

Legislative Journal

MONDAY, JUNE 20, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Heavenly Father, Thou who dost impart to each of us that strengthening faith which will enable us to stand firm and staunch and true, we look to Thee in gratitude for the faith of our fathers which challenged them to establish this land of liberty and justice for all. We beseech Thee to fill these stewards of Thine that they may continue steadfast in Thy way of truth as they carry out the responsibilities of their office. We humbly pray that Thou wilt share with them that faith which will direct them in the accomplishment of the greatest good for all the people of this great Commonwealth. In Thy blest name and for Thy sake, we gratefully pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Thursday, June 16, 1977, will be postponed until printed.

LEAVE OF ABSENCE GRANTED

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 request a leave of absence for Mr. SPENCER for today's session.

The SPEAKER. Without objection, leave is granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair announces to those members within the hearing of his voice that the Chair is about to take up the master roll call and urges all members to report promptly to the floor of the House. Members will proceed to vote.

The following roll call was recorded:

YEAS—198

Abraham Gallagher Madigan Salvatore

Anderson	Gallen	Manderino	Scanlon
Armstrong	Gamble	Manmiller	Scheaffer
Arthurs	Garzia	McCall	Schmitt
Barber	Gatski	McClatchy	Schweder
Bellomini	Geesey	McGinnis	Scirica
Beloff	Geisler	McIntyre	Seltzer
Bennett	George, C.	McLane	Shuman
Berlin	George, M.	Mebus	Shupnik
Berson	Giammarco	Meluskey	Sirianni
Bittinger	Gillette	Milanovich	Smith, E.
Bittle	Gleeson	Miller	Smith, L.
Borski	Goebel	Milliron	Spitz
Brandt	Goodman	Miscevich	Stairs
Brown	Gray	Moehlmann	Stapleton
Brunner	Greenfield	Morris	Stewart
Burd	Greenleaf	Mowery	Stuban
Burns	Grieco	Mrkonjac	Sweet
Butera	Halverson	Mullen, M. P.	Taddonio
Caltagirone	Hamilton	Mullen, M. M.	Taylor, E.
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	Wansacz
Davies	Hopkins	Oliver	Wargo
DeMedio	Hutchinson, A.	Pancoast	Wass
DeVerter	Hutchinson, W.	Parker	Weidner
DeWeese	Itkin	Petrarca	Wenger
DiCarlo	Johnson	Piccola	White
Dietz	Jones	Pievsky	Wiggins
Dininni	Katz	Pitts	Williams
Dombrowski	Kelly	Polite	Wilson
Donatucci	Kernick	Pott	Wilt
Dorr	Klingaman	Pratt	Wise
Doyle	Knepper	Prendergast	Wright, D.
Duffy	Kolter	Pyles	Wright, J. L.
Dumas	Kowalshyn	Rappaport	Yahner
Enehart	Laughlin	Ravenstahl	Yohn
Fee	Lehr	Reed	Zearfoss
Fischer, R. R.	Letterman	Renwick	Zeller
Fisher, D. M.	Levi	Rhodes	Zitterman
Flaherty	Lincoln	Richardson	Zord
Poster, A.	Livengood	Rieger	Zwikl
Poster, W.	Logue	Ritter	
Freind	Lynch	Ruggiero	Irvis,
Fryer	Mackowski	Ryan	Speaker

NOT VOTING—2

Shelton, Spencer

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1348 By Mr. WILSON

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, adding provisions relating to the valuation and assessment of real property subject to local taxation, imposing duties on the State Tax Equalization Board, requiring certification of county directors of assessments and assessors, prescribing penalties, making an appropriation and making repeals.

Referred to Committee on Local Government.

No. 1350 By Messrs. GAMBLE, CAPUTO, RAVENSTAHN, MISCEVICH, ABRAHAM, TRELLO, MRKONIC, DUFFY, Mrs. KERNICK, Messrs. LOGUE, COWELL, ITKIN, RHODES, Mrs. GILLETTE and Mr. FLAHERTY

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017, No. 396), further providing for contracts for hospitals which are part of the institution district.

Referred to Committee on Health and Welfare.

No. 1351 By Messrs. GARZIA, STAPLETON and TENAGLIO

An Act amending the "Senior Citizens Property Tax or Rent Rebate Act," approved March 11, 1971 (P. L. 104, No. 3), redefining income to exclude social security benefits or increases in social security benefits.

Referred to Committee on Finance.

No. 1352 By Mr. WAGNER

An Act amending the act of May 8, 1889 (P. L. 136, No. 153), entitled "An Act to amend an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,'" restricting the areas where utility companies may exercise the power of eminent domain and imposing additional duties on the Public Utility Commission.

Referred to Committee on Consumer Affairs.

No. 1353 By Mr. WAGNER

An Act to provide for the levying of an emergency tax on electricity generated in the Commonwealth, creating the Electric Utility Service Assistance Fund and providing for electric utility service assistance to certain senior citizens and permanently disabled persons with limited income; establishing uniform standards and qualifications to receive assistance; and imposing powers and duties upon the Department of Revenue.

Referred to Committee on Consumer Affairs.

No. 1354 By Messrs. WAGNER and LEVI

An Act amending the act of June 17, 1913 (P. L. 507, No. 335), referred to as the intangible Personal Property Tax Law, providing for certain tax exemptions, and authorizing county commissioners to determine whether or not to impose and collect taxes.

Referred to Committee on Finance.

No. 1355 By Messrs. WAGNER, GOEBEL, KLINGAMAN, BURD, W. D. HUTCHINSON and ANDERSON

An Act amending the "Public Utility Realty Tax Act," approved March 10, 1970 (P. L. 168, No. 66), changing the distribution of the total realty tax equivalent.

Referred to Committee on Finance.

No. 1356 By Messrs. WAGNER, ZORD, PYLES, O'CONNELL, DAVIES, PRATT and TADONIO

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), providing for storm water management.

Referred to Committee on Local Government.

No. 1358 By Messrs. BURNS, GALLAGHER, J. L. WRIGHT and WILSON

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for work to be done under contract let on bids and making an editorial change.

Referred to Committee on Education.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. HASAY, SHUPNIK and O'CONNELL

HOUSE RESOLUTION No. 121

The House of Representatives urge the Department of Public Welfare to refrain from any further closing of Retreat State Hospital until the same has been approved by the General Assembly.

Referred to Committee on Rules.

SENATE MESSAGE TIME OF NEXT MEETING

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

In the Senate,
June 20, 1977.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 27, 1977, and when the House of Representatives adjourns this week it reconvene on Monday, June 27, 1977.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS REREPORTED FROM COMMITTEES

HB 1171, PN 1534

By Mr. WARGO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, making omnibus changes.

Rereported from Committee on Rules.

HB 1262, PN 1554

By Mr. WARGO

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

Rereported from Committee on Rules.

HB 1263, PN 1486

By Mr. WARGO

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

Rereported from Committee on Rules.

MOTION FOR RECONSIDERATION OF VOTE

Mr. FRYER moved that the House reconsider the vote on final passage of House bill No. 596, printer's No. 651,

Mr. WEIDER seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—186

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

NAYS—5

Diminni	Pott	Smith, E.	Zearfoss
Hasay			

NOT VOTING—9

Beloff	Garzia	O'Donnell	Shelton
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Brandt Lynch Rhodes Spencer
Freind

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. GARZIA. Mr. Speaker, I would like to be recorded in the affirmative on the vote to reconsider HB 596, please?

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

On the question recurring,
Shall the bill pass finally?

BILL RECOMMENDED

Mr. FRYER moved that HB 596, PN 651, be recommitted to the Committee on Local Government.

Motion was agreed to.

COMMITTEE CHAIRMEN'S REPORTS PRESENTED

The SPEAKER. The Chair now calls upon the committee chairmen to submit their reports of attendance and votes for the week of June 13th. These reports will be delivered immediately to the desk clerk.

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

**HOUSE AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MINUTES**

June 14, 1977.

The meeting was called to order by Chairman Paul J. Yahner on Tuesday, June 14, 1977, at 9:30 A.M., in Room 115A. All the members on the Committee were present with the exception of Representatives Roy Wilt and Reno Thomas.

The following was discussed at the meeting:

1) House Bill 1197, Printer's No. 1415 with two amendments as attached was released from Committee on a Morris-Cole Motion, which was unanimously carried.

2) Mr. Yahner then presented a resolution which backed the land use study as suggested in federal legislation H.R. 5822. Some of the members signed the resolution, which will be presented to the House for their consideration.

3) A bill proposing the regulation of the sale and distribution of products used in agriculture to neutralize soil acidity (Agricultural Liming Materials Act) was signed and approved for introduction on a Cole-Zeller Motion (see attached). The bill to be introduced will be H.B. 1326 for the information of the Committee members.

A delegation from the Pennsylvania Aggregates Association (formerly Pennsylvania Stone Producers) was on hand and

spoke briefly and indicated they were pleased that the Committee gave them the opportunity to be present when the bill was considered.

A delegation from the Grange and the Pennsylvania Farmers Association was on hand, all of whom recommended the bill.

4) Representative Cole spoke on his amendments to H.B. 988 as concerns Harness Racing and more money being made available to the rural 24 county fairs' tracks. The Chairman indicated he favored the amendments and recommended to the Committee.

5) Representative Zeller spoke on the Trexler Dam and of the person threatening to bring suit due to the alleged statements made by the Representative, which were denied and Mr. Zeller asked for the Committee's backing his fight to prevent the building of the Dam and taking farm lands.

The meeting adjourned at 9:50 A.M.

WILLIAM O. SHUMAN
Secretary

Attendance Report

Tues., June 14, 1977.

MAJORITY MEMBERS

Present Absent

Paul J. Yahner	X	
Samuel W. Morris	X	
Harold L. Brown	X	
Thomas R. Caltagirone	X	
Michael E. Cassidy	X	
Kenneth J. Cole	X	
William DeWeese	X	
Lester Fryer	X	
Margaret H. George	X	
William Shuman	X	
Ted Stuban	X	
David Sweet	X	
David R. Wright	X	
Joseph R. Zeller	X	

MINORITY MEMBERS

Reno Thomas		X
Walter F. DeVerter	X	
William W. Foster	X	
Joseph V. Grieco	X	
William K. Klingaman, Sr.	X	
Roger A. Madigan	X	
Jess Stairs	X	
Noah W. Wenger	X	
Roy W. Wilt		X

Signed
WILLIAM SHUMAN
Secretary

ROLL CALL

House Bill 1197

MAJORITY MEMBERS

VOTE

Paul J. Yahner	yea
Samuel W. Morris	yea

Harold L. Brown	yea
Thomas R. Caltagirone	yea
Michael E. Cassidy	yea
Kenneth J. Cole	yea
William DeWeese	yea
Lester Fryer	yea
Margaret H. George	yea
William Shuman	yea
Ted Stuban	yea
David Sweet	yea
David R. Wright	yea
Joseph R. Zeller	yea

MINORITY MEMBERS

Reno Thomas	nv
Walter F. DeVerter	yea
William W. Foster	yea
Joseph V. Grieco	yea
William K. Klingaman, Sr.	yea
Roger A. Madigan	yea
Jess Stairs	yea
Noah W. Wenger	yea
Roy W. Wilt	nv

YEAS—21
NOT VOTING—2

Signed
WILLIAM SHUMAN
Secretary

HOUSE OF REPRESENTATIVES
Bill Analysis

Chief Sponsor
PAUL J. YAHNER

AGRICULTURAL LIMING MATERIALS ACT

This bill is designed to provide for the regulation of the sale and distribution of products used in agriculture to neutralize soil acidity.

The bill provides for definitions of commonly used terms in the liming materials trade. It prescribes requirements for proper labeling of such materials and the guaranteed chemical analysis of such materials. Any information provided on such labels shall include the addition of any other materials, excluding water, and shall not be misleading or false as to the composition of such liming material. In case of bulk material (not packaged) the delivery slip shall provide information similar to that required on labels on packaged material.

This bill confers powers and imposes duties on the Secretary of Agriculture of this Commonwealth in establishing regulations and standards in the administration of this Act. It also authorizes the Secretary to license manufacturers and distributors of such products prior to doing business in this Commonwealth.

The bill also provides for penalties for any violations of regulations established or provided for herein.

Prepared by:
House Agriculture Committee
Warren W. Lamm
June 8, 1977

AMENDMENTS TO HOUSE BILL NO. 1197

- Amend Title, page 1, line 6, by striking out "and" where it appears the first time
- Amend Title, page 1, line 7, by removing the period after

“act” and inserting and changing penalties.
 Amend Sec. 8 (Sec. 7), page 14, line 5, by inserting brackets before and after “three” and inserting immediately thereafter ten
 Amend Sec. 8 (Sec. 7), page 14, line 19, by inserting brackets before and after “three” and inserting immediately thereafter ten
 Amend Sec. 8 (Sec. 7), page 14, line 20, by removing the period after “secretary” and inserting ; provided, however, that such penalty shall not exceed the price paid by the purchaser.

AMENDMENTS TO HOUSE BILL NO. 1197

Amend Sec. 4 (Sec. 3), page 7, line 21, by inserting brackets before and after “commercial fertilizer distributed.”
 Amend Sec. 5 (Sec. 4), page 10, line 2, by striking out “section 4” and inserting section 3
 Amend Sec. 6 (Sec. 5), page 12, line 5, by removing the comma after “brand” and inserting and
 Amend Sec. 6 (Sec. 5), page 12, line 10, by striking out “brand” and inserting brands

RESOLUTIONS

INTRODUCED , 19 By Paul J. Yahner, Seat NO. 79; By Margaret H. George, Seat NO. 72; By David R. Wright, Seat NO. 20; By Thomas R. Caltagirone, Seat NO. 67; By K. J. Cole, Seat NO. 68; By William K. Klingaman, Sr., Seat NO. 176; By Jess Stairs, Seat NO. 66; By David Sweet, Seat No. 52; By William DeWeese, Seat NO. 92; By Harold L. Brown, Seat NO. 114; and By Samuel W. Morris, Seat No. 120.

In the House of Representatives,

WHEREAS, The loss of prime farmland to nonfarm uses continues at a rate which could impair the food producing capacity of the Nation; and
 WHEREAS, Pennsylvania’s farmlands, which are among the most productive in the world are under severe urban pressures, and are going out of production at approximately 100,000 acres per year; and
 WHEREAS, In recognition of the rapid urban encroachment on the prime farmlands of the Commonwealth, the legislature has enacted several laws to retain land in agriculture, most notably is the Farmland and Forestland Assessment Act which required amending the Constitution to permit differential assessment of farmland; and
 WHEREAS, The “National Agricultural Land Policy Act,” now being considered by the Congress of the United States as H.R. 5822 would greatly aid in the effort of agricultural preservation through its provisions for study, research and financial assistance to state and local governments; therefore be it
 RESOLVED (the Senate Concurring), That the General Assembly of the Commonwealth of Pennsylvania respectfully request the Congress of the United States to enact the “National Agricultural Land Policy Act” to enable the State of Pennsylvania and other states to act deliberately to preserve their agricultural industries; and be it further
 RESOLVED, That the members of Congress elected from this State are respectfully requested to employ their good offices to bring the quick and favorable consideration by Congress of the “National Agricultural Land Policy Act,”; and be it further
 RESOLVED, That copies of this resolution be transmitted to the presiding officer of each House of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

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

Attendance Report	
	June 16, 1977.
	Present Absent
MAJORITY MEMBERS	
MR. CHAIRMAN Max Pievsky	X
Jim Barber, Subcommittee Chairman	X
Joel Johnson, Subcommittee Chairman	X
Amos Hutchinson, Subcommittee Chairman	X
Bernard Dombrowski	X
Joseph Ted Doyle	X
Thomas Fee	X
Helen Gillette	X
James Goodman	X
Ivan Itkin	X
Joseph Kolter	X
James J. Manderino	X
Martin Mullen	X
Raphael Musto	X
Joseph Petrarca	X
James Prendergast	X
Samuel Rappaport	X
Fred Shupnik	X
John Wansacz	X
Joseph Wargo	X
MINORITY MEMBERS	
H. Jack Seltzer, Min. Chairman	X
Harry Bittle	X
James Gallen	X
John Hamilton	X
H. Harrison Haskell	X
Charles Mebus	X
Frank O’Connell	X
Sheldon Parker	X
L. Eugene Smith	X
Benjamin Wilson	X
James Wright	X
Signed	
MAX PIEVSKY	
H. JACK SELTZER	
ROLL CALL	
House Bill 1349	
MAJORITY MEMBERS	VOTE
Jim Barber, Subcommittee Chairman	absent
Joel Johnson, Subcommittee Chairman	absent
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	yea
Joseph Ted Doyle	absent
Thomas Fee	absent
Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	nay
Martin Mullen	nay
Raphael Musto	yea

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

YEAS—16
 NAYS—5
 ABSENT—10

Signed
 MAX PIEVSKY
 H. JACK SELTZER

Attendance Report

June 13, 1977.

