquoted the poet Emerson when he was speaking of the type of subject matter we are discussing now. However I have learned better now and I think the correct quotation is as follows: "Foolish inconsistency is the hobgoblin of little minds." Fortunately, there is no one in this House who can be accused of having a little mind. Sometimes we may be foolish, occasionally, but at least we are not little.

I like this case-by-case approach that the Speaker has given as the method of dealing with these problems, and in spite of that, or perhaps because of it—and I am not that sure which—I am going to vote for Mr. Dombrowski and his amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

Not to belabor the debate, but I would like to echo the remarks once again of the distinguished majority leader, Mr. Manderino.

I was the member who offered the amendment to change the proposed rule question on germaneness which ultimately brought us to this debate today.

It was never the intent of this sponsor to remove the right of any member to question germaneness, but at the same time it was the intent of this sponsor of that rule-change amendment to also protect the right of any member to offer an amendment which was reasonably within the title of the existing bill before us.

So the intent of the amendment was twofold: to protect both the right of any member to offer an amendment he felt was singularly important to him, and, secondarily, to also protect the right of a member who had a legitimate question on germaneness.

As Representative Itkin pointed out, the key question to keep in your mind is, try and keep severable the question of germaneness when voting on the issue from the actual point of the issue the amendment is offering. If one bears in mind that by continually questioning or routinely offering motions for germaneness, we will be, in fact, taking away that right as members, which we initially gained through the rule change, to

offer an issue that is important to us. We can ultimately defeat the purpose of the rule change itself.

I would encourage members to keep severable, in their minds, the issue of germaneness on each vote from the actual substantive issue that the member is offering.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SELTZER. Thank you, Mr. Speaker.

The gentleman, Mr. DeMedio, used the term "consistency." Let me talk about 20 years of consistency and years before that. Up until this year the rule on germaneness was that the Speaker shall decide the germaneness of an amendment. It was only this year through the rule change that the House now decides the issue. I think early in this session we have found that maybe the old rule might have been a better rule because the Speaker in his wisdom would decide germaneness not on the issue at hand but by the precedents that were set before. We had a consistency that went on year after year after year on germaneness on amendments.

Mr. Speaker, I personally do not like the amendment that is being offered today and I would be very happy to vote against it. But I am also going to vote for the germaneness of the amendment to be offered at this time and I hope that we would follow the historic provisions of this House which permits all members to offer amendments as long as they pertain to that code under which we all live, no matter which code it is.

Mr. Speaker, I am glad that we have found this problem early in our session and I hope we give it some serious thought. When the time comes I hope that the majority of the members would, again, put into the hands of the Speaker the power and right of making a decision of germaneness with the opportunity for the members then to appeal the ruling of the Chair.

The members will always maintain their rights but I think to have a real consistency in here, the obligation and responsibility should be put back in the hands of the Speaker.

I ask today that we vote that this amendment is germane. Then I hope we will vote to defeat the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DOYLE. Mr. Speaker, just an aside note to the gentleman, Mr. Seltzer, when he speaks about consistency: When we debated the issue of the rules change very recently in this session, I believe that I called the attention of the members to the inconsistency which we have been laboring under and pointed out that it was in July of 1973, by a ruling of the then Speaker, Ken Lee, that it was decided that the House itself would decide germaneness. It was in response to a point of parliamentary inquiry by the gentleman from Philadelphia, Mr. Williams.

So the House has been inconsistent. Whatever we are going to do, let us do it according to the rules. Right now we have this rule of the House. Let us abide by it. If Mr. Seltzer and Mr. Ritter want to offer an amendment to change it back, sobeit, but for the present time let us decide that the issue is germane and

get on with the business.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION GRANTED

The Chair advises the members that the Chair has given permission for the silent filming of the House of Representatives to WIIC-TV from Pittsburgh.

The SPEAKER. The question before the House is this: Is the Dombrowski amendments to HB 884, PN 1003, germane?

On the question,

Are the Dombrowski amendments to HB 884 germane?

The following roll call was recorded:

YEAS—171

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

NAYS—26

Berson	Flaherty	Mrkonic	Sweet
Bittinger	Fischer, R. R.	Novak	Tenaglio
Cassidy	Gleeson	Pievsky	Valicenti
Cimini	Greenfield	Rappaport	Weidner
Cole	Lincoln	Shuman	Zeller
DeMedio	Lynch	Stewart	Zord
Dietz	Manderino		

NOT VOTING—3

Milanovich O'Donnell Shelton

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. The Chair recognizes the gentleman from Mercer, Mr. Bennett. For what purpose does the gentleman rise?

Mr. BENNETT. Would Mr. Dombrowski consent to interrogation?

The SPEAKER. Will Mr. Dombrowski consent to interrogation?

Mr. DOMBROWSKI. Yes; I will, Mr. Speaker.

The SPEAKER. The gentleman from Erie indicates that he will. The gentleman, Mr. Bennett, may proceed.

Mr. BENNETT. Mr. Speaker, in conversation with Representative Dombrowski yesterday, I indicated that I had some reservations on this because I was not sure what my own local veterans' organizations were doing, and I would ask Representative Dombrowski if it is his understanding, as we have been informed, that every veterans' organization in the Commonwealth in public hearings has indicated that they wish the Soldiers' and Sailors' Home to be run without the board of trustees that has historically been there.

Mr. DOMBROWSKI. It is difficult for me to answer your question, Mr. Speaker, but I will just say that they were going to maybe discuss this at the convention in Philadelphia. I am not too sure, but it is not up to me to hold the bill. I think it would be up to Representative DeMedio to hold the bill. I would like to see it run today, Mr. Speaker, because it does not really have any bearing so much on this amendment as it will have on my next amendment. I do not think this amendment is what is bothering some of the people too much.