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

H. Harrison Haskell	X
Charles Mebus	X
Frank O'Connell	X
Sheldon Parker	X
L. Eugene Smith	X
Benjamin Wilson	X
James Wright	X

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL

House Bill 282, House Bill 389, and Senate Bill 156

MAJORITY MEMBERS VOTE

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

YEAS—19
 NAYS—1
 ABSENT—11

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL

House Bill 1263, Senate Bill 470, and Senate Bill 746

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

YEAS—18
 NAYS—2
 ABSENT—11

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL
 House Bill 1262

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

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

YEAS—20
 NAYS—0
 ABSENT—11

Signed
 MAX PIEVSKY
 H. JACK SELTZER

AMENDMENTS TO HOUSE BILL NO. 1262

Mr. Max Pievsky
 Printer's No. 1485

Amend Sec. 1, page 1, line 17 by striking out "500,000" and inserting 600,000

AMENDMENTS TO HOUSE BILL NO. 1262

Mr. Max Pievsky
 Printer's No. 1485

Amend Sec. 1, page 1, line 15 by striking out "2,134,000" and inserting 3,800,000

ROLL CALL
 Senate Bill 518

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

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

YEAS—19
 NAYS—1
 ABSENT—11

Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL
Senate Bill 793

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

YEAS—18
NAYS—2
ABSENT—11

Signed
MAX PIEVSKY
H. JACK SELTZER

AMENDMENTS TO SENATE BILL NO. 793

Mr. Max Pievsky
Printer's No. 845

Amend Sec. 1, page 1, line 9, by striking out "\$150,000" and inserting \$85,000

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

June 20, 1977.

SUBJECT: Business & Commerce Committee Report
Week of June 13, 1977

TO: Honorable K. Leroy Irvis, Majority Leader

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

The Business and Commerce Committee did not hold any meetings during the week of June 13, 1977.

Mr. FEE, vice-chairman of the Conservation Committee, presented the following report:

CONSERVATION COMMITTEE

The Conservation Committee held no meetings or other activities during the period June 14 through June 20, 1977.

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

Attendance Report

Monday, June 13, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN C. L. Schmitt	X	
Adam Bittinger	X	
Robert Borski	X	
Harold Brown	X	
Mark Cohen	X	
Ronald Cowell	X	
Francis Gleeson	X	
Roland Greenfield	X	
James Jones	X	
Joseph Hoeffel	X	
Phyllis Kernick	X	
Charles Laughlin	X	
Stephen Reed		X
Thomas Stapleton	X	
MINORITY MEMBERS	Present	Absent
CHAIRMAN James Gallen	X	
Kenneth Brandt	X	
Stephen Freind	X	
Stanford Lehr	X	
Jeffrey Piccola	X	
Roosevelt Polite	X	
Vern Pyles	X	
Lee Taddonio	X	
Clarence Dietz		X

Signed
C. L. SCHMITT
Chairman

OFFICIAL LEAVE REQUEST

I Stephen R. Reed ask for official leave of absence from attending the meeting of the Consumer Affairs Committee on June 13, 1977 for the following reason:

Conflicting legislative duties. Meeting with a constituent group which was scheduled before the committee meeting was set.

Signed: STEPHEN R. REED

ROLL CALL

House Bill 452 (491)

Passed—Voice Vote

Signed

C. L. SCHMITT

Chairman

ROLL CALL

Senate Bill 513 (996)

MAJORITY MEMBERS

MR. CHAIRMAN C. L. Schmitt

Adam Bittinger

Robert Borski

Harold Brown

Mark Cohen

Ronald Cowell

Francis Gleeson

Roland Greenfield

James Jones

Joseph Hoeffel

Phyllis Kernick

Charles Laughlin

Stephen Reed

Thomas Stapleton

MINORITY MEMBERS

James Gallen

Kenneth Brandt

Stephen Freind

Stanford Lehr

Jeffrey Piccola

Roosevelt Polite

Vern Pyles

Lee Taddonio

Clarence Dietz

YEAS—20

NAYS—1

Signed

C. L. SCHMITT

Chairman

ROLL CALL

House Bill 1125 (1331)

MAJORITY MEMBERS

MR. CHAIRMAN C. L. Schmitt

Adam Bittinger

Robert Borski

Harold Brown

Mark Cohen

Ronald Cowell

Francis Gleeson

Roland Greenfield

James Jones

VOTE

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

nay

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

yea

Joseph Hoeffel

yea

Phyllis Kernick

yea

Charles Laughlin

yea

Stephen Reed

Thomas Stapleton

yea

MINORITY MEMBERS

James Gallen

nay

Kenneth Brandt

nay

Stephen Freind

nay

Stanford Lehr

nay

Jeffrey Piccola

nay

Roosevelt Polite

nay

Vern Pyles

nay

Lee Taddonio

nay

Clarence Dietz

YEAS—13

NAYS—8

Signed

C. L. SCHMITT

Chairman

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

June 20, 1977.

SUBJECT: Committee Activities

TO: Honorable K. Leroy Irvis, Speaker

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

During the week of June 13, 1977, the Committee on Education held no meetings and conducted no hearings.

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

June 20, 1977.

Mr. Speaker:

The Committee on Federal-State Relations did not meet during the week of June 13, 1977.

JAMES P. RITTER
Chairman

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

There were no meetings of the Finance Committee the week of June 13, 1977.

RONNY GOLDSMITH

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

SUBJECT: Meetings — Committee on Game and Fisheries

TO: Honorable K. Leroy Irvis
Speaker

FROM: William F. Renwick, Chairman

The Committee on Game and Fisheries did not hold any meetings the week of June 13, 1977.

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

June 20, 1977.

SUBJECT: Weekly Committee Meeting Report

TO: The Speaker of the House of Representatives

FROM: Anita P. Kelly, Chairman
Committee on Health and Welfare

Members of the Committee on Health and Welfare met with Secretary of Public Welfare, Frank Beal, on Tuesday, June 14, 1977, at 9:00 a.m., in Room 248.

The topic for discussion was the budgetary impact on the Department of Public Welfare.

ANITA P. KELLY
Chairman
Committee on Health and Welfare

Attendance Report

June 14, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN Anita P. Kelly	X	
James D. Barber		X
Leland M. Beloff		X
Theodore Berlin		X
David C. DiCarlo	X	
J. William Lincoln		X
William J. McLane		X
George Misceovich	X	
Emil Mrkonic		X
Peter J. O'Keefe	X	
Frank L. Oliver	X	
Stephen R. Reed	X	
David P. Richardson, Jr.	X	
J. Michael Schweder		X
MINORITY MEMBERS		
Richard A. McClatchy, Jr.	X	
Edward F. Burns, Jr.	X	
Clarence E. Dietz	X	
Edward Helfrick	X	
William K. Klingaman, Sr.	X	
Marvin E. Miller, Jr.		X
Fred C. Noye	X	
George F. Pott, Jr.	X	
Elinor Z. Taylor	X	

Signed
THEODORE BERLIN
Secretary

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

SUBJECT: Insurance Committee Meetings

TO: Honorable K. Leroy Irvis

FROM: Russell Kowalyszyn, Chairman

Please be advised that the Committee on Insurance held no meetings during the week of June 13, 1977.

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

June 15, 1977.

SUBJECT: Labor Relations Committee Meeting
June 15, 1977

TO: Honorable K. Leroy Irvis
Speaker

FROM: A. Joseph Valicenti, Chairman
Labor Relations Committee

A meeting was held by the House Labor Relations Committee on June 15, 1977 at 9:30 a.m. in Room 246.

A roll-call was taken and there were seventeen members present. It was noted that this constituted a quorum and the committee was authorized to conduct business.

Upon motion by Representative Beloff and seconded by Representative Cassidy, dispensing of the reading of the minutes of the previous meeting was voted on and passed unanimously.

The chairman called up Senate Bill #271. This bill had been in the Labor Relations Committee once before and had been reported out on 4/12/77. It then went to Appropriations and was re-referred back to the Labor Committee. Representative Giammarco made a motion to report SB #271 out of committee as committed and was seconded by Representative Hopkins. A voice vote was taken and it was unanimous to report the bill out of committee as committed.

The next order of business was the calling up of Senate Bill #119. The chairman, Representative Valicenti, explained the bill to the members present and asked for discussion. A motion was made by Representative Caputo to report the bill out of committee as committed, and this motion was seconded by Representative Cassidy. A voice vote was taken and was unanimous to report Senate Bill #119 out of committee, as committed.

A motion was made to adjourn the meeting at 9:45 a.m. and the motion was seconded by Representatives Gray and Beloff. The chairman adjourned the meeting at 9:45 a.m.

Respectfully submitted,
EDWARD WIGGINS
Secretary

Attendance Report

June 15, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN A. J. Valicenti	X	
Raphael Musto	X	
Charles Caputo	X	
Leland Beloff	X	
Thomas Flaherty	X	
Henry Giammarco	X	
Clifford Gray	X	
James McIntyre	X	
Michael Mullen		X
Bernard Novak	X	
William Stewart	X	
Edward Wiggins		X
Ronald Donatucci		X
Michael Cassidy	X	
MINORITY MEMBERS		
Forest Hopkins	X	
Roosevelt Polite		X
Stewart Greenleaf	X	
Marvin Miller		X
John Davies	X	
James Knepper		X
Carville Foster	X	
Ron Goebel	X	

Signed
EDWARD WIGGINS
 Secretary

Mr. BARBER, chairman of the Liquor Control Committee, presented the following report:
 June 20, 1977.

Honorable K. Leroy Irvis
 The Speaker
 House of Representatives
 139 Main Capitol Building
 Harrisburg, PA 17120

Dear Lee:

The Liquor Control Committee did not have a meeting during the week of June 13, 1977.
 Thank you for your assistance.

Sincerely yours,
JAMES D. BARBER
 Chairman

Mr. FRYER, chairman of the Local Government Committee, presented the following report:
 June 20, 1977.

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

Please be advised that there were no meetings of the House

Local Government Committee during the week of June 13, 1977.

Mr. DeMEDIO, chairman of the Military and Veterans Affairs Committee, presented the following report:
 June 23, 1977.

SUBJECT: Committee report
 TO: Honorable K. Leroy Irvis
 The Speaker
 FROM: A. J. DeMedio, Chairman
 Military & Veterans Affairs Committee

Please be advised that the Military & Veterans Affairs Committee did not meet during the week of June 13-17.

Mr. B. F. O'BRIEN, chairman of the Mines and Energy Management Committee, presented the following report:
 June 20, 1977.

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

Attached is the attendance report for the meeting the Mines and Energy Management Committee held on Tuesday, June 14, 1977.

Attendance Report

June 14, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN Bernard F. O'Brien	X	
Fred Taylor	X	
Camille George	X	
Thomas McCall		X
James Goodman	X	
Ivan Itkin	X	
Donald Abraham	X	
George Misceovich		X
William DeWeese	X	
Ron Gatski		
Fred Trello	X	
Dave Sweet	X	
Ron Gamble		
Paul Yahner		X
MINORITY MEMBERS		
James Wright, Jr.	X	
Stanford I. Lehr	X	
L. Eugene Smith	X	
Jess Stairs	X	
John Davies	X	
Edward F. Burns		X

D. Michael Fisher X
 Joseph Levi X
 Paul Wass X

Signed
CAMILLE GEORGE
 Secretary

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

Mr. Speaker:

The Professional Licensure Committee did not meet the week of June 13, 1977.

HON. WILLIAM W. RIEGER
 Acting Chairman

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

June 20, 1977.

Mr. Speaker:

The House State Government Committee did not meet during the week of June 13, 1977.

HON. ROBERT A. GEISLER
 Chairman

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

June 20, 1977.

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

Dear Mr. Irvis:

There was a meeting of the Transportation Committee on Monday, June 13, 1977 at 6:00 p.m. in Room 401, Main Capitol Building. All members of the committee were present except Representatives Arthurs and Milliron.

House Bill 1171, Printer's No. 1378 was reported out of committee, as amended. The majority were in favor of this action except Representatives Laughlin, Lincoln and Morris.

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

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

June 20, 1977.

SUBJECT: Urban Affairs Committee Report
 Week of June 13, 1977

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

FROM: Charles N. Caputo, Chairman
 Urban Affairs Committee

The Committee on Urban Affairs did not meet during the week of June 13, 1977.

**RECONSIDERATION OF VOTE
 ON ZEARFOSS AMENDMENTS TO HB 656**

Mr. REED moved that the House reconsider the vote on the Zearfoss amendments to HB 656, PN 1000.

Mr. HOEFFEL seconded the motion.

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

The following roll call was recorded:

YEAS—100

Bellomini	Fryer	Manderino	Ryan
Bennett	Gallagher	McCall	Scheaffer
Berlin	Gamble	McLane	Schmitt
Berson	Garzia	Meluskey	Schweder
Bittle	Gatski	Milanovich	Scirica
Borski	Geesey	Miller	Shuman
Brown	Geisler	Milliron	Shupnik
Brunner	George, M.	Moehlmann	Spitz
Burd	Gillette	Mowery	Stapleton
Butera	Goebel	Mrkonic	Sweet
Caltagirone	Greenfield	Mullen, M. P.	Taylor, F.
Cassidy	Greenleaf	Musto	Tenaglio
Cessar	Halverson	Noye	Wansacz
Cimini	Harper	O'Donnell	Wargo
Cohen	Hasay	O'Keefe	Wilt
Cole	Haskell	Parker	Wise
Cowell	Hayes, D. S.	Petrarca	Yabner
DeMedio	Hayes, S. E.	Pievsky	Yohn
DeWeese	Hoeffel	Pitts	Zeller
DiCarlo	Hopkins	Pratt	Zitterman
Dombrowski	Hutchinson, A.	Rappaport	Zord
Doyle	Itkin	Reed	Zwikl
Duffy	Kernick	Renwick	
Fischer, R. R.	Kowalyshyn	Ritter	Irvis,
Fisher, D. M.	Laughlin	Ruggiero	Speaker
Flaherty	Lincoln		

NAYS—95

Abraham	Giammarco	Manmiller	Sirianni
Anderson	Gleeson	McClatchy	Smith, E.
Armstrong	Goodman	McGinnis	Smith, L.
Arthurs	Gray	McIntyre	Stairs
Barber	Grieco	Mebus	Stewart
Bittinger	Hamilton	Miscevich	Stuban
Brandt	Helfrick	Morris	Taddonio
Burns	Honaman	Mullen, M. M.	Taylor, E.
Caputo	Hutchinson, W.	Novak	Thomas
Cianciulli	Johnson	O'Brien, B.	Trello
Davies	Jones	O'Brien, D.	Valicenti
DeVerter	Katz	O'Connell	Vroon
Dietz	Kelly	Oliver	Wagner
Dininni	Klingaman	Pancoast	Wass
Donatucci	Knepper	Piccola	Weidner
Dorr	Kolter	Polite	Wenger
Dumas	Lehr	Pott	White
Englehart	Letterman	Prendergast	Wiggins
Fee	Levi	Pyles	Williams
Foster, A.	Livengood	Ravenstahl	Wilson

Foster, W.	Logue	Richardson	Wright, D.
Freind	Lynch	Rieger	Wright, J. L.
Gallen	Mackowski	Salvatore	Zearfoss
George, C.	Madigan	Scanlon	

NOT VOTING—5

Beloff	Seltzer	Shelton	Spencer
Rhodes			

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

The SPEAKER. This bill will be passed over for today.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MILANOVICH. On the reconsideration of Zearfoss' amendment to HB 656, I wish to be recorded in the negative.

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

On the question recurring,

Will the House agree to the amendments?

POINT OF INFORMATION

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

Mr. VROON. I rise to a point of information.

The SPEAKER. The gentleman will state it.

Mr. VROON. Now that this motion has passed, does that mean that we are going to reconsider only the Zearfoss amendment or will we get a chance to vote on the bill again after that question is settled?

The SPEAKER. The question addressed to the Chair is, at what point does the House find itself as a result of this motion being adopted?

The answer, the Chair believes, is that the House has now before it an amendment by Mr. Zearfoss to HB 656 and that this amendment has not now been adopted or rejected. The amendment itself is before the House ab initio.

The question now is whether or not the amendment will be called for a vote at this time. It is the information of the Chair that that is not the intention.

Mr. VROON. Thank you.

RULES SUSPENDED TO ADD SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

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

HB-282, Thomas Fee; HB-296, Thomas Fee; HB-1057, Herbert Zearfoss; HB-1120, Alvin Katz; HB-1182, Roger R. Fischer; HB-1239, Frank Salvatore; HB-1310, Hardy Williams; HB-1327, Hardy Williams; HB-1340, Roger R. Fischer; HB-

1340, Forest Hopkins; HB-1340, John Milliron; and HR-120, Samuel Morris.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—189

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

NAYS—4

Spitz	Weidner	Wilson	Zearfoss
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NOT VOTING—7

Brandt	Letterman	Shelton	Williams
Goodman	Rhodes	Spencer	

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

PARLIAMENTARY INQUIRY

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

Mr. PYLES. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PYLES. Mr. Speaker, HB 656, on which we just passed a motion to reconsider a Zearfoss amendment, on the calendar it is shown as printer's No. 1000.

The books on the members' desks have such a bill contained therein. As I recall, at last week's session we made several amendments to that bill and we placed it on the final calendar expecting to receive a new printer's number.

It is my information, based on the calendar and material contained in the members' books, that we did not get a new printing.

The SPEAKER. The Chair advises the gentleman that he is absolutely accurate.

Mr. PYLES. Were we supposed to get a reprinted bill before we acted on this bill?

The SPEAKER. No; the Chair would advise the gentleman that normally the bill would have been reprinted as amended, but the Chair was advised that, having adopted two amendments, there were two more amendments to be offered to the same bill. As a result, the bill was not reprinted as amended. As a result, we stand here Monday in precisely the same position as we were, with the bill before us, PN 1000, with one amendment in it and the Zearfoss amendment up for debate.

The Chair has not proceeded with that debate because the Chair has not moved to taking up today's calendar. When the Chair moves to today's calendar, it will be decided at that point whether or not such a bill is to be called up for actual debate or whether it will be postponed to a later date.

Mr. PYLES. Thank you, Mr. Speaker.

ANNOUNCEMENT

HOUSE SCHEDULE AND DEMOCRATIC CAUCUS

The SPEAKER. The Chair now recognizes the majority leader for purposes of announcements.

Mr. MANDERINO. Mr. Speaker, as previously announced to the members of the House, this week I would like to devote to three pieces of legislation: HB 1075, HB 593, and SB 770.

I would like that all our attentions be directed to that because June 30 will be upon us very shortly, and if we want to perform the duties that we were elected to perform and perform them on time, we must concentrate on these three pieces of legislation.

To that end, Mr. Speaker, it is my understanding that there are a number of amendments to each of those bills. I would propose to caucus on those amendments. I would propose to caucus on those amendments, return to the floor at 3 o'clock, and to take up at that time amendments to HB 1075.

If time permits before adjournment this afternoon, we will take amendments to HB 593 and then we will take amend-

ments to SB 770. If amendments are put into any or all of the three bills, we will have them reprinted so that the members can view them before final passage on all three bills.

So, unless, there are announcements by the minority, Mr. Speaker, I would ask that we recess at this time for the purposes of a Democratic caucus which will begin immediately upon the call of the recess and to return to the floor at 3 o'clock to begin taking amendments, first, to HB 1075 and, if time permits, to HB 593 and then to SB 770.

Our sequence of taking these bills will remain the same. If we are not able to get to HB 593, we will begin tomorrow with that bill. If we do not finish the caucusing on the amendments to the three bills, we will come up and run those amendments that we have caucused on, and we will return to caucus tomorrow morning after we are called into session, if, in fact, we are not continuing to run amendments we have already caucused on. But we will spend our time this week caucusing on the amendments to these three very important bills, running the amendments and eventually running the bills. Once we have taken the votes in the House on these three bills, if revenue measures become necessary, we will make a recommendation to our caucus and to the entire House on what revenue measures should be implemented, and I would hope to have those bills also this week.

Mr. Speaker, I would ask for a recess until 3 o'clock, with a Democratic caucus beginning immediately upon the declaration of the recess.

REPUBLICAN CAUCUS

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

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

There will be a very important Republican caucus at the calling of the recess, and I would ask all Republican Representatives to go to our caucus room immediately.

Thank you, Mr. Speaker.

RECESS

The SPEAKER. This House stands in recess until 3 p.m.

RECESS EXTENDED

The SPEAKER. The Chair places the House at ease and declares that the recess will continue until 3:30 p.m. The Chair reiterates, the hour of recess has been extended until 3:30 p.m.

AFTER RECESS

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

BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 163

An Act providing for the custody of children.

SENATE BILL No. 249

An Act amending the act of July 9, 1976 (No. 154), entitled "Capital Budget Act of 1976-1977 Fiscal Year" increasing the amount of funds for highway and public improvement projects.

SENATE BILL No. 470

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.

SENATE BILL No. 513

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.

SENATE BILL No. 518

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.

Whereupon,

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1357 By Messrs. DOYLE, GARZIA and RUGGIERO

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), providing an increase in the tax levy for pensions.

Referred to Committee on Local Government.

No. 1359 By Messrs. THOMAS, MORRIS, PANCOAST, ANDERSON, DeVERTER, KUSSE, HELFRICK and RENWICK

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for exemptions and municipal services taxes, changing the rate limitation on wage or income taxes and further providing for collection at source of wage or income taxes and repealing occupation taxes based on percentage or millage basis and making an editorial change.

Referred to Committee on Local Government.

No. 1360 By Mr. GOEBEL, Mrs. HARPER, Messrs. HOPKINS and LEVI

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the minimum ages of kindergarteners and beginners.

Referred to Committee on Education.

No. 1361 By Messrs. GOEBEL, POTT, HALVERSON and HOPKINS

An Act amending the "Public School Code of 1949," approved

March 10, 1949 (P. L. 30, No. 14), further providing for classes and programs for certain exceptional children.

Referred to Committee on Education.

No. 1362 By Messrs. BITTINGER, ENGLEHART, YAHNER and STEWART

An Act amending the "Pennsylvania Solid Waste-Resource Recovery Development Act," approved July 20, 1974 (P. L. 572, No. 198), further providing for untreated solids and dissolved materials.

Referred to Committee on Conservation.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair advises the members that the Chair has given permission for Jane Miller of WHP, Harrisburg, to film today's proceedings on the floor of the House with silent film. The Chair repeats, WHP cameramen will be on the floor of the House filming the proceedings of this House with silent film. The Chair has given that permission.

CALENDAR

SPECIAL ORDER OF BUSINESS

EDUCATION BILL ON THIRD CONSIDERATION

Agreeable to order,

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

An Act providing for the creation of the Public School Finance Assistance Authority and providing for its powers and duties; and imposing additional powers and duties on the Department of Education.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. There are amendments being drafted. Mr. Speaker, I have an amendment perhaps that we can get into the bill which is in the nature of a technical amendment. It amends several "ors" and "toos" and "as's" in the bill. There are no substantive changes made by these amendments.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. MANDERINO offered the following amendments:

Amend Sec. 201, page 6, line 1, by striking out "or" and inserting of

Amend Sec. 201, page 6, line 20, by striking out "member" and inserting members

Amend Sec. 202, page 7, line 17, by inserting after "To" acquire and lease school buildings and to

Amend Sec. 202, page 8, line 13, by striking out "mortgage" and inserting mortgagee

Amend Sec. 301, page 11, line 6, by striking out "or" and inserting on

Amend Sec. 302, page 12, line 12, by inserting a period after "thereof"

Amend Sec. 302, page 12, lines 12 and 13, by striking out "or a pledge of the faith and" in line 12 and all of line 13

Amend Sec. 303, page 12, line 27, by inserting after

"companies," as evidenced by certificates of deposit or otherwise,

Amend Sec. 303, page 13, line 3, by striking out "agency," and inserting authority,

Amend Sec. 303, page 13, line 24, by inserting after "as" to

Amend Sec. 402, page 16, line 13, by inserting after "by" State

Amend Sec. 415, page 25, lines 17 to 19, by striking out "for" in line 17, all of line 18, and "districts pursuant to" in line 19 and inserting on account of lease or loan

Amend Sec. 415, page 26, line 7, by striking out "be" and inserting the

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. For the benefit of the members of the House—I do not know whether this has been distributed yet. We have asked that it be distributed—since there are a number of amendments, if you have your HB 1075 before you, I will take the time to show you what is being amended by this technical amendment.

On page 6 of HB 1075, line 1 is being amended by striking out "or" and inserting "of" at the end where it says, "House or Representatives"; it should be, "House of Representatives". That is being corrected.

On page 6 at line 20, "The member of the authority" is being changed to "members of the authority". On page 7, line 17 after the word "To" we are inserting, "to acquire and lease school buildings and to 'fix, alter, charge and collect rentals,' . . ." et cetera. On page 8, line 13 by striking out the word "mortgage" and inserting the word, "mortgagee". On page 11, line 6 by striking out the word "or" and inserting the word, "on". Where it says at the end of the line "limitations or additional bonds," it should say, "limitations on additional bonds,". On page 12, line 12 by inserting a period after "thereof", and on page 12, lines 12 and 13 by striking out the words, "or a pledge of the faith and . . ." in line 12 and all of line 13. On page 12, line 27, by inserting after "companies," as "evidenced by certificates of deposit or otherwise,". On page 13, line 3, by striking out—

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

Mr. DiCARLO. Mr. Speaker, just to interrupt the majority leader, I was under the impression that some of the amendments are to be technical, but after following a couple of them on page 12, my own personal feeling is that they are not technical but are substantive amendments. I am just wondering, did you want us to stop you at these points or shall we wait until the amendment is printed in its entirety to look at, or what procedure do you want the House to follow?

Mr. MANDERINO. The amendment is in print. I have asked that it be distributed. It may be on your desk.

Mr. DiCARLO. No, it is not here yet, Mr. Speaker.

Mr. MANDERINO. I am going slowly through it. If you think they are substantive, you may well be right. They are minor substantive changes, and I noticed them as I was reading through. It was handed to me as corrections of a technical nature that had to be made.

Mr. DiCARLO. For example, Mr. Speaker, on page 12, unless I misread you, I think it was lines 11 and 12, we talked about the pledging of the faith and credit of the Commonwealth. It is very specific in this bill that it shall not be pledged, but I think your amendment talked about scratching out that language.

The SPEAKER. The Chair has a suggestion for the gentleman and for the members, that the gentleman permit the majority leader to go through those amendments which he described as technical and, once they are read, then if the gentleman will rise to interrogate on a specific part of the amendment, I think it would be in more orderly fashion and we could proceed more rapidly. Does the gentleman agree with that procedure?

Mr. DiCARLO. Yes, Mr. Speaker.

Thank you, Mr. Speaker.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair wishes to announce that the Chair has given permission for Sue Klemens of UPI to shoot several or in fact a number of still photographs on the House floor. If you see the young woman moving around the House floor, she has permission of the Chair to take the photographs.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, on page 13, at line number 3, the first word in the line is "agency," and it should read "authority", "bonds of the authority,". On page 13, at line number 24, after the word "as", we are adding the word "to" to read "notes as to the custody,". On page 16, at line 13, where it reads, "by statute" we are inserting the word "by State statute", so it would be the insertion of the "State". At page 25, lines 17 to 19 by striking out "for" in line 17, all of line 18 and "districts pursuant to", in line 19 and inserting "on account of lease or loans", and finally, Mr. Speaker, on page 26, line number 7, by striking out the word "be" and inserting "the".

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

Mr. DiCARLO. Mr. Speaker, I have to apologize to the Chair because I only listened to the majority leader. I still do not have a copy of the amendment to be very specific in my interrogation, so I would yield at this time to anybody else.

The SPEAKER. The Chair thanks the gentleman, and will return to the gentleman's query when the amendments have been distributed.

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

Mr. COWELL. To ask a question of the majority leader concerning his proposed amendments.

The SPEAKER. The gentleman, Mr. Cowell, has indicated that he wishes to interrogate the majority leader. Will the gentleman, Mr. Manderino, consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The majority leader has indicated that he

will stand for interrogation. The gentleman, Mr. Cowell, may proceed.

Mr. COWELL. Mr. Speaker, I am just trying to get additional clarification on part of the amendment that was offered by the majority leader. Could the majority leader repeat the amendment that was to occur on page 25, section 415?

Mr. MANDERINO. On lines 17 to 19 on page 25, by striking out "for" in line 17 and all of line 18.

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

Mr. S. E. HAYES. Mr. Speaker, it may be helpful. The page girl is now passing out the Manderino amendment, and maybe if we just waited for a moment we would all have it in our possession.

The SPEAKER. The Chair thanks the gentleman. His suggestion is excellent.

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

Mr. D. R. WRIGHT. Mr. Speaker, it seems to me that there are so many amendments to this apparently important bill that it is going to be very difficult for us to deal with these. I would like to move that we recommit this bill to the Education Committee.

The SPEAKER. While the gentleman, Mr. Wright, has a perfect right to the floor—and that is not said as a pun—the floor actually was held by the gentleman, Mr. Cowell, and the gentleman, Mr. Wright, would be required to ask if Mr. Cowell would yield the floor so that the gentleman, Mr. Wright, would have the floor to place any substantive motion before this House.

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

Mr. COWELL. Thank you, Mr. Speaker.

Since my question was answered with the distribution of the amendments, I would be happy to yield the floor to Representative Wright.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO RECOMMIT HB 1075 TO COMMITTEE ON EDUCATION

The SPEAKER. The Chair recognizes the gentleman, Mr. Wright, who places the following motion before the House. The gentleman will restate the motion.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

I was saying that as a result of the complexity of this bill and the large number of amendments, it seemed to be wise to recommit this to the Committee on Education, and, Mr. Speaker, I would so move.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I first would ask the gentleman, Mr. Wright, to withdraw his motion. I think that HB 1075 was announced last week as one of the pieces of business that would come before this House today. I think members are prepared to deal with it. I do not care how many times it is re-committed to committee, I am sure it will suffer an amendment process on the floor of this House.

I would first ask him to withdraw it and, if Mr. Wright would not withdraw his motion, then I would ask all members to vote in the negative. It is vitally important that we get to the business of the bill, HB 1075.

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

Mr. LINCOLN. Mr. Speaker, I also would like to speak against the recommittal motion. I think that a more definite approach to HB 1075 would be to try to amend it so that it would be a piece of legislation which would be of benefit to the whole Commonwealth and I think efforts are going to be made to do that today. I think that the recommittal motion is inappropriate at this time and I would ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair is informed that in the confusion the Chair did not hear a point of inquiry addressed to the gentleman, Mr. Wright, by the majority leader. The Chair understands that the majority leader made an inquiry as to whether or not Mr. Wright will withdraw his motion.

Does the gentleman, Mr. Wright, agree to stand for interrogation?