The SPEAKER. The Chair recognizes the gentleman, Mr. Bennett. The gentleman may proceed.

Mr. BENNETT. Mr. Speaker, I have no further interrogation of Representative Dombrowski. However, I would state for the record that as a Representative from the seventh district, I am in a real quandary on the whole bill.

We are told, as members of the House, on one hand that every veterans' organization within the Commonwealth at public hearings, according to information that I have received from Representative DeMedio—

The SPEAKER. Would the gentleman desist?

Is the gentleman addressing himself to the bill or to the amendment? If the gentleman is addressing himself to the bill, the gentleman is out of order. The only question before this House at the present time is, Does the House agree to the amendment offered by Mr. Dombrowski?

Mr. DOMBROWSKI. Maybe I can rest Mr. Bennett's mind at ease.

The SPEAKER. Does the gentleman, Mr. Bennett, yield the floor to the gentleman, Mr. Dombrowski?

Mr. BENNETT. I would certainly yield.

The SPEAKER. The gentleman has yielded the floor, and Mr. Dombrowski may proceed.

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

Mr. DOMBROWSKI. Mr. Speaker, in the closing statement from the friend of yours whom we spoke to on the telephone yesterday, he had said that he would support my position with these two amendments; the Mercer, Crawford and Erie County delegations would support them.

The SPEAKER. Does that resolve the quandary in which the gentleman finds himself or does that merely erect higher walls around the quandary?

The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, you have put it succinctly, as Mr. DeMedio said previously, better than I could have.

In an attempt to speak to the amendment, Mr. Speaker, rather than to the bill, I will attempt to confine my remarks to the amendment and again state that the problem that I have in accepting this amendment is because of information that we have received from a committee chairman. Now, as a committee chairman, it makes it rather difficult to oppose a committee based on what one member of this House is telling us.

I would ask, Mr. Speaker, respectfully of Mr. DeMedio that on the basis of the VFW — Veterans of Foreign Wars — convention that convenes in Philadelphia tomorrow, if he would, as a courtesy to the members of this House, hold this bill until after that convention so that I and, I am sure, some others might have the information that would be forthcoming from that convention. I respectfully ask that.

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

Mr. DeMEDIO. Mr. Speaker, I have no objection to that because what we do in this House, especially in the Military and Veterans Affairs Committee, has always been, at least to this point in time, subject to approval or disapproval by the veterans' organizations, which have been given much thought in as far as whether or not the legislation would be reported out by our committee.

We feel that the veterans' organizations have a vital part to play in the passage of legislation pertaining to veterans, and I most certainly have no objection to delaying this until after the various veterans' groups have their conventions and state their position on the matter in question.

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

Mr. BELLOMINI. Mr. Speaker, I just want to point out to my colleague, Mr. Reed Bennett, that as a chairman of another committee I find no difficulty in opposing the chairman of the Military Affairs Committee on this issue. First of all, Mr. DeMedio has understanding of our problems and the problems that derive when you turn around and lay the full responsibility in the department down here in Harrisburg.

This amendment that Mr. Dombrowski has put forth to the

House is to select a board of directors to more or less control an institution or the Soldiers' and Sailors' Home in our area so we do not have to wait months at a time for red tape down here in Harrisburg. This has been going on for many years.

The SPEAKER. Will the gentleman yield to the Chair? You are getting very far afield. Many of you. No, not just the gentleman, and I want the gentleman to understand that the Chair is not chiding him.

The only question before the House at this time is, Does the House agree to the Dombrowski amendment? There is no question before this House as to the passage of the bill.

If it is the motion or the request of Mr. Bennett that the bill be passed over and if it be the desire of Mr. DeMedio so to do, then the correct procedure is for Mr. Dombrowski to be requested to withdraw his amendment. In that case, the bill without the amendment is again before the House and the bill can be passed over. But there is no sense of continuing the debate as to passing over the bill when that is not the question currently before this House.

Will the gentleman speak to the question before the House?

Mr. SHUMAN. Yes.

The SPEAKER. Knowing the gentleman for years, I am sure that the gentleman will restrict his remarks strictly to that question.

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

Mr. SHUMAN. Mr. Speaker, no one has yet indicated here, nor are they indicating that they are blaming the VFW for making decisions in Philadelphia. Many other veterans' organizations were at those hearings that recommended

The SPEAKER. The Chair must interrupt the gentleman. The gentleman is restricted to speaking to the question before the House, shall the House adopt the amendment offered by Mr. Dombrowski? Nothing else is before this House, nothing.

The gentleman may proceed to address that point and that point only.

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

Mr. SHUMAN. Mr. Speaker, I may want to speak on the question before you decide whatever you decide.

The SPEAKER. The Chair did not hear the remarks of the gentleman.

Mr. SHUMAN. I would like to make the comment that I hope that I will be able to go to Philadelphia, Mr. Speaker, and put a resolution in and promote the item of what Mr. DeMedio is speaking of. This is what they did before, and I am going to put that in and talk on it in Philadelphia, because the fact, Mr. Speaker, is, the reason that they handed it over to the Military Affairs Committee is because the home became a disgrace in its operation.

The SPEAKER. The Chair would say to the gentleman, go ahead, get it out of his system. Say it for the record, and then let us go on.

The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Zitterman.

Mr. ZITTERMAN. Mr. Speaker, would Mr. Dombrowski consent to interrogation, please?

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

Mr. DOMBROWSKI. Yes, Mr. Speaker.