Mr. D. R. WRIGHT. I will, Mr. Speaker.

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

Mr. MANDERINO. I asked, prior to indicating my opposition, for you to withdraw the motion. I think that we have important business to do. I think HB 1075 is before us and was announced. I would hope your motion was made facetiously and that you would withdraw it.

MOTION WITHDRAWN

Mr. D. R. WRIGHT. Mr. Speaker, I could not have been more serious in making the motion. It seemed to me that some orderly way should be found to handle this myriad of amendments which certainly is confusing to me and, I am certain, to other members of this House. However, in deference to the majority leader on this one occasion, I will defer to his judgment and reserve the right to a contrary view at some later date.

Mr. MANDERINO. I thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MORRIS. Thank you, Mr. Speaker.

I have two questions about the amendment. One, the same question that Representative DiCarlo raised and I would be willing to yield to him, if he would put that, and then I have another question to ask Mr. Manderino.

The SPEAKER. Will the gentleman from Erie, Mr. DiCarlo, stand for interrogation?

Mr. DiCARLO. Yes, Mr. Speaker.

The SPEAKER. The gentleman will answer the query.

Mr. DiCARLO. Mr. Speaker, in comment to Mr. Morris, I read the Manderino amendment and I am convinced it was a redundancy that was corrected by the amendment, and I do support the amendment as distributed.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Morris, have further comment?
 Mr. MORRIS. I have one more question for Mr. Manderino.
 The SPEAKER. Will the majority leader stand for interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.
 The SPEAKER. The gentleman may proceed.
 Mr. MORRIS. Thank you, Mr. Speaker.
 Mr. Speaker, I am having some problems understanding the amendment on page 25 in section 415, that Mr. Trello spoke about earlier.

I understand that the word "for" at the end of line 17 goes out, the entire line 18 goes out and the words "districts pursuant to" in line 19 goes out and somewhere is inserted "on account of lease or loan." I do not see where that should be inserted. It does not make sense to me at the moment.

Mr. MANDERINO. Mr. Speaker, are you speaking to lines 17, 18 and 19?

Mr. MORRIS. Yes, I am, Mr. Speaker, particularly 19.
 Mr. MANDERINO. Lines 16, 17, 18 and 19 after the amendment is adopted will read as follows: "Appropriations—From appropriations specifically made for this purpose, the department shall pay school districts . . ." Then the next word "for" and all of line 18 and "districts pursuant to" on line 19 is eliminated. So it will say "From appropriations specifically made for this purpose, the department shall pay school districts on account of lease or loan agreements entered into in accordance with section 204."

Mr. MORRIS. I wonder, Mr. Speaker, if the gentleman would explain the purpose of this. I am a little bit lost in the entire text of the amendment and the act at this point.

Mr. MANDERINO. Mr. Speaker, it was thought by the drafters of this particular amendment that the manner in which the same thing was being said in lines 17, 18 and 19 as printed in the bill could be said with a lot less words and make it more clearly understood. I think it does say exactly the same thing.

Mr. MORRIS. Thank you, Mr. Speaker.
 The SPEAKER. The Chair thanks both gentlemen.

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

The following roll call was recorded:

YEAS—176

Abraham	Gallagher	Manderino	Salvatore
Armstrong	Gallen	McCall	Scanlon
Arthurs	Garzia	McClatchy	Scheaffer
Barber	Gatski	McIntyre	Schmitt
Bellomini	Geesey	McLane	Schweder
Beloff	Geisler	Meluskey	Scirica
Bennett	George, C.	Milanovich	Seltzer
Berlin	George, M.	Miller	Shuman
Berson	Giammarco	Milliron	Shupnik
Bittinger	Gillette	Miscevich	Smith, E.
Bittle	Gleeson	Moehlmann	Smith, L.
Borski	Goodman	Morris	Spitz
Brandt	Gray	Mowery	Stairs
Brunner	Greenfield	Mrkonic	Stapleton
Burd	Greenleaf	Mullen, M. P.	Stewart
Butera	Grieco	Mullen, M. M.	Stuban
Caltagirone	Hamilton	Musto	Sweet

Caputo	Harper	Novak	Taddonio
Cassidy	Hasay	Noye	Taylor, F.
Cessar	Hayes, D. S.	O'Brien, B.	Tenaglio
Cianciulli	Hayes, S. E.	O'Brien, D.	Thomas
Cimini	Helfrick	O'Connell	Trello
Cohen	Hoefel	O'Donnell	Valicenti
Cole	Honaman	O'Keefe	Vroon
Cowell	Hopkins	Oliver	Wagner
Davies	Hutchinson, A.	Pancoast	Wansacz
DeMedio	Hutchinson, W.	Parker	Wargo
DeVerter	Itkin	Petrarca	Wass
DeWeese	Johnson	Pievsky	Weidner
DiCarlo	Jones	Polite	Wenger
Dietz	Katz	Pott	White
Dininni	Kelly	Pratt	Wiggins
Dombrowski	Kernick	Prendergast	Williams
Donatucci	Klingaman	Pyles	Wise
Dorr	Knepper	Rappaport	Wright, D.
Doyle	Kolter	Ravenstahl	Yahner
Duffy	Kowalyszyn	Reed	Yohn
Dumas	Laughlin	Renwick	Zearfoss
Englehart	Lehr	Rhodes	Zeller
Fee	Letterman	Richardson	Zitterman
Flaherty	Levi	Rieger	Zwinkl
Foster, A.	Lincoln	Ritter	
Foster, W.	Logue	Ruggiero	Irvis,
Freind	Lynch	Ryan	Speaker
Fryer	Mackowski		

NAYS—22

Anderson	Goebel	McGinnis	Taylor, E.
Brown	Halverson	Mebus	Wilson
Burns	Haskell	Piccola	Wilt
Fischer, R. R.	Livengood	Pitts	Wright, J. L.
Fisher, D. M.	Madigan	Sirianni	Zord
Gamble	Manmiller		

NOT VOTING—2

Shelton
 Spencer

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I do have further amendments to offer; however, the Legislative Reference Bureau has not sent them to me yet. I have someone up there waiting for them. They should have been here; they should have been here by 3 o'clock, if anybody is up there listening to me, but I do not have them at this moment. I think there are other members who may have amendments whom we might call upon.

The SPEAKER. The Chair is in sympathy with the majority leader, having been there before. The Chair will then return to the majority leader at a later time.

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. Does the gentleman, Mr. Richardson, have amendments available?

Mr. RICHARDSON. Mr. Speaker, they are not available yet. They are in the Reference Bureau. I am waiting for them to come down.

The SPEAKER. The Chair thanks the gentleman.

On the question,

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

Mr. LINCOLN offered the following amendments:

Amend Sec. 201, page 6, line 1, by striking out "or" and inserting of

Amend Sec. 306, page 15, line 7, by striking out "a" and inserting an

Amend Sec. 402, page 16, line 11, by inserting after "debt;" or

Amend Sec. 402, page 16, line 21, by striking out "and" and inserting or

Amend Sec. 402, page 16, line 25, by removing the period after "415" and inserting ; and

Amend Sec. 402, page 16, by inserting between lines 25 and 26

(4) a school district need not be required to have a certain percentage of unfunded debt on the effective date of this act, in order to be eligible for assistance under this act. Once any school district has received any assistance under this act it shall not be eligible for any additional assistance if its unfunded debt exceeds 5% of its current annual budget.

Amend Sec. 415, page 26, line 7, by striking out "be" and inserting the

On the question,

Will the House agree to the amendments?

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

Mr. LINCOLN. Mr. Speaker, unlike Mr. Manderino's amendments, mine is not technical in nature. It is very substantive and it will make a tremendous change in the bill itself, so I would think the members would listen to the explanation. This amendment had been passed out last week, by the way, Mr. Speaker.

The amendment amends section 402 on page 16 of the bill. The original drafters of the bill, whether intentionally or unintentionally, drafted this piece of legislation so narrow that the only school district in the Commonwealth which would qualify for this particular refinancing plan was the City of Philadelphia School District.

The criteria for qualification is listed in section 402. What I am doing between (1), the first qualification, and (2), the second, is that I am removing the semicolon and placing an "or" so as to make the criteria not all three, but any one of the three. The reason I am doing that is that the second qualification is the one that can only be met by the City of Philadelphia School District. This will open up the refinancing plan to approximately 50 school districts throughout the Commonwealth, if they desire to participate in the program.

I have also added one other section. I put number 4 in. What number 4 will do is to say that, at the time of the enactment of this legislation, if your unfunded debt exceeds 5 percent, you can take part. With any percentage of unfunded debt, you will be eligible. But after you have availed yourself of the refinancing procedure one time, if your school district then proceeds to build up another unfunded debt which would ultimately exceed 5 percent, you would be ineligible for a second participation in this program. This is done with the hope that it will keep the local school district superintendents and the local school board members from not getting themselves into the position that some of them have at this time. I think it will put a little bit of a lid on it and chase away some of the fears of some of the people

who think that it would just be a continuous thing to refinance over and over.

Without this change in the criteria for participating, I want you to understand, that HB 1075 will not apply to any school district but Philadelphia. With this change it will open it up to the rest of the Commonwealth.

Thank you, Mr. Speaker.

AMENDMENT DIVIDED

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

Mr. DiCARLO. Mr. Speaker, could you advise the House whether the amendment would be divisible?

The SPEAKER. Where would the gentleman seek to divide the amendment?

Mr. DiCARLO. Mr. Speaker, it would be the fifth amendment down. The section reads: "Amend section 402, page 16, line 25, by removing the period after '415' and inserting ';' ". I would like to divide the amendment there and have the last part of the amendment stand by itself.

The SPEAKER. The Chair advises the gentleman, Mr. DiCarlo, that in the opinion of the Chair the amendment is divisible and is divisible at that point. Does the gentleman request that division be issued?

Mr. DiCARLO. Yes, Mr. Speaker, I would so move.

The SPEAKER. The Chair holds that the amendment offered by the gentleman, Mr. Lincoln, marked A829 is divisible and is divided, by making the first five amendments, which begins with, "Amend section 201, page 6, line 1" and ends with, "by removing the period after '415' and inserting ';' ". That constitutes one amendment.

The second amendment would then be, "and Amend Section 402, page 16," et cetera, down to, "by striking out 'be' and inserting the". Is that division clear to the House? The question occurs, Will the House agree to the amendment as divided? Meaning, of course, that the House must now act upon the first part of the original amendment.

Does the gentleman from Allegheny, Mr. Cowell, desire recognition on this divided question?

Mr. COWELL. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I would rise to speak against the first part of the amendment. Basically what the amendment would do is to change the language of this bill so that instead of a school district having to meet three specific requirements as outlined in the legislation on page 16, they would be eligible to participate in the funding programs of this proposed authority if they meet any single point that is prescribed in the language.

The impact of this would mean that a school district would be eligible to participate in this authority program, if, for instance under subparagraph (3) on page 16, "that the school district would experience substantial financial benefits through participation in the programs provided by this act in addition to those benefits due to receipt of subsidies as provided for in section 415".

Effectively what we would be saying is that any school dis-

trict in this Commonwealth, no matter how wealthy, no matter how poor, no matter how fiscally sound or unsound it might find itself at any point in time, would be eligible to participate because undoubtedly any school district could experience substantial financial benefits through participation in this program.

I would suggest that by adopting the first half of the Lincoln amendment we are throwing the door wide open to any school district in the Commonwealth. My concern is that this concept that is proposed in HB 1075 is already a bad concept. Let us not make it worse by applying it potentially to every school district in the Commonwealth. We open it up to all kinds of abuse. I would urge my colleagues to defeat the first half of the Lincoln amendment.

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

Mr. LINCOLN. Mr. Speaker, the gentleman from Allegheny County hit the nail right on the head. It would open up the proposed legislation to all other school districts in this Commonwealth.

I think he is being a little facetious when he says that a school district is going to set themselves up on a 5-year schedule which they have to submit to the secretary which they cannot vary during that 5 years. They are going to have a 5-year budget. If they are going to do that just to get a financial gain at one time then I think maybe that school district has a little bit more problems than just the unfunded debt.

I think that if we are going to accept this concept, it has to be accepted statewide. I think that the gentleman, Mr. Cowell, has indicated on several occasions prior to this that he does not agree with the concept and he stated that in his debate, and I do not think we should confuse his total opposition to the bill with an effort to make the bill a little bit better and maybe acceptable to some very seriously financially distressed districts within the state. I would urge you to support this amendment.

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

Mr. DOYLE. Mr. Speaker, I rise also to support the amendment. In the second part of section 402, the provisions are that all three must be met. The first part of that says "that the school district has unfunded debt". Then, in part (2), it goes on to say "that the board of school directors is taxing real estate at the maximum rate set by statute . . ."

If you are familiar with your school funding, there is no maximum that a local school district, except Philadelphia, can set. That is a ceiling without end. But in Philadelphia, their ordinance only allows them to impose a rate of \$11.25 per \$1,000. In Delaware County the millage on one of our school districts is \$197 per \$1,000, but Philadelphia is \$11.25. Now if it is a maximum for Philadelphia, that means that they only have \$11.25, which they have met. That is their criteria. But the criteria for all the rest of the state and the school districts are unlimited if you do not fall within the other criteria of being 85 percent effort.

I think if you are going to square things up you ought to give the other school districts in the state the same opportunity that you have given, by this bill, to Philadelphia.

Thank you.

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

Mr. DiCARLO. Mr. Speaker, I will yield to Representative Cowell.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COWELL. Mr. Speaker, I was going to take notes on what Mr. DiCarlo had to say. I would like to yield back to him.

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

Mr. DiCARLO. Mr. Speaker, I divided the amendment because I, too, felt that the first part of the amendment was bad. I felt the concept was bad, and the gentleman, Mr. Doyle, was absolutely right in some of his comments. But you have to look at the whole piece of legislation and you have to look at the concept. What we are going to try to do is to pass a piece of legislation, if that is the will of the House, to make it tough as possible, to make it extremely difficult, for any school district to take advantage of this legislation.

By passing the Lincoln amendment, the first half of this bill, you are just opening up Pandora's box and you are leaving it open to every and each school district in the Commonwealth of Pennsylvania to participate in a bad, bad program.

I cannot help but urge the House to think of this, to think of the projected cost, not for this year or next year, in setting up this system, but the bond indebtedness that you are going to oblige the Commonwealth of Pennsylvania with in the next 25 or 30 years.

I think what we want to do, if we do pass HB 1075, is to make it as stringent as possible, make it as tight as possible and make it very difficult for any school district to participate in the program.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cowell, who wishes to speak, for the second time, on the question.

Mr. COWELL. Thank you, Mr. Speaker.

I would only like to respond to the one comment that was made by an earlier speaker, that although potentially this would open it up to every school district in the Commonwealth, we should not fear that they would all rush in and be willing to put a 5-year plan on the line.

Frankly, I think that they would be crazy not to be willing to do that in return for all the potential windfall benefits that exist in this proposed legislation.

This legislation opens the door for a school district to have an excellent and easy way to unload old school buildings. It provides an excellent way for a school district to generate very large numbers of state dollars, interest free—

The SPEAKER. Will the gentleman yield?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, I would like a ruling from the Chair as to whether Mr. Cowell is debating the bill or the amendment.

The SPEAKER. It is the opinion of the Chair that Mr. Cowell has not gone beyond the parameters of the amendments. Mr. Cowell is in order and may proceed.

Mr. LINCOLN. Mr. Speaker, the amendment speaks only to the criteria for qualifying to participate in the program.

The SPEAKER. Will the gentleman desist? The Chair would advise the member that the Chair has ruled officially as to the parameters of the question and has ruled that the gentleman, Mr. Cowell, is within those parameters. If the gentleman drifts beyond those parameters, the Chair will take recognition of that fact and stop the gentleman, Mr. Cowell.

The gentleman, Mr. Cowell has the floor and may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

The point I was trying to make was that the temptations in this bill are so great because the potential benefits are so lucrative that almost any school district, in my opinion, would be sorely tempted to rush in and seek to participate in this program. I do not think it is unreasonable to think, in light of those potential benefits that a school district might derive, that a vast majority of the 505 school districts in this Commonwealth would seek to participate.

I believe the criteria that are proposed are so loosely written, and particularly if we divide them as this amendment would have us do it would be even so more loosely written, that we could, in fact, have every school district or a large number of school districts in this Commonwealth seeking to participate. In that same vein, I think it is important that we not lose sight of the potential cost to the Commonwealth, potential cost that would ultimately come before this legislature to debate.

Upon an inquiry that I raised last week when we were talking about how this school authority assistance program might impact on the state budget over the next 4 years if we applied it only to the Philadelphia School District, I was told that to finance approximately \$150 million worth of bonds, the ultimate cost would be in excess of \$600 million. We applied this idea to many, many, many more school districts across the Commonwealth, but I think we really lose control of the potential cost, a cost that will ultimately fall to all the taxpayers of this Commonwealth. I would urge my colleagues to vote against the first half of the Lincoln amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin. Will the gentleman, Mr. Itkin, yield to the majority leader, Mr. Manderino.

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

The SPEAKER. The gentleman, Mr. Itkin, has yielded the floor to the majority leader. The majority leader may proceed.

Mr. MANDERINO. Mr. Speaker, I quite agree with those speakers who have said that the first part of the Lincoln amendment would open up this bill to participation by any school district that wanted to borrow money, without paying the going rate of interest.

HB 1075, there is no question, is designed for a specific purpose. It is designed, in this particular case, for those districts that have an unfunded debt and for those districts that are going to have problems in carrying on a school program that is viable for the children of the Commonwealth to get enough money to carry that program forward and to amortize the debt that they incur over a number of years.

There is no question that we are trying to help, in HB 1075, particular districts that have particular problems. I think opening it up, as the first part of the Lincoln amendment would have us do, would, at least, double the cost of the bill. My estimates are that it will nearly double the cost of the bill.

We have not seen a fiscal note on the amendment but by the number of districts that would probably participate, and it is just a guess, we would probably be doubling the cost of the bill. We would be opening it up for anyone who wants to borrow money, without paying the going rate of interest for whatever purpose, whether they have an unfunded debt or their services are going to be expanded or whether they are, as in the case of Philadelphia, trying to prevent the curtailment of services.

I urge every member to vote against the first part of the Lincoln amendment.

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

Mr. ITKIN. Mr. Speaker, obviously this amendment will have substantial impact, fiscal impact, on the state, and I was wondering about the fiscal note required to offer such an amendment. Do we have a fiscal note on this amendment?

The SPEAKER. Will the gentleman, Mr. Pievsky, stand for interrogation? The query, Mr. Pievsky, is, one, do we have a fiscal note on the general amendment; two, do we have a fiscal note on the divided question which is currently before the House?

The Chair recognizes the gentleman, Mr. Pievsky.

Mr. PIEVSKY. Mr. Speaker, I have not been requested to have a fiscal note prepared for that amendment.

The SPEAKER. The Chair advises the House that the amendment cannot be acted upon until the fiscal note has been prepared and distributed.

The Chair thanks the gentleman, Mr. Pievsky, and thanks the gentleman, Mr. Itkin.

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

Mr. LINCOLN. Mr. Speaker, could I interrogate the chairman of the Appropriations Committee, please?

The SPEAKER. Will the chairman of the Appropriations Committee, Mr. Pievsky, stand for interrogation?

Mr. PIEVSKY. Yes; I will.

The SPEAKER. The gentleman, Mr. Pievsky, indicates that he will stand for interrogation. The gentleman, Mr. Lincoln, may proceed.

Mr. LINCOLN. Mr. Speaker, why has there been no fiscal note provided?

Mr. PIEVSKY. Did you request one, Mr. Speaker?

Mr. LINCOLN. Yes, sir, I did, at the same time I requested a fiscal note for an amendment to HB 593, which I did receive.

Mr. PIEVSKY. Mr. Speaker, if the House will be at ease, I will check it out why there is no fiscal note for—

Mr. LINCOLN. Mr. Speaker, I can tell you why if you will permit me.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. The Department of Education, which has the figures on school districts that have unfunded debts, totally and absolutely refuses to release those figures to anyone. The chairman of the Education Committee has attempted to get them; staff people on my subcommittee have attempted to get them, and for some reason they just steadfastly refuse to release that information to anyone. That is why there is no fiscal note, and I would like to be recognized beyond that on the fiscal impact if you will let me.

The SPEAKER. Does the gentleman, Mr. Pievsky, desire to retort to the statement made by the gentleman, Mr. Lincoln?

Mr. PIEVSKY. I would like to have some time to get that information from staff.

The SPEAKER. The Chair recognizes the gentleman, Mr. Lincoln. Does the gentleman, Mr. Lincoln, desire to pursue this matter or will the gentleman be gracious and grant time to the—

Mr. LINCOLN. Mr. Speaker, I thank the chairman of the Appropriations Committee for submitting to that interrogation, and I would like to make a remark on the fiscal note, if permitted.

The SPEAKER. At the proper time the Chair will recognize the gentleman. The Chair suggests that we pass over your amendment temporarily and return to your amendment as soon as it is indicated to the Chair that the gentleman, Mr. Pievsky, is ready to reply to your interrogation. Is that satisfactory to the gentleman?

Mr. LINCOLN. No; it is not, Mr. Speaker.

The SPEAKER. What would the gentleman require?

Mr. LINCOLN. Mr. Speaker, I can see no means in any way, shape or form that the Department of Education or anyone else can come up with a fiscal note on this amendment, and I say that because there is no way that they can project what school district or how many school districts are going to participate in this program. It is something that none of them could, and we have no figures on how many would be eligible, and there is absolutely no way to give a fiscal note on this.

By way of example—and Mr. Manderino made reference to the fact that this would double the cost. That is an incredible statement. What is incredible about that statement is the fact that we have two school districts in Pennsylvania that have approximately 30 percent unfunded debt. In one school district with that 30 percent, it only equals \$800,000, and the other one is approximately the same amount. It is not the \$67 million that we are talking about in Philadelphia. In a lot of school districts it is only \$500,000, \$600,000, \$700,000, \$800,000, and I guarantee you that it would take a lot of those to add up to the one \$67 million which is included for Philadelphia. But the problems that exist in Philadelphia, the cutting of services, the future being bleak, are also threatening the same way throughout the Commonwealth in the school districts such as Laurel

Highlands or the city of New Castle's school district.

I think that the plea for a fiscal note is just copping out. There are opponents of this amendment who do not want it passed because of what it will do to the bill and there are opponents of this amendment who do not want it passed because they know it strengthens it, and I am saying that if you hold this bill for a fiscal note on this particular issue, then you might as well kiss HB 1075 good-bye.

The SPEAKER. The Chair takes no note of the good-byes which it hears.

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

Mr. ITKIN. Mr. Speaker, I think the gentleman from Fayette fails to realize the fiscal irresponsibility that this type of legislation could promote.

What it would do would be that every time a school district needed additional money and was faced with balancing its budget and by necessity seeking the money from either tax revenues or from additional subsidies from the state, they would instead take the easy route and just go to their friendly authority, put up a couple of buildings, mortgage them, and have the additional revenue for operating expenses. The payback would be amortized on the length of the bonds, and so you could borrow \$1 million in a given year and perhaps only have to put up an additional \$50,000 in terms of debt service with the Commonwealth picking up the interest payments.

I think what we have attempted to do and should be attempting to do is to try to promote fiscal responsibility by acts of the legislature rather than encourage and promote those school directors the easy way out to meet the pressures of their responsibilities by mortgaging their school buildings because it is the simplest thing to do, and I would urge the members of this House to vote against this part of the amendment.

The SPEAKER. The Chair advises the gentleman, Mr. Lincoln, he has already spoken twice on this point, and the rules of the House do not permit him to speak again on this point.

The Chair recognizes the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, am I correct that we are considering Mr. Lincoln's amendment as divided?

The SPEAKER. The gentleman is absolutely correct. We are considering Mr. Lincoln's amendment as divided after the semicolon and before the word "and", and that part only is the question before the House.

Mr. GALLAGHER. Thank you, Mr. Speaker.

On behalf of the Lincoln amendment, some time ago, many years ago—I have been here 19 years and it was before I got here—we had a State School Building Authority to allow school districts to have their school buildings constructed and their bonds provided by the State School Building Authority. We allowed all districts at that time; there were over 2,000 school districts in there. All we are trying to do here is allow only 505 school districts to be able to have a method of refinancing their existing bonds.

In Bristol Township, Bucks County, which is my district and where I live, this past Thursday they, the board, which has its

own school building authority, refinanced \$11 million of their own bonds on their own, which they have the authority to do if they wish to do it, just like they have the authority to build their own buildings under their authority. All they are doing is refinancing \$11 million worth of bonds, and the reason why: Their bond rental payment now on that \$11 million is \$1,100,000 a year. By refinancing it, it will be \$830,000. So they are going to save themselves over \$300,000 in taxes. That is going to mean that they are going to be able to reduce their proposed 43-mill increase by a certain amount because of that refinancing.

All Mr. Lincoln is trying to do, and I concur in his proposal, is to allow other districts to join, just like they joined the State School Building Authority, to collectively refinance their existing bonds—not just indebtedness; that is what indebtedness is basically about in other districts—through the state. It is like municipalities around this Commonwealth being able to purchase materials from the General Services authority so that they can purchase at a lower rate. They can buy tires and batteries the same as the General Services authority does. They can participate in that, and that is all we are trying to do — allow other districts to join that collective method of refinancing their existing bonds or indebtedness.

Therefore, I think it is a good opportunity for everybody to participate in this so that they can refinance and pay at a lower rate for a longer period of time with the support of this kind of program.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have got to correct or at least allow the members of this House to understand the proposition that is before them.

Mr. Gallagher indicated in his debate for the Lincoln amendment that all we are doing is allowing the school districts across this Commonwealth to refinance obligations that they have outstanding. This would be true except that HB 1075 provides an interest subsidy. It pays the interest on these things. So what you are really saying is they can come in—all these school districts and any school district—and refund all of their obligations and pay no interest.

I am saying if we have to take unusual measures when we have an unusual problem, then so be it, but to take the unusual measure of paying all the interest for bonded indebtedness of every school district across this Commonwealth that does not have a particular problem that we are trying to solve is ridiculous, and the first half of the Lincoln amendment is equally ridiculous.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. ZELLER. Thank you, Mr. Speaker.

I would like to interrogate Mr. Gallagher, if I could.

The SPEAKER. Will Mr. Gallagher stand for interrogation?

Mr. GALLAGHER. Yes, Mr. Speaker.

The SPEAKER. The Chair sees that Mr. Gallagher indicates that he will stand for interrogation. The gentleman from Lehigh may state his points of interrogation.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, did I hear you right to say that in this bill we would be giving every school district the power to refinance its particular problems in the school district, and we are going to be allowing this in these amendments that Mr. Lincoln is proposing if they are placed in this bill, HB 1075? That would give every school district a chance to refinance its problems.

Mr. GALLAGHER. That is correct, Mr. Speaker. It would allow them to refinance. That is what the bill is about — refinancing your indebtedness, whether it be bills that you have not paid or bonds that are outstanding. Yes; it would.

Mr. ZELLER. The question on that is, as Mr. Manderino stated, in other words, the state then is going to pick up the interest for all those. We are going to be picking up the interest.

Mr. GALLAGHER. Mr. Speaker, that is correct. It is just very similar to what we do with the State School Building Authority. When your school district wants to build a building, you come to the State School Building Authority; you give them your plans; they put a whole package of bonds together of many districts; they float the bond issues; your district gets the money; you build your own building with your own contractor through bidding, et cetera, your own architect; and then your school district gets subsidy reimbursement for your capital improvement, which is the same thing we are doing under the State School Building Authority. Why should we not do the same thing for every district in Pennsylvania for refinancing their indebtedness? Let the state reimburse them via interest. We do the same through the State School Building Authority for your construction of your buildings. That is a subsidy formula that you now are receiving as a school district coming through the State School Building Authority. I see no difference in it. I see that we are just expanding our opportunity in giving it to other districts so that they may participate and be one of the other.

Mr. ZELLER. Mr. Speaker, the only difference I see here under the school board authority operation in building buildings versus what we did to PennDOT many years ago is we allowed them to go into a bond issue on maintenance. That is one of the reasons why we are in trouble over in that department. I was just wondering whether or not this is what we are not walking ourselves into — opening up, as has been mentioned many times, a Pandora's box by allowing ourselves to go into a bond issue for indebtedness which is not buildings alone. It is strictly their overall problems of the entire school district. Are we not walking ourselves into a real problem in that area? That is what is bothering me.

Mr. GALLAGHER. Mr. Speaker, in reply to the gentleman—

The SPEAKER. The Chair thanks the gentleman from Lehigh. Does that conclude the gentleman's interrogation?

Mr. ZELLER. Yes, Mr. Speaker.

The SPEAKER. The Chair now recognizes the gentleman from Bucks, who rises for the second time to speak on this question.

Mr. GALLAGHER. Mr. Speaker, I accept the recognition for the second time, although I did use part of my reply to Mr. Zeller as what I was going to do the second time. But what Mr.

Zeller was saying—

The SPEAKER. The Chair advises the gentleman that this time the Chair has the edge and does not intend to give it up. The gentleman has risen for the second time on this question.

Mr. GALLAGHER. I am not trying to take the edge from the Speaker at all, Mr. Speaker.

The SPEAKER. Oh, yes you are.

Mr. GALLAGHER. Oh, no I am not. It sounds like the other Speaker is back there again; I do not know.

Mr. Speaker, what I was trying to say is that what we are doing now is no more than we had done before, and we are not encouraging other districts to forget about paying their indebtedness or their bonds. All we are doing is giving them a method of refinancing, which is a good business method. All we are doing is allowing them to participate collectively. Collective purchasing is something that the Commonwealth tries to provide for every municipality in the purchasing of equipment.

All we are doing is trying to give every school district the opportunity to collectively refinance their bond issues. Why not? Why not other districts? Not just one, or not just a select few, but give the others the opportunity. They do not have to if they do not want to. They could do it themselves like my own district did. They did it themselves because they could not wait for this General Assembly to do something about it. They decided to do it on their own. Other districts will be like that. They will not have to join it, but give them the opportunity to participate. This is a Commonwealth. It is a union of everybody, and I think we should give them that same opportunity, not a select group.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

In response to Mr. Gallagher's comments about refinancing, there is only one reason for refinancing a tax-free bond and that is to take advantage of lower interest rates.

The reason his school refinanced those bonds is because the interest rate has dropped significantly over the last couple of years from, perhaps, an 8-percent rate to a 6-percent rate. So you can save about \$200,000 on \$10 million. So the only reason a school board would ever refinance a tax-free bond would be to take advantage of a lower interest rate, and that is the prime consideration when you refinance a tax-free bond.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SELTZER. Mr. Speaker, will the gentleman from Fayette, Mr. Lincoln, permit himself to be interrogated?

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

Mr. LINCOLN. Mr. Speaker, I have already spoken twice on this issue, and due to the rules of the House saying that I cannot speak more than twice, I do not think I can stand for interrogation.

The SPEAKER. For the gentleman's information, it is not that easy. Replies to interrogation do not fall within the prohi-

bitions of the rule.

The Chair would advise the gentleman, however, that on occasion the Chair has refused to be interrogated, and very wisely so. If the gentleman does not care to be interrogated, there is no opprobrium attached to that answer.

Mr. LINCOLN. Mr. Speaker, I submit to interrogation.

The SPEAKER. The gentleman, Mr. Lincoln, indicates that he will be interrogated. The gentleman, Mr. Seltzer, may place his interrogation.

Mr. SELTZER. Will the gentleman describe to the House what he means by the term "unfunded debt"?

Mr. LINCOLN. I wish I would have said "no."

I have a school district in Fayette County which at the end of this current fiscal year has a debt of \$800,000, and it does not have any funds to pay. Without any surprise announcements of money coming from anywhere, they are in trouble. They are going to have an \$800,000 unfunded debt at the end of the school year.