The SPEAKER. The gentleman from Erie indicates that he will consent to interrogation.

The gentleman from Lackawanna may present the interrogation.

Mr. ZITTERMAN. Mr. Speaker, currently, the Erie Soldiers' and Sailors' Home, is this under the direction of the board of trustees?

Mr. DOMBROWSKI. No, sir; it is not.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. DICARLO. Mr. Speaker, I thought that the Chair had specifically asked if the prime sponsors of the legislation had decided to hold that legislation and if the sponsor of the amendment had decided to hold that amendment so that it could be passed over until the action would take place in Philadelphia. Now, we are back on debate on the amendment. Could the Chair perhaps clear up the first issue with Mr. DeMedio so that the House will know how to carry on the rest of the debate this afternoon?

The SPEAKER. The Chair will attempt to clarify.

What the Chair was hoping the House would do was to take the hint from the Chair as to the correct question to be asked. No one has taken that hint. Consequently, we have now returned to debate on the primal question of, shall the House adopt the Dombrowski amendment? Mr. Zitterman is quite in order in returning to the point of the Dombrowski amendment because no one else asked the question which the Chair inferentially suggested should be asked.

The gentleman, Mr. Zitterman, may proceed.

Mr. ZITTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, a few months ago we went to the Soldiers' and Sailors' Home in Erie, and it is being run by the trustees and a few other members. During this interrogation, discussion and investigation of this home, we found the conditions to be deplorable under the present management. We found that the veterans were sitting in hallways with cracks in the windows up to a half inch, sitting by windows covered with shower curtains, and sitting in the cold with temperatures probably ranging between 55 and 60 degrees. We also found the conditions to be deplorable.

The books and records of the home were inadequate. The present management which is the trustees and the president administrator, could not answer a lot of the questions. Up until this time we find that we are unable to get hold of the books and records for our review.

Considering these facts, I would like this body to turn down and vote "no" for the Dombrowski amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Washington, Mr. DeMedio, to speak on the point of the amendment, its acceptance or rejection.

Mr. DeMEDIO. Yes. Thank you, Mr. Speaker.

Just very briefly I want the membership to know that I oppose this amendment. During the last session the Joint State Government Commission drafted an upgraded Military Code which our legislature passed almost if not unanimously.

As of the first of the year, the Department of Military Affairs took over the control, maintenance and the running of the institution, and already it is amazing what improvements have been made.

To support the Dombrowski amendment would be a step backward, and I am asking all the members on behalf of all of the veterans in the Commonwealth, who have wholeheartedly supported the control of this facility by the Department of Military and Veterans Affairs, to oppose the Dombrowski amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Dombrowski, to speak upon the amendment.

Mr. DOMBROWSKI. Just briefly, Mr. Speaker, I would like to remind the House of some of the improvements that they made at the home. There was a government hospital closing down someplace, and somebody here in Harrisburg from the Department of Military Affairs found that they had 50 mattresses for sale, so they picked them up and had them delivered to the home in Erie. These mattresses were completely saturated with human waste. It took them 2 weeks to find a place to burn them. That is what we got out of the mattresses. They also found a place where they bought 100 chests of drawers. I do not know what amount of money it cost them to deliver them to Erie and I do not know what amount of money they paid for them, but these are currently being stored in a place because they are too big and bulky, because everybody is under the impression that it is a motel down there. There are two or three people living in a room. There is no room for these chests of drawers, so now we have to get rid of those.

Another thing they did, and I am surprised at Mr. Zitterman's statements to state that it is in deplorable condition. We fought for money for many years over here, and, as many of you know, I offered a couple of amendments that made some improvements.

The improvements that Mr. DeMedio is talking about started taking effect in 1974. We have a \$100,000 project from the Department of Military Affairs going out now for bids, which is true, but this is done under the courtesy of Colonel Balthes whom I respect and is the man in the Department of Military Affairs who does a tremendous job. He gets Federal moneys. There are no state moneys involved in that. I fought on this floor for state moneys for that home many times, only to be rejected.

Another thing that I would like to say is what they did with the state moneys if there is such a shortage at the home there. We had that home for 90 years without an adjutant down there. All of a sudden somebody in Military Affairs saw fit that instead of doing some renovations like these people are talking

about and doing some remodeling to the building, they hired a man for \$15,000 a year. He spent 2 months on the job, and all of a sudden they found out that he was not needed, and, at the insistence of some of the board of trustees who were at the home, the man was let go.

So if we want to, like Mr. Cassidy said, get that out of the hands of local politics, let us really get it out of the hands of the state politics and let us put it where it belongs, with the veterans, the veterans whom we are all so concerned about.

The SPEAKER. The Chair thanks the gentleman and admonishes Mr. DeMedio that he has already used his two times at the microphone. Mr. Dombrowski has used his, and Mr. DiCarlo is about to use his second.

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

Mr. DiCARLO. Thank you, Mr. Speaker.

Mr. Speaker, I want to bring some knowledge especially to the newer members of the legislature who I guess happen to have the opportunity to serve on Military and Veterans Affairs this term of the legislature.

You have to know what has happened in Erie County for the past 90 years and specifically with the Erie County Soldiers and Sailors' Home. That was the first and the only Soldiers' and Sailors' Home ever to be owned and operated by the Commonwealth of Pennsylvania.

For 90 years that home was operated by an administrative board of directors and it was up until January of this past year when that administrative board was changed and replaced by an advisory board.

Now let me tell you what has happened since that advisory board has gone into effect. No longer do the board members who serve there have any say at all in the operation of that home. They have a tough time, and the staff who has to run that home cannot get pencils, they cannot get paper, they cannot get supplies or anything else until they go through the general's office right here in Harrisburg, Pennsylvania. They do not even have the option of going out and buying toilet paper for that home when they need it. They have to go through the State of Pennsylvania.

I do not have to tell many of you of the regionalization effect that you are suffering in many of your institutions in the district and of some of the bureaucratic hangups that you have. That is one of the biggest things. The patients in that home are not getting the services efficiently and effectively since that board has been changed to advisory.

Second thing, the employment needs have not been met in that home. We have fought year after year after year in this legislature to get better staffing up there at that Soldiers' and Sailors' Home, and we have constantly had problems with the Department of Military Affairs because for the last 20 years they have been trying to close it and have been trying to phase it out.

Now we need skilled nurses there; we still need some paraprofessionals there, and we have always been told, since we have had the advisory board, that the state cannot give them to you because we do not have the money in the budget.

Let me tell you what they did about 3 months ago. Now that it is advisory and now that it is run by the Department of Mil-

itary Affairs and the Governor's Office, the Governor wheels and deals with the county chairmen up there in Erie. We do not get nurses and we do not get paraprofessionals or medical people. Before the last election they put on a guy making \$18,000 a year as a public relations expert, and he was appointed. He was appointed over the objections of the advisory board of that county Soldiers' and Sailors' Home. They were simply political maneuverings on the part of the state in that local effort.

We are appalled at that. We do not want that to occur, and that was moneys that could have been used to help the staffing of that facility.

The last thing and the only thing, I agree with Mr. Bittinger, that home is a disgrace. It has been a disgrace. Those conditions should be repaired. I have to say to you that the only implementations or the only improvements that have been made in that Soldiers' and Sailors' Home have come through the efforts of the legislators from Erie County with the support of our colleagues on the floor of this House. It has not been taken care of in the budgetary process by Military Affairs, and it has not been recommended by the chairman of Military and Veterans Affairs. Every improvement that is up there in Erie County was done by the amendment process on the floor of the House and by the support of our colleagues. That is what we are asking for today, to let that board be administrative. Let us run the functions up there and let us continue to make that a top-rate home and continue the operation for the next 100 years.

The SPEAKER. The Chair thanks the gentleman.

The Chair apologizes to the gentleman for interrupting the procedures, and the Chair now recognizes the gentleman from Blair, Mr. Cassidy.

Mr. CASSIDY. Would the gentleman, Mr. Dombrowski, consent to a brief interrogation?

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

Mr. DOMBROWSKI. Yes, Mr. Speaker.

The SPEAKER. Mr. Dombrowski indicates that he does consent to interrogation. The gentleman, Mr. Cassidy, may place the interrogation.

Mr. CASSIDY. Mr. Speaker, how would your amendment affect the Holidaysburg Veterans Home?

Mr. DOMBROWSKI. It would have no effect on it at all. The Holidaysburg Home, as far as I know and as far as the Military Code is written, will have their own board of trustees.

Mr. CASSIDY. Let me ask you, your amendment is to have a strong board of trustees, correct?

Mr. DOMBROWSKI. I did not hear the question.

Mr. CASSIDY. You are trying to strengthen the board of trustees?

Mr. DOMBROWSKI. Yes, I am.

Mr. CASSIDY. Okay, you are trying to create a strong board of trustees and that will also affect the Holidaysburg Veterans Home?

Mr. DOMBROWSKI. If they fall into the jurisdiction of the board of trustees currently in existence, yes, it would.

Mr. CASSIDY. Mr. Speaker, I wish to speak on the amendment.

The SPEAKER. The Chair recognizes the gentleman from

Blair, Mr. Cassidy. The gentleman may proceed.

Mr. CASSIDY. The Holidaysburg Veterans Home happens to lie in the 80th district, which I represent, and at this present time I feel that a degree of local control would not harm the home or the veterans. This is because our veterans' home is new and we are committed to make it the showplace of all veterans' homes in the state and, hopefully, in the country. However, I cannot see into the future and I do not know what future local political conditions might dictate. I do not want to see Holidaysburg have a strong board of trustees which some day puts other political considerations over the considerations of the veterans. I might also add that the veterans' groups in the Holidaysburg area are opposed to a strong local board of trustees and I bring that opposition to this floor today. I ask the members to vote against the amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Zitterman.

Mr. ZITTERMAN. Mr. Speaker, personally I would like to thank Mr. DiCarlo for his fine comments in thanking Mr. Bittinger and I would request that Mr. DiCarlo be given a listing of the freshman members.

Secondly, not to belabor the point, over the past 4 months under the jurisdiction of the Department of Military Affairs and under the jurisdiction and because of the veterans' committee, the deplorable veterans' home in Erie now has a partial remodeling job in paint and a much needed canteen for the veterans. It was neglected for so long in the Soldiers' and Sailors' Home, and they purchased their cigarettes and other commodities from the stores downtown. We now have a washer-and-dryer facility in the area so that the veterans can now wash and dry their clothing free. We also have the facilities in which the vending machines have been updated and the profits are now coming into the home for repairs and improvements instead of an unknown entity. Again, not to belabor the point, the Department of Military Affairs along with the veterans' committee has helped the veterans' home in Erie to progress. I feel that they have done more in the past 4 months for this home than since its existence. I would like to oppose and have the House members oppose the Dombrowski amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Zeller, and following that, the Chair will recognize the gentleman, Mr. Bittinger.