Mr. SELTZER. Mr. Speaker, is the gentleman indicating then that the \$800,000 of unfunded debt is from operating budgets?

Mr. LINCOLN. Yes, Mr. Speaker.

Mr. SELTZER. Is it an accumulation for a number of years, or has this debt arrived just in this current year?

Mr. LINCOLN. It has accumulated over the past 2 years, I believe. I am not that intimate with the circumstances, but I believe it is over the last 2 years.

Mr. SELTZER. So, Mr. Speaker, if I can respond to what I think his answer was, what the gentleman is suggesting is that we permit any or all of the 505 school districts, if they qualify, to all run operating deficiencies for a number of years and then resolve that accumulated debt by mortgaging their school buildings. Is that an oversimplification but an accurate one?

Mr. LINCOLN. No; I do not think it is accurate at all, Mr. Speaker.

I think that my own personal intent is that school districts, which because of circumstances beyond their control find themselves in a situation such as you just described, then could rely on this particular procedure to right themselves.

Mr. SELTZER. Mr. Speaker, a further question: How then would the school districts pay off their accumulated debt if this amendment were inserted into the bill and the bill became law?

I understand how they would get their money. That would be under the provisions of HB 1075. But how would they repay their debt?

Mr. LINCOLN. Through payments to the authority that we would be setting up by HB 1075 becoming law.

Mr. SELTZER. Fine.

Where would they receive and how would they receive the revenues to pay off the debt to the authority?

Mr. LINCOLN. Whenever the bonds are sold, there is a sinking fund which the authority controls. Out of that sinking fund the money is appropriated to the school district, and the interest will be paid out of that sinking fund or even the principal can be paid out of that sinking fund.

Mr. SELTZER. How will the school districts receive the money to make the payments on principal and interest to the authority?

Mr. LINCOLN. From their general fund budget which the school directors approve each year.

Mr. SELTZER. Fine. And the only way they can receive money into that general fund budget is by raising their taxes or enacting taxes—they do not necessarily have to raise them—by the enactment of taxes. Is that correct?

Mr. LINCOLN. Yes, sir.

Mr. SELTZER. So, Mr. Speaker, what you are saying is that any school district in Pennsylvania, if it met the requirements of HB 1075 and your amendments, could accumulate a debt over a period of years from operating deficits, then fund that debt by the sale of bonds, putting up their buildings as collateral. Then they would have to increase their taxes to pay off the rentals needed to retire that debt.

Now, Mr. Speaker, assuming that all those facts are correct—and I believe they are—why does not the school district without this legislation just increase their taxes and they would not have to go through all of this and they would not have unfunded debt from operating expenses?

Mr. LINCOLN. Mr. Speaker, I am going to attempt to explain, in a very, very large layman's way, the procedure outlined in HB 1075, as I understand it.

The school district is going to be able to borrow from that authority \$1 million, \$20 million, whatever the figure may be. The interest on that amount will be paid back by the state.

There is a sinking fund involved. It says in the bill that those sinking fund dollars can be reinvested by the authority, and profits from that reinvestment can be used, one, to pay interest or to pay principal on the outstanding debt owed by a district. If, as we have chosen to do, the route that we are proposing, the state is going to pay the interest, then the authority will pay towards the principal owed by that particular school district.

It has been shown to me on a graph. And I will be very honest with you — it is one of the most difficult things I have ever had to understand, and it is very slowly sinking into me that the authority will be able to pay off as high as 60 percent of the loan the school district makes. They are only going to have to repay the original debt that they had through the School Building Authority or whatever. So this really is a windfall to a school district which can participate in it.

Mr. SELTZER. Assuming, Mr. Speaker, as in the illustration the gentleman just gave, that the school district would only have to raise 60 percent additional money to pay off the debt, where will the school district raise the 60 percent?

Mr. LINCOLN. The debt will be amortized over 20 years, 25 years, 30 years, and the payments can be made low enough that the school districts are going to be able to handle those with their current revenues in some cases.

Mr. SELTZER. I thank you, Mr. Speaker.

If I may speak on the amendment for a moment?

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

Mr. SELTZER. Mr. Speaker, it is my opinion and I think the opinion of many members of this House that if we take home \$1,000 a month and our wife spends \$1,200, we are soon in debt, and that is called unfunded debt. If we are in business and we do something likewise — we take in \$5,000 a month but we spend \$6,000 — that is unfunded debt. It is the same in govern-

ment, whether it be local, state or the Federal Government.

Mr. Speaker, in my opinion, it is very irrational and certainly unsound fiscally for this Commonwealth to ever enter into a scheme such as is being attempted here today to fund operating deficits with borrowed money. This administration several years ago suggested that we do it for highway purposes. This General Assembly thought it was wrong then, and I suggest to you today that just changing the program and utilizing it for school purposes is no better than it was several years ago when it was suggested that we use this for highway purposes.

This concept is wrong. It is expensive and will only dig the hole deeper for the school districts back home.

I ask for a "no" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DiCARLO. Mr. Speaker, after the interrogation by Representative Seltzer, I fully concur, and there is no need for me to further interrogate Mr. Lincoln or Mr. Gallagher.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House agree to Part I of the Lincoln amendments.

The following roll call was recorded.

YEAS—17

Berlin	Fee	Geesey	Petrarca
Berson	Fischer, R. R.	Hutchinson, A.	Wargo
Bittinger	Gallagher	Lincoln	Wise
Cassidy	Gatski	Mullen, M. P.	Zitterman
Doyle			

NAYS—177

Abraham	Garzia	McCall	Schmitt
Anderson	Geisler	McClatchy	Schweder
Armstrong	George, C.	McGinnis	Scirca
Arthurs	George, M.	McIntyre	Seltzer
Barber	Giammarco	McLane	Shuman
Bellomini	Gillette	Mebus	Shupnik
Beloff	Goebel	Meluskey	Sirianni
Bennett	Goodman	Milanovich	Smith, E.
Bittle	Gray	Miller	Smith, L.
Borski	Greenfield	Milliron	Spitz
Brandt	Greenleaf	Miscevich	Stairs
Brown	Grieco	Moehlmann	Stapleton
Brunner	Halverson	Morris	Stewart
Burd	Hamilton	Mowery	Stuban
Burns	Harper	Mrkonic	Sweet
Butera	Hasay	Mullen, M. M.	Taddonio
Caltagirone	Haskell	Musto	Taylor, E.
Caputo	Hayes, D. S.	Novak	Taylor, F.
Cessar	Hayes, S. E.	Noye	Tenaglio
Cianciulli	Helfrick	O'Brien, B.	Thomas
Cimini	Hoeffel	O'Brien, D.	Trello
Cohen	Honaman	O'Connell	Valicenti
Cole	Hopkins	O'Donnell	Vroon
Cowell	Hutchinson, W.	O'Keefe	Wagner
Davies	Itkin	Oliver	Wansacz
DeMedio	Johnson	Pancoast	Wass
DeVertter	Jones	Parker	Weidner
DeWeese	Katz	Piccola	Wenger
DiCarlo	Kelly	Pievsky	White
Dietz	Kernick	Pitts	Wiggins
Dininni	Klingaman	Polite	Williams

Dombrowski	Knepper	Pott	Wilson
Donatucci	Kolter	Pratt	Wilt
Dorr	Kowalshyn	Pyles	Wright, D.
Duffy	Laughlin	Ravenstahl	Wright, J. L.
Dumas	Lehr	Reed	Yahner
Englehart	Letterman	Renwick	Yohn
Fisher, D. M.	Levi	Richardson	Zearfoss
Flaherty	Livengood	Rieger	Zeller
Foster, A.	Logue	Ritter	Zord
Foster, W.	Lynch	Ruggiero	Zwikel
Freind	Mackowski	Ryan	
Fryer	Madigan	Salvatore	Irvis,
Gallen	Manderino	Scanlon	Speaker
Gamble	Manmiller	Scheaffer	

NOT VOTING—6

Gleeson	Rappaport	Shelton
Prendergast	Rhodes	Spencer

The question was determined in the negative and Part I of the Lincoln amendments was not agreed to.

SECOND PART OF AMENDMENT WITHDRAWN

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

Mr. LINCOLN. Mr. Speaker, I would like to withdraw the second part of my amendment.

The SPEAKER. The Chair thanks the gentleman. The gentleman has withdrawn the second part of his amendment.

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

Mr. ITKIN. Mr. Speaker, this is a very simple amendment. What it does is provide the appropriation required for the implementation of the bill if it becomes law during the next fiscal year.

What the amendment does is provide a section, a new section, calling for an appropriation of \$2.3 million for the fiscal year beginning July 1, 1977, through June 30, 1978.

The reason why I am—

The SPEAKER. Will the gentleman suspend?

The Chair apologizes. The clerk has not had a chance officially to read the amendment into the record. The gentleman may continue and will be recognized to continue after the clerk has read the amendment.

The clerk will read the amendment.

On the question recurring,

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

Mr. ITKIN offered the following amendments:

Amend Table of Contents, page 3, by inserting between lines 4 and 5 Section 505. Appropriation.

Amend Table of Contents, page 3, line 5, by striking out "505" and inserting 506

Amend Bill, page 27, by inserting after line 30 Section 505. Appropriation.

The sum of \$2,300,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Education for the fiscal year June 1, 1977 to June 30, 1978, for payments to school districts.

Amend Sec. 505, page 28, line 1, by striking out "505" and inserting 506

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

The SPEAKER. The Chair now recognizes the gentleman, Mr. Itkin. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, the reason why I offered this amendment is because just as we have seen in the concern in the past amendment battle, there is always a tendency, when people want to support legislation that they think is going to be in their interest or the interest of their constituents, to vote for the measure, and then when it comes time to pay the bills, they are much more reluctant to pay for the measure that they helped to pass.

By doing this, by placing the appropriation in with this measure and an appropriation in any other subsequent measure that may come before us before we enact the general appropriation act, in this way we sort of produce some fiscal responsibility on the part of the membership.

Therefore, I urge the House, whether they support HB 1075 or not, to support the amendment so that the funding mechanism is within the bill. Therefore, those who will vote finally in the affirmative on the measure will also have voted in support of the appropriation. Otherwise, we may find the situation where if this appropriation is contained in some omnibus measure like the general appropriation bill, those who will support this bill and others might choose subsequently not to vote for the omnibus package and give some other flimsy excuse or some other reason in the omnibus package why they do not support the measure.

If you believe in this bill, then you should put the money in the bill. If you do not, there still should be fiscal responsibility on the part of the measure. I think it is therefore fiscally deficient, and I would urge all members, whether they support HB 1075 or oppose it, to provide in the bill the appropriation.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader. Does the gentleman, Mr. Manderino, rise to speak to this amendment?

Mr. MANDERINO. Are you forcing me?

Mr. Speaker, it is my understanding that the interest in the first year will be \$2.3 million. Those are the figures that the analysts have given to us, and it is just a matter of whether you want to provide it in this bill or if you want to leave it where it is in SB 770, because it does provide for the interest that will have to be paid on the bonds in the first year.

If the members vote for this, you ought to be cautioned that you are just funding 1 year's operation of the bill, and we will have to provide again in the appropriation bill next year for the additional funding to pay interest which will have by that time accrued.

I have no position as the majority leader on this amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—52

Abraham	Garzia	McLane	Salvatore
Arthurs	Gatski	Milanovich	Schweder
Bellomini	Geisler	Miscevich	Shupnik
Bittinger	Gillette	Morris	Stewart
Brunner	Hamilton	Mullen, M. P.	Tenaglio
Caputo	Harper	Mullen, M. M.	Trello
Cowell	Hutchinson, A.	Musto	Wansacz
DiCarlo	Itkin	Novak	Wargo
Dombrowski	Katz	O'Brien, B.	Weidner
Doyle	Kernick	O'Brien, D.	Zitterman
Duffy	Kolter	Petrarca	
Fee	Letterman	Pott	Irvis,
Flaherty	Manderino	Ravenstahl	Speaker
Gamble	McCall		

NAYS—143

Anderson	Fryer	Mackowski	Schmitt
Armstrong	Gallagher	Madigan	Scirica
Barber	Gallen	Manmiller	Seltzer
Beloff	Geesey	McClatchy	Shuman
Bennett	George, C.	McGinnis	Sirianni
Berlin	George, M.	McIntyre	Smith, E.
Berson	Giammarco	Mebus	Smith, L.
Bittle	Goebel	Meluskey	Spitz
Borski	Goodman	Miller	Stairs
Brandt	Gray	Milliron	Stapleton
Brown	Greenfield	Moehlmann	Stuban
Burd	Greenleaf	Mowery	Sweet
Burns	Grieco	Mrkonic	Taddonio
Butera	Halverson	Noye	Taylor, E.
Caltagirone	Hasay	O'Connell	Taylor, F.
Cassidy	Haskell	O'Donnell	Thomas
Cessar	Hayes, D. S.	O'Keefe	Valicenti
Cianciulli	Hayes, S. E.	Oliver	Vroon
Cimini	Helfrick	Pancoast	Wagner
Cohen	Hoeffel	Parker	Wass
Cole	Honaman	Piccola	Wenger
Davies	Hopkins	Pievsky	White
DeMedio	Hutchinson, W.	Pitts	Wiggins
DeVerter	Johnson	Polite	Williams
DeWeese	Jones	Pratt	Wilson
Dietz	Kelly	Pyles	Wilt
Dininni	Klingaman	Rappaport	Wise
Donatucci	Knepper	Reed	Wright, D.
Dorr	Kowalshyn	Renwick	Wright, J. L.
Dumas	Laughlin	Richardson	Yahner
Englehart	Lehr	Rieger	Yohn
Fischer, R. R.	Levi	Ritter	Zearfoss
Fisher, D. M.	Lincoln	Ruggiero	Zeller
Foster, A.	Livengood	Ryan	Zord
Foster, W.	Logue	Scanlon	Zwikel
Freind	Lynch	Scheaffer	

NOT VOTING—5

Gleeson	Rhodes	Shelton	Spencer
Prendergast			

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

MOTION TO RECOMMIT HB 1075

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

Mr. ITKIN. Mr. Speaker, it is obvious from that vote—and I am making an assumption now that all the votes in the negative are at least the votes that are going to be voting against the measure—I really wonder whether we should belabor the is-

sue in pursuing further amendments on the bill.

I would suggest that we recommit the bill at this time.

The SPEAKER. Does the gentleman suggest or does the gentleman move to recommit the bill?

Mr. ITKIN. Mr. Speaker, I will at this time move to recommit the bill to the Committee on Education.

The SPEAKER. The gentleman from Allegheny, Mr. Itkin, moves to recommit HB 1075, as amended, to the Committee on Education.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise to speak against the motion.

I think the interpretation that Mr. Itkin places on the bill is not a correct interpretation. His amendment has fallen. The fact that his amendment failed does not necessarily speak to the fate of the bill.

There are amendments to be offered to this bill that I think will improve the bill. I think they will improve it to the extent that it may garner the necessary votes for passage.

I would speak against, therefore, his motion to recommit and ask all members of the House to support a defeat of the recommittal motion.

The SPEAKER. The Chair recognizes the majority whip.

Mr. GREENFIELD. Mr. Speaker, I rise to a strenuously urge a negative vote on the recommittal motion.

Mr. Speaker, we are laboring with this bill because we, as legislators, are interested in trying to attempt to solve a serious crisis in the Philadelphia School District for one matter. I do not think—

The SPEAKER. Will the gentleman yield?

The gentleman is departing from the parameters of the question. The only question before the House is, Shall the House adopt the motion to recommit? The gentleman is limited strictly in debate to that question and that question only.

The gentleman may proceed.

Mr. GREENFIELD. Mr. Speaker, I believe that this bill has received sufficient attention in the committee. I think that it is no more than proper that it receive adequate attention on the floor of the House for debate and consideration and possible amendments. I think it would be dodging and hedging and evading to try to avoid the issue. I think we have to meet our responsibilities as legislators of this Commonwealth in this situation.