Mr. ZELLER. Mr. Speaker, I think that it boils down to one thing: whether or not we want centralized control. We have to have an agency with a director who is going to be called upon to be accountable for the actions of a particular department. All right, we have the Department of Veterans Affairs. If we are going to have a strong board out at Erie and a strong board at Altoona or one up at Holidaysburg, and there is a third one coming up possibly that could be in the east somewhere, and we are going to have a third party now involved, what are we going to do in regard to responsibility? Each one, in effect, now is going to have a strong political entity within the main body.

Therefore, who is the one who is going to be responsible, the Military and Veterans Affairs directly or is it going to be each one of these units?

That is why we have to nail it down and not have these strong bodies in each one of these areas. I think that for too long the veterans have been made a pawn of, in other words, a political use by those who want to take control of a certain area. I just think that it is terrible.

Why? I cannot understand why when up until 2 years ago we went out there and last year alone to see the conditions that existed by a board that was running the show. They talk about money; they talk about the lack of money. As far as I am concerned what I saw up there was not even being taken care of with the money they had.

In other words, I was very disgusted, and I think that it is about time that we have central control, someone whom we can lay this blame onto. They talk about not having anybody to come to a meeting because they could not get a quorum. With the things that we heard out there in regard to those in the area, there are many times they could not even get a quorum out of the group that was there.

This is a terrible condition, and unless we have central control so that we can lay the blame on those who are depriving our veterans of their needs, I can in no way see us going along with the Dombrowski amendment to have each little power group here and there across the State. We have to have one guy in charge on that bit and lay the blame where it belongs and rack him up if he is wrong. That is what we have to do, so let us vote it down.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BITTINGER. Thank you, Mr. Speaker.

Mr. Zitterman, in slightly different words, conveyed my thoughts. I simply want to correct the record. Mr. DiCarlo had referred to my remarks concerning the home, and they were remarks made by Mr. Zitterman, not myself.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BELLOMINI. Thank you, Mr. Speaker.

I will not belabor the House, but I am going to tell you one thing, there have been many false statements made here today concerning the home, but, first of all, if you read the amendment, the fourth itemized statement on this amendment states: "Subject to the approval of the Adjutant General, to make such bylaws, rules, and regulations, for the management of the institution as it may deem advisable."

So there is not what you call a political powerhouse going on in Erie County or a political arena as far as the men who are selected to serve on the board of trustees are concerned. We have always reached a quorum in that area, Mr. Speaker. We have always reached a quorum because of the legislators in the area and because of the men who represent the board in that area.

As to the deplorable conditions, yes, I am going to tell you something. Yes, we do have deplorable conditions at the home because it was never funded properly. I can remember serving on the Military and Veterans Affairs Committee 8 years ago when we were talking about funding a helicopter insurance plant for \$300,000 when \$300,000 would have upgraded this home.

As far as the need for paint, everybody knows that paint just more or less cleans up the walls. But you should see the toilets. Some are from the 1918 era. None of these things have been accomplished as far as the monetary value.

Now this board of trustees has been begging for more moneys in this area, and so have the legislators from this area been trying to get more money sent to Erie County, which has not been done, and we are trying to show that it can be done by the conditions now with the board of trustees moving in the right direction.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SHUMAN. Mr. Speaker, for some years I guess I have sort of been the senior member of the Military and Veterans Affairs Committee. I would like my colleagues to know a little bit of history.

Some years ago the Veterans of Foreign Wars at a convention, such as the one they are going to hold in Philadelphia this week—I was chairman of a state veterans' committee of that organization—and, likewise, the American Legion did the same thing, make a resolution, at a convention—I was chairman of a committee of that organization at the time—and passed a resolution that the House of Representatives should investigate the conditions at the Soldiers and Sailors' Home in Erie and the administration of the trustee board. I want to relate to my colleagues here in this House that after that resolution got out of committee here in the House, my same colleagues from Erie were the ones who made sure that we did not go to Erie to investigate the conditions at the Erie home and the administration of the trustees.

I want to tell you about my experiences as a member of the Military and Veterans Affairs Committee when I visited that home several years ago. They had a flag in the cemetery on a flagpole, and all that was left was the blue of the flag. I went to the toilet with a trustee who pleaded with me to take the management of the home from the trustees. Talk about the bureaucrats, there was not even any paper in the toilets.

Eventually we did pass a Military Code which placed the management of the Erie home with the Department of Military Affairs. The Erie home, which mainly became a home for Erie veterans, was mismanaged to the extent that veterans from my county and your county who went up there wanted to come home. That is how it was managed in Erie. We got the Military Code passed and the management of the home put into the hands of the Department of Military Affairs and we now are going somewhere.

Meanwhile, the VFW, the American Legion, the DAV and all

the veterans organizations—you have copies of their letters—have given you many, many reasons why this should not be taken out of the hands of the Department of Military Affairs and given back to the trustees. The committee in the House here, after investigation by these veterans' groups, and so on, find that they surely do not want this to go back to the management of the trustee board. Even some of the trustees do not recommend it.

I hope that this House does not at this late date go backwards and go against the wishes of veterans in this state, the people who are going to go to that home, and turn it over to the trustees to be mismanaged as it has been for the last 50 years. I urge you to vote against the Dombrowski amendment for many, many reasons.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. D. S. HAYES. Mr. Speaker, I have listened with great interest to the debate about the Soldiers' and Sailors' Home which is located in Mr. Dombrowski's district. I feel that it is most important to support Mr. Dombrowski in his request for his amendment because I think that local control is vital to the survival and the good conduct and good operation of the home. I think that with guidelines set down by the State Adjutant General's Office, things can be accomplished to the satisfaction of all.

I would point out that this home is not an Erie home alone. The veterans from all across the State of Pennsylvania have been permitted to enter here. I know that many members here have asked the Erie delegation from time to time to help them get people into this home and we have obliged them. I would appreciate their support on this amendment and urge their support of Mr. Dombrowski, Mr. Bellomini and Mr. DiCarlo, because I do think that this home can be operated much more efficiently, much more effectively, with the local board of directors rather than have a far-off bureaucrat decide whether there should be this or that. I think that it is time we stood up and had local control and I would appreciate the members voting in support of the Dombrowski amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Thank you, Mr. Speaker.

For the information of the House, over the weekend I had the pleasure of addressing a convention held in Williamsport, Pennsylvania, of World War I veterans. These people ranged in ages from their late seventies to their eighties. They are adopting a resolution opposing the Dombrowski amendment. They are very much in favor of allowing and keeping the Department of Military Affairs running that home. These are the wishes of people of World War I who are in their late seventies and in their eighties who are using these facilities. I would urge a vote against this amendment.

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—52

Abraham	Gamble	Laughlin	Ravenstahl
Bellomini	Garzia	McGinnis	Ritter
Caputo	Geisler	McLane	Ryan
Cohen	George, C.	Milanovich	Schweder
Cowell	George, M.	Moehlmann	Shupnik
DiCarlo	Gillette	Morris	Smith, L.
Dombrowski	Greenleaf	Mullen, M. P.	Stapleton
Dorr	Halverson	Musto	Trello
Doyle	Haskell	O'Keefe	Valicenti
Englehart	Hayes, D. S.	Pitts	Wansacz
Flaherty	Hoeffel	Polite	Wargo
Foster, A.	Hopkins	Pott	Wilt
Fryer	Kolter	Rappaport	
Gallagher			

NAYS—143

Anderson	Gatski	McCall	Shuman
Armstrong	Geesey	McClatchy	Sirianni
Arthurs	Giammarco	McIntyre	Smith, E.
Beloff	Gleeson	Mebus	Spencer
Bennett	Goebel	Meluskey	Spitz
Berlin	Goodman	Miller	Stairs
Berson	Gray	Milliron	Stewart
Bittinger	Greenfield	Miscevich	Stuban
Bittle	Grieco	Mowery	Sweet
Borski	Hamilton	Mrkonic	Taddonio
Brandt	Hasay	Mullen, M. M.	Taylor, E.
Brown	Hayes, S. E.	Novak	Taylor, F.
Brunner	Helfrick	Noye	Tenaglio
Burd	Honaman	O'Brien, B.	Thomas
Burns	Hutchinson, A.	O'Brien, D.	Vroon
Butera	Hutchinson, W.	O'Connell	Wagner
Caltagirone	Itkin	Oliver	Wass
Cassidy	Johnson	Pancoast	Weidner
Cessar	Jones	Parker	Wenger
Cianciulli	Katz	Petrarca	White
Cimini	Kelly	Piccola	Wiggins
Cole	Kernick	Pievsy	Williams
Davies	Klingaman	Pratt	Wilson
DeMedio	Knepper	Prendergast	Wise
DeVerter	Kowalyszyn	Pyles	Wright, D.
DeWeese	Lehr	Reed	Wright, J. L.
Dietz	Letterman	Renwick	Yahner
Dininni	Levi	Richardson	Yohn
Donatucci	Lincoln	Rieger	Zearfoss
Duffy	Livengood	Ruggiero	Zeller
Dumas	Logue	Salvatore	Zitterman
Fee	Lynch	Scanlon	Zord
Fischer, R. R.	Mackowski	Scheaffer	Zwikel
Fisher, D. M.	Madigan	Schmitt	
Foster, W.	Manderino	Scirica	Irvis,
Freind	Manmiller	Seltzer	Speaker
Gallen			

NOT VOTING—5

Barber	O'Donnell	Rhodes	Shelton
Harper			

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. DeMEDIO offered the following amendments:

Amend Sec. 1 (Sec. 3705), page 1, line 10, by striking out "Duty to furnish" and inserting Furnishing

Amend Sec. 1 (Sec. 3705), page 1, line 10, by removing the period after "flag" and inserting for deceased members.

Amend Sec. 1 (Sec. 3705), page 1, line 16, by striking out "Is

a" and inserting A

Amend Sec. 1 (Sec. 3705), page 1, line 18, by striking out "Was discharged" and inserting Discharged

Amend Sec. 1 (Sec. 3705), page 2, line 2, by striking out "Exemption" and inserting Exception

Amend Sec. 2, page 2, line 12, by striking out "immediately." and inserting in 60 days.

On the question,

Will the House agree to the amendments?

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

Mr. DeMEDIO. Mr. Speaker, this is an agreed-to amendment that merely clears up some of the language. It polishes up the language somewhat, but it makes no change in the substance of the bill.

The SPEAKER. Is there objection to the amendment?

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

POINT OF ORDER

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

Mr. ZEARFOSS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, does this bill require a fiscal note?

The SPEAKER. That is truly not a point of parliamentary inquiry. Your inquiry—

Mr. ZEARFOSS. A point of order. I believe that this bill requires a fiscal note, Mr. Speaker.

The SPEAKER. All right. We shall make inquiry of the Appropriations Committee chairman by asking him to stand for interrogation?

Will the Appropriations Committee chairman stand for interrogation?

The query is, does HB 884 require a fiscal note? The gentleman, Mr. Zearfoss, has placed the query.

Mr. ZEARFOSS. Does HB 884, PN 1003, as amended, require a fiscal note?

Mr. PIEVSKY. It is already in the existing appropriation, Mr. Speaker.