I urge a negative vote so that we can truly discuss and try to come to a meeting of the minds in this kind of crisis situation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CESSAR. Mr. Speaker, I rise in opposition to the recommittal motion. I think we should vote the bill on its merits and let the chips fall where they may.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—83

Abraham	Freind	McClatchy	Sirianni
Anderson	Gallen	McGinnis	Smith, L.
Armstrong	Garzia	Mebus	Spitz
Bellomini	Geesey	Meluskey	Stairs
Bittle	George, C.	Miller	Stapleton
Brandt	George, M.	Moehlmann	Stewart
Brown	Hasay	Morris	Taddonio
Burd	Haskell	O'Connell	Taylor, E.
Butera	Hayes, S. E.	O'Keefe	Taylor, F.
Caltagirone	Helfrick	Parker	Thomas
Cowell	Hoeffel	Piccola	Vroon
Davies	Honaman	Pitts	Wagner
DeVerter	Itkin	Pyles	Weidner
DeWeese	Kernick	Renwick	Wilt
Dietz	Knepper	Ritter	Wright, D.
Dininni	Kowalyshyn	Ruggiero	Yohn
Domrowski	Lehr	Ryan	Zearfoss
Dorr	Livengood	Schweder	Zeller
Doyle	Lynch	Scirica	Zord
Fischer, R. R.	Mackowski	Seltzer	Zwinkl
Foster, W.	Manmiller	Shuman	

NAYS—111

Arthurs	Gamble	Logue	Reed
Barber	Gatski	Madigan	Richardson
Beloff	Geisler	Manderino	Rieger
Bennett	Giammarco	McCall	Salvatore
Berlin	Gillette	McIntyre	Scanlon
Berson	Gleeson	McLane	Scheaffer
Bittinger	Goodman	Milanovich	Schmitt
Borski	Gray	Milliron	Shupnik
Brunner	Greenfield	Miscevich	Smith, E.
Burns	Greenleaf	Mowery	Stuban
Caputo	Grieco	Mrkonic	Sweet
Cassidy	Halverson	Mullen, M. P.	Tenaglio
Cessar	Hamilton	Mullen, M. M.	Trello
Cianciulli	Harper	Musto	Valicenti
Cimini	Hayes, D. S.	Novak	Wansacz
Cohen	Hopkins	Noye	Wargo
Cole	Hutchinson, A.	O'Brien, B.	Wass
DeMedio	Hutchinson, W.	O'Brien, D.	Wenger
DiCarlo	Johnson	O'Donnell	White
Donatucci	Jones	Oliver	Wiggins
Duffy	Katz	Pancoast	Williams
Dumas	Kelly	Petrarca	Wise
Englehart	Klingaman	Pievsky	Wright, J. L.
Fee	Kolter	Polite	Yahner
Fisher, D. M.	Laughlin	Pott	Zitterman
Flaherty	Letterman	Pratt	
Foster, A.	Levi	Rappaport	Irvis,
Fryer	Lincoln	Ravenstahl	Speaker
Gallagher			

NOT VOTING—6

Goebel	Rhodes	Spencer	Wilson
Prendergast	Shelton		

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

On the question recurring,

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

Mr. MANDERINO offered the following amendments:

Amend Sec. 103, page 5, line 10 by striking out "Its obligations" and inserting Any obligation of a school district

Amend Sec. 202, page 7, line 6 by striking out all of said line and inserting

(4) To acquire, purchase, hold, lease as lessee and use any property real, personal or mixed, tangible or

Amend Sec. 202, page 7, line 9 by removing the comma after "lease" and inserting as lessor,

Amend Sec. 202, page 7, line 11 by striking out "(4)" and inserting (5)

Amend Sec. 202, page 7, line 13 by striking out "(5)" and inserting (6)

Amend Sec. 202, page 7, line 14 by removing the comma after "Authority" and inserting or the Department of Education,

Amend Sec. 202, page 7, line 17 by striking out "(6)" and inserting (7)

Amend Sec. 202, page 7, line 28 by removing the semicolon after "obligations" and inserting or agreements made with any school district as provided for in this act;

Amend Sec. 202, page 7, line 29 by striking out "(7)" and inserting (8)

Amend Sec. 202, page 8, line 1 by striking out "(8)" and inserting (9)

Amend Sec. 202, page 8, line 2 by striking out "this act on such" and inserting the

Amend Sec. 202, page 8, line 2 by striking out "as it deems desirable" and inserting of this act

Amend Sec. 202, page 8, line 4 by striking out "(9)" and inserting (10)

Amend Sec. 202, page 8, line 21 by striking out "(10)" and inserting (11)

Amend Sec. 202, page 8, line 24 by striking out "(11)" and inserting (12)

Amend Sec. 202, page 8, line 28 by striking out "(12)" and inserting (13)

Amend Sec. 202, page 8, line 29 by inserting a period after "act"

Amend Sec. 202, page 8, lines 29 and 30 by striking out "or any other acts."

Amend Sec. 204, page 9, line 13 by inserting after "authority."

The rental or rentals shall be amortized over the period of the lease, but the school district's annual rental payment fixed by the authority in such lease shall be of sufficient amount as to reimburse the authority for the amount of principal and the interest accrued or to accrue annually on the outstanding bonds and notes and such other costs of the authority, as shall be prorated and allocated by the authority as annual payment from such school district.

Amend Sec. 204, page 9, line 18 by inserting after "transaction."

The loan shall be amortized over the period of the loan agreement but the annual payment fixed by the authority in the school district's loan agreement shall be of sufficient amount to reimburse the authority for the principal and interest accrued or to accrue annually on the outstanding bonds or notes and such other annual costs of the authority as shall be prorated and allocated by the authority as annual payment from such school district.

Amend Sec. 303, page 13, line 24 by striking out "as" and inserting with respect to

Amend Sec. 304, page 14, line 5 by striking out "of Community Affairs." and inserting of Education and the General Assembly.

Amend Sec. 402, page 16, lines 12 and 13, by striking out both of said lines and inserting

(2)(i) that the board of school directors is taxing real estate at the maximum rate set by statute; or

(ii) that the board

Amend Sec. 402, page 16, lines 22 through 25, by striking out all of said lines and inserting

(3) that the school district would experience a severe curtailment of school district services to an extent which endangers the proper education of school children if the school district did not participate in this act.

Amend Sec. 404, page 17, line 27, by striking out "estimate" and inserting estimated budget, segregated by years

Amend Sec. 404, page 18, by inserting between lines 2 and 8

(c) A school district shall file a financial schedule for each year in which such school district participates in programs authorized under this act.

Amend Sec. 404, page 18, line 3, by striking out "(c)" and inserting (d)

Amend Sec. 404, page 18, line 6, by striking out "(d)" and inserting (e)

Amend Sec. 405, page 18, by inserting between lines 20 and 21

(4) As part of the financial schedule and as a condition to participating in the programs provided by this act, it shall be the duty of such school district to set up in each fiscal year a reserve amount from revenues derived solely from any tax which the school district is directly or indirectly authorized, by law to levy for the purpose of reimbursing the authority for principal, interest, or other costs which are to be fixed by the authority in the lease or loan agreement.

(5) Failure of any school district to adhere to the reserve requirements as set forth in paragraph (4) shall constitute an "unfunded debt" and noncompliance by the school district with the provisions of this act. And, if within 60 days after notice by the secretary directing compliance, the school district fails to do so, the school district shall be considered a distress district within the meaning of and subject to the provisions of this act applicable to distressed school districts.

Amend Sec. 415, page 26, lines 3 through 8 by striking out all of said lines and inserting

(d) Effect on other funds, subsidies and reimbursements.—No school district shall receive any subsidy, reimbursement, or other funds under any provision of the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," or under the provisions of any other law now in effect or which may be thereafter enacted, the basis of which shall be the participation by such school district in any program authorized by this act.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the amendments that I propose to HB 1075 are embodied in a three-page amendment that has been distributed to the members.

Mr. Speaker, these amendments, at least in concept, were discussed in both caucuses this afternoon. We gave the concept of the amendments to the Republican caucus. I discussed them with the members of my caucus who were present.

In general, the amendments are an attempt to clarify and to strengthen HB 1075 in the assurances that the Commonwealth will have, if HB 1075 becomes law, that the moneys borrowed by any school district participating under the provisions of HB 1075, insuring that the payments necessary to be made, will be made.

Section 204 of the act speaks to the agreement that is made between the Secretary of Education and the various school districts that participate by turning their buildings over to the authority and leasing back those buildings.

Language is inserted in section 204 to insure that the rentals shall be amortized over the period of the lease and that the school district's annual rental payment fixed by the authority in such lease shall be sufficient to reimburse the authority for the amount of principal and interest accrued or to accrue annually on the outstanding bonds and notes and such other costs of the authority that shall be fairly prorated to that district that happens to be participating under the act.

There was, as I read section 204, no direction to the Secretary of Education that the rental payments must be in an amount sufficient to amortize the principal and the interest. So we have added language that will do that.

That part of the amendment addressed to section 402 on page 16 is an amendment that makes it clear that the criteria for participation under the act, under subsection (2) thereof, are separate criteria in the "or" disjunctive. That is added.

Under section 402 also, under subsection (3) on page 16, the statement that appears in the bill as one of the criteria is "that the school district would experience substantial financial benefits through participation in the programs provided by this act in addition to those benefits due to receipt of subsidies as provided for in section 415."

I think that the requirement as stated in there, that a school district would receive benefits, could be met by any school district that would participate under the program. What I propose to do in that section is to eliminate the wording that appears there and substitute wording that one of the criteria shall be "that the school district would experience a severe curtailment of school district services to an extent which endangers the proper education of school children if the school district did not participate in this act."

We are stating it a different way, I think a better way, not that benefits would be received but unless, but for participation under this act, the services of that school district would be such as to endanger the proper education of the school children. That is the criteria that is being put in.

Under section 405, that is the section that tells of the schedule that is to be filed with the secretary. As I understand section 405 of the bill at the present time, which is on page 18, there is no requirement there that the budgets of the school district be submitted each year. I am adding two sections to section 405 — a subsection (4) and a subsection (5).

Under subsection (4), I am adding the amendment that will read as follows:

As part of the financial schedule and as a condition to participating in the programs provided by this act, it shall be the duty of such school district to set up in each fiscal year a reserve amount from revenues derived solely from any tax which the school district is directly or indirectly authorized, by law to levy for the purpose of reimbursing the authority for principal, interest, or other costs which are to be fixed by the authority in the lease or loan agreement.

Then I add the section saying:

Failure of any school district to adhere to the reserve requirements as set forth in paragraph (4)—

which is what I just read—

shall constitute an "unfunded debt" and noncompliance by the school district with the provisions of this act. And, if within 60 days after notice by the secretary directing compliance, the school district fails to do so, the school district shall be considered a distress district within the meaning of and subject to the provisions of this act applicable to distressed school districts.

What I am saying here is that they must set aside each year, by taxes that they are authorized to levy, amounts sufficient to

amortize the principal and interest, and adding features that if they do not set the money aside, it shall be deemed a noncompliance and bring into effect those provisions of the bill dealing with distressed school districts.

There was some question in reading HB 1075, at least in my mind and the minds of several who read the bill with me, that in addition to the interest subsidy provided to the school districts that participate in the program under HB 1075, it might be possible, because of the wording of the School Code, that these districts would in addition receive a reimbursement for the lease payments that they were making to the authority, because there is a section of the School Code providing reimbursement when a school district leases buildings. Mr. Gallagher alluded to that section of the code in debating the Lincoln amendment. So I am removing, on page 26 of the bill, all of lines 3 through 8, which indicate that the payments under HB 1075 would be in addition to other subsidies that might be received under provisions of the School Code. I am putting language in that makes it clear that payments received in relation to HB 1075 would not again be reimbursed under the School Code. That language that I would substitute would be:

Effect on other funds, subsidies and reimbursements.—No school district shall receive any subsidy, reimbursement, or other funds under any provision of the act of March 10, 1949 . . . known as the "Public School Code of 1949," or under the provisions of any other law now in effect or which may be thereafter enacted, the basis of which shall be the participation by such school district in any program authorized by this act.

That language is intended to make it perfectly clear that the only thing being provided by this act is the interest subsidy and, although, Mr. Speaker, a district may be making in fact, under the provisions of this act, lease-rental payments, they will not be entitled to be reimbursed for those lease-rental payments under the School Code as is done when a school builds a new building and receives reimbursement. So that correction is being put in. May I ask the indulgence of the House for 1 minute?

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair will take this interim to make the following announcement:

This will be the last amendment considered to this bill today. We shall be meeting again at 9:30 precisely tomorrow morning. The Chair will return to the special order of business, returning to HB 1075 as amended. The Chair will then proceed to call up those amendments which have been given to the Chair to be acted upon by the House.

The Chair now recognizes the majority leader. Is the majority leader ready to resume?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The majority leader may resume.

Mr. MANDERINO. Mr. Speaker, section 404 of the bill, on page 17, speaks to the filing of a schedule by the school district or any school district participating under this act, which schedule must be filed as a condition for receiving final approval by the Secretary of Education for participation under

this act, and the contents of that schedule indicate that the budget of the school district for the current and preceding year must be submitted in detail. And further on in the section, it talks about "A five-year detailed estimate of all receipts and expenditures . . ."

The additions that I make to that section will make it perfectly clear that "A school district shall file a financial schedule for each year in which such school district participates in programs authorized under this act." It is my understanding that the language used in the amendment will require the school district each year to submit its budget for approval by the Department of Education. This is a very important feature of the bill. We have been saying for sometime that we will never solve the problem that exists in the very large school districts in this Commonwealth unless we get a handle on the budget. I see this feature of the bill as giving us a handle each year that they are participating in the program and approval status in the Department of Education for the budget in that particular school district.

I would ask you to consider favorably the amendments that I have proposed to HB 1075. I think they tighten up, they strengthen, they ensure that we will have a handle on the bill. They ensure that we will receive repayment and provide remedies in the event that we do not. I ask for the adoption of the amendment.

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

Mr. SELTZER. Mr. Speaker, as I quickly analyze the amendments that are offered by the majority leader, it would appear to me that there are significant changes in the language of the proposed bill before us but no significant change in the bill itself. It sounds pretty, but accomplishes very little, if anything.

First of all, Mr. Speaker, I am not sure the amendment even includes the School District of the City of Philadelphia which we are supposed to be helping under this proposed HB 1075.

Secondly, I question very seriously, if a school district cannot set taxes currently at a rate that does not provide for an unfunded deficit, how can they in the future provide taxes to pay for a proposed unfunded deficit?

Mr. Speaker, this amendment will not solve the problem, and I ask the members to vote "no."

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

Does the gentleman, Mr. Zeller, agree to yielding the floor to the gentleman from Philadelphia, Mr. Greenfield?

The gentleman, Mr. Zeller, is courteous and yields the floor.

The gentleman, Mr. Greenfield, may proceed.

Mr. GREENFIELD. Thank you, Mr. Zeller.

Mr. Speaker, I would like to divide the question at this point: At the bottom of page 3, "Amend Sec. 415, page 26, lines 3 . . ." and so forth and so on. I would like to have a vote and discussion on the issue of that particular item separately, Mr. Speaker.

The SPEAKER. If the Chair understands the gentleman from Philadelphia, it is the desire of the gentleman from Philadelphia to divide this amendment on page 3 following the

words inserted "this act applicable to distressed school districts." It would stop at that point. The next part of the amendment would be: "Amend Sec. 415, page 26, lines 3 through 8 by striking out all of said lines and inserting". Is that correct?

Mr. GREENFIELD. That is correct, Mr. Speaker.

AMENDMENT DIVIDED

The SPEAKER. It is the opinion of the Chair that the question is divisible, and it is the ruling of the Chair on the request of the gentleman from Philadelphia, Mr. Greenfield, that the question is divided as follows: Beginning on page 1, continuing through page 2 and continuing through page 3 until you come to the words, single-spaced, "this act applicable to distressed school districts.", will constitute one amendment.