Mr. ZEARFOSS. It is already in an existing appropriation? Well, how much is it going to cost over the next 5 years? I believe that that has to be in the fiscal note. What is the cost this year, estimated, and over the next 5 years?

Mr. PIEVSKY. Well, it is approximately \$15 a flag, and I do not think that we can estimate how many people are going to die.

Mr. ZEARFOSS. You cannot estimate how many are going to die who are not subject to the Federal flag and all?

Mr. PIEVSKY. That is right.

Mr. ZEARFOSS. Well, the point is, Mr. Speaker, that there is an expenditure, no matter how small, involved in this, and I think that, under the rules of the House, a fiscal note is required.

I noticed from the history that the bill has not been in the Appropriations Committee and there is no fiscal note attached to it and there has been none circulated indicating what the cost of the bill will be. I am not against the bill, but I do think the rule requires that there be a fiscal note attached.

The SPEAKER. The Chair thanks the gentleman, Mr. Zearfoss.

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

Mr. DOMBROWSKI. Mr. Speaker, to allay Mr. Zearfoss' anxiety, the Department of Military Affairs has made arrangements with the Federal Government to supply the flags.

The SPEAKER. Is the gentleman, Mr. Zearfoss, satisfied as to his query?

Mr. ZEARFOSS. That is fine, but should it not be in a fiscal note? I am not questioning the facts.

The SPEAKER. The gentleman is making an observation?

Mr. ZEARFOSS. Yes.

The SPEAKER. The Chair thanks the gentleman for his observation.

On the question,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the constitution, the roll call will now be taken.

YEAS—194

Abraham	Gallen	Madigan	Scheaffer
Anderson	Gamble	Manderino	Schmitt
Armstrong	Garzia	Manmiller	Schweder
Arthurs	Gatski	McCall	Scirica
Bellomini	Geesey	McClatchy	Seltzer
Beloff	Geisler	McGinnis	Shuman
Bennett	George, C.	McIntyre	Shupnik
Berlin	George, M.	McLane	Sirianni
Berson	Giammarco	Mebus	Smith, E.
Bittle	Gillette	Meluskey	Smith, L.
Borski	Gleeson	Milanovich	Spencer
Brandt	Goebel	Miller	Spitz
Brown	Goodman	Milliron	Stairs
Brunner	Gray	Miscevich	Stapleton
Burd	Greenfield	Moehlmann	Stewart
Burns	Greenleaf	Morris	Stuban
Butera	Grieco	Mowery	Sweet
Caltagirone	Halverson	Mrkonic	Taddonio
Caputo	Hamilton	Mullen, M. P.	Taylor, E.
Cassidy	Harper	Mullen, M. M.	Taylor, F.
Cessar	Hasay	Musto	Tenaglio
Cianciulli	Haskell	Novak	Thomas
Cimini	Hayes, D. S.	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	Hopkins	Oliver	Wargo
DeVertter	Hutchinson, A.	Pancoast	Wass
DeWeese	Hutchinson, W.	Parker	Weidner
DiCarlo	Itkin	Petrarca	Wenger
Dietz	Johnson	Piccola	White

Dininni	Jones	Pievsky	Wiggins
Dombrowski	Katz	Pitts	Williams
Donatucci	Kelly	Polite	Wilson
Dorr	Kernick	Pott	Wilt
Doyle	Klingaman	Pratt	Wise
Duffy	Knepper	Prendergast	Wright, D.
Dumas	Kolter	Pyles	Wright, J. L.
Englehart	Kowalyszyn	Rappaport	Yahner
Fee	Laughlin	Ravenstahl	Yohn
Fischer, R. R.	Lehr	Reed	Zearfoss
Fisher, D. M.	Letterman	Renwick	Zeller
Flaherty	Levi	Richardson	Zitterman
Foster, A.	Lincoln	Ritter	Zord
Foster, W.	Livengood	Ruggiero	Zwick
Freind	Logue	Ryan	
Fryer	Lynch	Salvatore	Irvis,
Gallagher	Mackowski	Scanlon	Speaker

NAYS—0

NOT VOTING—6

Barber	O'Donnell	Rieger	Shelton
Bittinger	Rhodes		

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

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

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows was prepared for presentation to the Governor:

SENATE BILL No. 431

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

Whereupon,

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

ANNOUNCEMENTS

HOUSE SCHEDULE AND DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, it is now 3:10 or thereabouts. We made a decision to come back to the floor this afternoon and run one bill in order to get the members here and then go to caucus in order to discuss our most important priority — the budget and anything attendant thereto. Perhaps that decision cost us an hour and a half and maybe it was a bad decision. But gauging the amount of time that members are insisting we discuss the bills, we can plan to be here tomorrow for voting and Thursday for voting. There is every intention that we shall be in a voting session on Thursday.

Looking ahead to next week—it is very important, I think, that you ought to look ahead to next week—I would expect, if it takes this long next week to get a budget passed, that we will be here 5 days, perhaps into Saturday and Sunday, if necessary, of the weekend.

We will make every effort to get this state a budget through

the House at least next week, and if it takes into the weekend, we intend to work into the weekend.

I intend now to ask for a caucus for the balance of the afternoon for Democratic members where we will discuss these matters — the budget and any other attendant matters, related matters.

I had expected to be in session tomorrow morning at 10 o'clock. I am asking the members to cooperate with me because there are many bills on the calendar that should be attended to and I would like to come into session tomorrow morning at 9:30. We had extended the convening time until 10 o'clock to allow some of the members to get here. I think we are just going to have to sacrifice that half hour. We will be in session tomorrow morning at 9:30.

Mr. Speaker, with those announcements for an immediate caucus of the Democratic members, our plans for the balance of this week and the plans for next week, I would ask, if there is no further business to come before this House, that we adjourn until tomorrow morning at 9:30 and ask all members of the Democratic caucus to immediately report to the majority caucus room. I will reserve that motion, Mr. Speaker, until we have heard from the minority.

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

Mr. S. E. HAYES. Mr. Speaker, I wonder if the majority leader would answer a question for me, please?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

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

Mr. S. E. HAYES. Mr. Speaker, is it your intention to move bills on the calendar in the morning and then caucus tomorrow afternoon?

Mr. MANDERINO. Yes, Mr. Speaker.

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

NO REPUBLICAN CAUCUS

Mr. S. E. HAYES. With those tentative plans before us, I will not ask our members to go to caucus this afternoon. We have caucused on those bills which are to be considered tomorrow and we will caucus on the fiscal affairs beginning tomorrow afternoon.

Thank you, Mr. Speaker.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. VALICENTI. Mr. Speaker, we have scheduled a meeting of the Labor Relations Committee for tomorrow morning at 9:30 because we have two bills of great importance to report out. The committee will still have the meeting tomorrow morning at 9:30 in room 246. It will not take long, Mr. Speaker, and then we will come on the floor. Is it okay with you?

The SPEAKER. The Chair has no objection but the Chair would advise the committee that the Chair will probably be tak-

ing the master roll on time. If the members are not here, they will have to put their names on the master roll as they arrive. That can be done and there is no objection to that.

Mr. VALICENTI. Thank you, sir.

NO FURTHER BUSINESS

The SPEAKER. Is there any further business to be brought before the House by the majority leader?

The majority leader indicates there is no further business.

FAMILY OF MR. GREENFIELD WELCOMED

The SPEAKER pro tempore. The Chair is pleased to announce the presence of the family of Representative Greenfield of Philadelphia County — Mrs. Greenfield, Carol Crosson, daughter; Murray Greenfield, son; Sophie Greenfield, daughter-in-law; and Fara Crosson, granddaughter.

WELCOMES

The SPEAKER. The Chair has the privilege of presenting to the House five teachers from the Mechanicsburg Area High School: Mrs. Hawley, Mr. Brubaker, Mr. Kane, Mr. Lictel and Mr. Books. They are the guests of Representative Scheaffer of Cumberland County.

Will those teachers please rise? We are pleased to welcome you to the hall of the House. We hope you enjoy your stay.

The Chair would like to welcome 40 fourth- and fifth-grade students from McCloskey Elementary School in Philadelphia, Pennsylvania. The students are here today with their teachers, Mrs. Serinsky, Mrs. Abbot, Mr. Pizzo and Mr. Keppley.

They are the guests of the gentleman from Philadelphia, Mr. White.

Will the children and their teachers please rise?

We welcome you here to the hall of the House. We trust that your visit will be enjoyable and that it will be truly a learning experience for you. We hope that you will come back again.

The Chair is pleased to introduce to the House the son of Representative Dumas, who, I am told just completed his first year in law school. He is Aljia Dumas, Jr.

The Chair thanks the gentleman for being here and tells the gentleman that he understands very well what it means to finish the first year in law school. The first year in law school just about finished the Chair instead of the Chair finishing the first year.

The Chair is also delighted to present to the members of the General Assembly the parents of Representative Hoeffel, Dr. and Mrs. Joseph Hoeffel, who are, of course, the guests of Representative Hoeffel.

We thank you very much for coming. The Chair especially

thanks you for sending us your son. He is doing extremely well. He learns rapidly. He is going to be an extremely important member of the House.

The Chair recognizes the fifth-grade class students from the E. M. Crouthamel School of the Souderton Area School District in Souderton, Pennsylvania, with their teacher, Mrs. Janet Taglang, as guests of Representative Weidner and Representative Pancoast.

The Chair welcomes Mr. Andy Onufrak and son Andy, Jr., from Loyalsock-Williamsport, Lycoming County. Representative Ted Stuban from Columbia and Montour Counties is the nephew of Mr. Onufrak.

They are the guests of Representatives Anthony J. Cimini and Joseph Grieco of Lycoming County.

The Chair welcomes the Sinking Valley Golden Age Club. This fine group are the guests of the Blair County delegation — Mr. Milliron, Mr. Cassidy and Mr. Hayes.

The Chair is pleased to welcome the mayor of Blakely Borough, Mr. Pervicki, and Mrs. Pervicki, who have been, I think, waiting rather patiently and I hope with some interest. They are at the rear of the hall of the House. Will they please rise?

The Mayor and Mrs. Pervicki are guests of the Lackawanna County members and particularly the guest of Mr. Musto.

The Mayor is currently in attendance at the Mayors Conference. Mr. Mayor and Mrs. Pervicki, we are delighted to have you with us this afternoon. We hope that it has been interesting. I think that probably you are seeing one of the liveliest discussions that we have yet had.

The Chair is delighted to welcome, as guests of Representative Trello from Allegheny County, Mr. E. E. Nicholson, who is the president of the Pennsylvania Municipal Service Company, and Mr. Mario Manno, who is the tax collector of Coraopolis.

The Chair welcomes you here. We are delighted that you were able to make the visit. We hope that your visit will be informative.

ADJOURNMENT

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

Mr. D. R. WRIGHT. Mr. Speaker, on Flag Day, 1977, a day on which this House has paid the ultimate respect to those things for which that symbol stands by pursuing without interruption the business of the people, I move that this House do now adjourn until Wednesday, June 15, 1977, at 9:30 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 3:15 p.m., e.d.t.) the House adjourned.