Beginning on page 3 with the words "Amend Sec. 415, page 26, lines 3 through 8 by striking out all of said lines and inserting (d) . . ." et cetera, will constitute the second amendment.

Has the Chair stated it accurately?

Mr. GREENFIELD. That is correct, Mr. Speaker.

Then can we vote on all that part of the amendment as one issue down to that particular division?

The SPEAKER. The Chair is of the opinion that that would be perfectly proper and, in fact, is now before the House, the Chair having divided the question.

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

Mr. ZELLER. Mr. Speaker, I would like to interrogate Mr. Manderino, if I could.

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

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ZELLER. Mr. Speaker, I do not know if my question will be pertinent to that section. I would like to ask you the question first and then you can rule one way or the other, because I do feel a lot like Mr. Seltzer in that it seems to me to be a good tasty frosting on a rotten tasting cake. I would like to ask you a question: Have we talked about the maintenance problem in the schools anywhere in your section which is dealing with funding? Will we, as a state authority, own those buildings? That is my first question.

Mr. MANDERINO. Mr. Speaker, as I understand HB 1075, it is a funding mechanism. I would expect that the language I have added, indicating that the principal and interest must be segregated in the school district budget to repay the principal and interest, will be sufficient safeguards for the state. I am sure that the lease arrangement that will be executed will make it abundantly clear that maintenance belongs to the tenant, the lessee.

Mr. ZELLER. In other words, the owner of the building though, if we are going into an authority, we will be the authority?

Mr. MANDERINO. Yes, Mr. Speaker. This is no different from what we do in the School Building Authority presently, that although we technically hold title to those buildings, we lease them back to the district. They pay us rentals. That district is responsible for the maintenance of those buildings.

Mr. ZELLER. The reason why I ask is because that is the way they do it but it does not show in here. That would have to be in that lease contract. Is that right?

Mr. MANDERINO. You are probably correct that it does not show in here, but this particular act, I am told, was patterned after the School Building Authority Act, and I know that under that act maintenance is taken care of by the tenant.

Mr. ZELLER. Okay. Thank you.

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

Mr. CAPUTO. Mr. Speaker, I rise to support the amendment as divided. I do not know, and I guess no one in the House can predict with any accuracy, what is going to happen to HB 1075. But certainly with these amendments, the bill that will be submitted to the members of this House will have some safeguards and will be a much improved bill over the original bill as introduced.

I point particularly to that part of the amendment on page 3, which amends section 405, page 18, subparagraph (5). The failure of the school district to set up the reserve which is a guarantee for repayment shall constitute an "unfunded debt" and put into action a right that we have always had and we will continue to have under this bill, and that is, to consider such district a distressed district.

I would like to point out the effects of that particular section of the amendment. In the event the lessee, in this case the School District of Philadelphia, if we are talking only about Philadelphia, fails to set aside the money necessary to pay the indebtedness they incur, we, as the legislature, and the three-member authority set up can direct the city council of Philadelphia to enact a school district tax. And failure by that body to comply with that directive would constitute in the authority the right to bring an action for nonfeasance against any member of the city council or against city council if they did not do it. We, in effect, can enforce the tax on that school district to guarantee repayment of the unfunded indebtedness.

I say that we are getting close to a bill that could be acceptable to this House if we adopt these particular amendments.

Thank you.

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

Mr. GARZIA. Mr. Speaker, I would like to interrogate either Mr. Greenfield or Mr. Manderino.

The SPEAKER. The Chair understands that the gentleman wishes to interrogate either Mr. Manderino or Mr. Greenfield.

The Chair recognizes the majority leader who indicates he will stand for interrogation.

The gentleman from Delaware, Mr. Garzia, may proceed.

Mr. GARZIA. Mr. Speaker, what was the reason for dividing the amendment the way it was divided?

Mr. MANDERINO. Mr. Speaker, there is a concern that the effect of the language I used in my amendment, making it abundantly clear that once you are participating in this program and paying rental and lease amounts in this program, that you would not be reimbursed for those same lease amounts under this program in the School Code. The way this is worded,

I think that that is all that is done. There is some concern in the city of Philadelphia and with those people who are looking out for the interest of Philadelphia because there are presently, in the city, buildings that they built under the School Code, financed through the School Building Authority, that they are ceiving rental subsidies for, and they want to make sure—and I do not blame them—that those payments would not be cut off by the language that I have used here.

I do not think those payments will be cut off by the language I used here, because I am talking about any payments received under the School Code, the basis of which is participation in this program, that they would not receive. The ones that they are worried about do not find their basis in HB 1075 if it becomes an act; they find their basis in the present School Code and School Building Authority Act which allows them that reimbursement.

I think that they are asking for a division of the question because they are not sure that the language I used in my amendment accomplishes only what I intended it to accomplish and does not play havoc with present payments. I do not believe it plays any havoc with present payments. I think the wording there is correct, but I would agree to the division and running them separately. I would even temporarily withdraw the last part of the amendment until their technicians can be assured that I have not hurt them.

Mr. GARZIA. Mr. Speaker, may I ask him another question?

The SPEAKER. The Chair recognizes the gentleman.

The gentleman may proceed.

Mr. GARZIA. What technician are you talking about? I really do not understand what you are saying. I am supposed to be voting on an amendment which I really do not understand. There was a reason why this thing was separated the way it was. Does it benefit the Philadelphia School District or does it benefit the taxpayers?

Mr. MANDERINO. I do not think that that is the reason it has been divided. It has been divided so that persons representing the school district and the Philadelphia Representatives here in the House—

Mr. GARZIA. Do not get surcharged?

Mr. MANDERINO. No; can make sure that the language I used will just accomplish what I intended it to accomplish. They have some fear that the wording that I have used in that part of the amendment will stop payments already being received by the school district of Philadelphia under the School Building Authority Act and the School Code, which reimburses for those payments of rentals under that act.

I do not think that I have touched that with my amendment, but, as I say, I can understand their concern because you are talking about substantial dollars in some cases. And I have no objections to a division of the question, holding that question separate. I still want to accomplish my purpose, but if different language accomplishes it more to the satisfaction of all parties, I would be willing to look at other language. I think my language accomplishes it.

Mr. GARZIA. Mr. Speaker, I have another question for Mr. Manderino.

The SPEAKER. The gentleman may proceed.

Mr. GARZIA. If they do not pay it back, if I understand your statement, then it will be subtracted from their school subsidy that they get every year. Am I understanding that right?

Mr. MANDERINO. The bill provides that.

Mr. GARZIA. Okay. Now what if their bonding debt is a lot more than what their subsidy is that is given to them? What happens then?

Mr. MANDERINO. I cannot envision that that be the case.

Mr. GARZIA. We are only talking about 2 or 3 years, but this could go on for the next 20 years and that is going to accumulate.

Mr. MANDERINO. That is one of the reasons that I inserted provisions which would indicate clearly that they must segregate in their budget, with taxes which they have levied, a sufficient amount to pay the principal and interest. And I have indicated that if they do not segregate that, the Secretary of Education can ask them to do it. And if they do not comply, then the process of the distressed district comes into effect where, in essence, eventually, it is my understanding, taxes can be imposed upon the people of Philadelphia to ensure repayment.

Mr. GARZIA. Who would impose the taxes, the state legislature or the school board?

Mr. MANDERINO. Mr. Speaker, you are not speaking to the amendment, but it is my understanding, under the features of the bill, that the bill sets up a committee which would direct the activities of the distressed district and would have the authority to authorize that taxes be levied and mandate that taxes be levied. The Court of Common Pleas could mandate a tax, and it is also my understanding that this legislature has never given up its prerogative to levy taxes in the cities of the first class.

Mr. GARZIA. That is all I have, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I think on several occasions I have indicated that it is my opinion that HB 1075 embodies a basically bad idea. To make matters even worse, this bad idea has been approached with a piece of legislation that is, again in my opinion, rather poorly drafted. Mr. Manderino's amendment does not make the idea any better. It is still a bad idea, but I think it does improve on the quality of the draftsmanship of the legislation anyway. It would address a number of major loopholes that were permitted in the original draft of this bill, and I think it closes some of those loopholes. For the first time his amendment would have the legislation clearly address the question of exactly what the school district would be responsible to repay to the authority. He proposes that that language be added to section 204, as he indicates on page 2 of his amendment.

In addition he tightens up a number of other areas including section 404 where we specifically say that this district would be required to provide a financial statement, not just one but as long as it chooses to participate in this particular program. So there are a number of other good ideas that would be included with his amendment.

As I said earlier, I intend to continue to oppose this legislation and oppose the bill, but I think that if we are going to act

responsibly, we should just take into consideration the fact that perhaps the majority of our colleagues will see fit to pass this in the end and accept again that basically bad idea. If they choose to do that, at least we ought to ensure that the legislation is properly written and I think we can do that and move in that direction by adopting the Manderino amendment.

Thank you, Mr. Speaker.

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

Mr. ITKIN. To briefly interrogate the majority leader.

The SPEAKER. The gentleman has a perfect right to interrogate at this point. The majority leader indicates that he will stand for interrogation. The gentleman, Mr. Itkin, may place his interrogation.

Mr. ITKIN. Mr. Majority Leader, earlier in the day we adopted a set of technical amendments, and I see here that in certain places the amendments that are embodied in this set of amendments are somewhat inconsistent or tend to produce problems with the language in those sections. For example, on page 16, line 13, you had inserted in the original amendment the word "State" before the word "statute," and in this set of amendments you replaced that language with other language in which you use the word "statute" by itself. I am somewhat confused. If both amendments are adopted on the same day, which will we abide by?

Mr. MANDERINO. Mr. Speaker, the confusion that the gentleman indicates might arise, but it is my understanding that when both amendments are drawn to the same printer's number, as these amendments were, that the Legislative Reference Bureau will read them together and mold the final printing of the bill to indicate the consensus of the House on each of the amendments.

Mr. ITKIN. Just by way of example, Mr. Speaker, on page 3 of this set of amendments that you are offering now, the second line has been indented to say: "that the board of school directors is taxing real estate at the maximum rate set by statute; or . . ." and you go on from there.

Since we adopted earlier in the day, to the existing language in the bill, an amendment to precede "statute" by "State", would then, in your judgment, the revised version of the bill amend your amendment, so to speak, to show "State" preceding "statute?"

Mr. MANDERINO. It is my understanding that it will be printed to show "State statute".

Mr. ITKIN. Okay. Then I have no other further questions. Thank you, Mr. Speaker.

On the question,

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

The following roll call was recorded:

YEAS—177

Abraham	Fryer	Lynch	Salvatore
Armstrong	Gallagher	Mackowski	Scanlon
Arthurs	Gallen	Madigan	Scheaffer

Barber	Gamble	Manderino	Schmitt
Bellomini	Garzia	Manmiller	Schweder
Beloff	Gatski	McCall	Scirica
Bennett	Geesey	McIntyre	Shuman
Berlin	Geisler	McLane	Shupnik
Berson	George, C.	Mebus	Smith, E.
Bittinger	George, M.	Meluskey	Smith, L.
Bittle	Giammarco	Milanovich	Spitz
Borski	Gillette	Miller	Stairs
Brandt	Goodman	Milliron	Stapleton
Brown	Gray	Miscevich	Stewart
Brunner	Greenfield	Moehlmann	Stuban
Butera	Greenleaf	Morris	Sweet
Caltagirone	Grieco	Mowery	Taddonio
Caputo	Halverson	Mrkonic	Taylor, E.
Cassidy	Hamilton	Mullen, M. P.	Taylor, F.
Cessar	Harper	Mullen, M. M.	Tenaglio
Cianciulli	Haskell	Musto	Thomas
Cimini	Hayes, D. S.	Novak	Trello
Cohen	Hayes, S. E.	Noye	Valicenti
Cole	Helfrick	O'Brien, B.	Vroon
Cowell	Hoeffel	O'Brien, D.	Wansacz
Davies	Hopkins	O'Donnell	Wargo
DeMedio	Hutchinson, A.	O'Keefe	Wass
DeWeese	Hutchinson, W.	Oliver	Wenger
DiCarlo	Itkin	Parker	White
Dietz	Johnson	Petrarca	Wiggins
Diminni	Jones	Pievsy	Williams
Dombrowski	Katz	Pitts	Wilt
Donatucci	Kelly	Pott	Wise
Dorr	Kernick	Pratt	Wright, D.
Doyle	Klingaman	Prendergast	Yahner
Duffy	Knepper	Rappaport	Yohn
Dumas	Kolter	Ravenstahl	Zearfoss
Englehart	Kowalshyn	Reed	Zeller
Fee	Laughlin	Renwick	Zitterman
Fischer, R. R.	Lehr	Rhodes	Zord
Fisher, D. M.	Letterman	Richardson	Zwilk
Flaherty	Levi	Rieger	
Foster, A.	Lincoln	Ritter	Irvis,
Foster, W.	Livengood	Ruggiero	Speaker
Freind	Logue	Ryan	

NAYS—19

Anderson	Honaman	Piccola	Wagner
Burns	McClatchy	Polite	Weidner
DeVerter	McGinnis	Pyles	Wilson
Goebel	O'Connell	Seltzer	Wright, J. L.
Hasay	Pancoast	Sirianni	

NOT VOTING—4

Burd	Gleeson	Shelton	Spencer
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The question was determined in the affirmative and Part I of the Manderino amendments was agreed to.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BURD. Mr. Speaker, I was in the back of the hall with constituents when the last vote was cast. I would have voted in the affirmative on the Manderino amendment to HB 1075.

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

PART II OF AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would like to withdraw the second part of the amendment temporarily. I will reoffer it with either the same language or a change in language tomorrow to accomplish the purpose I intended.

The SPEAKER. Without objection, the remainder of the amendment will be withdrawn.

BILLS PASSED OVER

The SPEAKER. Without objection, the Chair now returns to the House calendar and the Chair announces officially for the record that the remainder of the bills on the calendar are passed over for today.

The Chair would suggest that the members do not leave; not yet.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I raised a question last week, and I was voted down by the House members, that we seemingly have a very serious situation confronting us, particularly the Philadelphia school crisis. It is my understanding that this House intends to adjourn until tomorrow morning at 9:30. I was under the impression last week, when those members decided to vote against adjournment, that we were going to stay to deal specifically with the issues at hand.

We are now at that point once again, just prior to 6 o'clock, and I raise the question: What is going to be the posture this week in terms of dealing with these matters that are very serious to not only Philadelphia but the entire Commonwealth? I wanted to feel that at least this week we would get on with the business at hand since last week it was the wisdom of the House not to move to stay in session on Friday, which I thought could have been a day to deal with some amendments to HB 1075 and HB 593 and help get some of these things out of the way.

We are now in a situation where we are getting ready to adjourn until 9:30 tomorrow, and I just want to know, how do we stand in relationship to the proceedings for the rest of the week? Although I heard it, I am not clear on how we are going to function in terms of getting these items that are very important out of the way, and I am really raising that question. Maybe that is an inquiry for the majority leader, Mr. Speaker.

INTERROGATION

Mr. RICHARDSON requested and obtained unanimous consent to interrogate the majority leader, Mr. MANDERINO.

Mr. RICHARDSON. Mr. Majority Leader, when I raised the question last week, it was your decision that you are the leader of this House of Representatives and you indicated at that time that it was your decision that we would not be in session on Friday, so that vote went down.

Today we are now in the situation again where the House is

getting ready to adjourn and we have not even touched the surface of the issues that are definitely relevant to not only the city schools of Philadelphia and the problems centering around our children but the fact is that all of us have a number of concerns about this bill and some other bills that are going to relate to relieving the problem. I would just like to hear from you, what is the posture going to be for the rest of the week to deal specifically with the matters that are at hand? It would seem to me that we should be about the business of finishing up our business so that we can get on to the budget, but it seems to me that we are doing all kinds of things to deviate from that, and I just raise the question, what is going to be done? I think it is a legitimate question and one that some of the other members are also raising.

Mr. MANDERINO. Mr. Speaker, the hour is about 6 o'clock in the evening. My experience has been, on the floor of the House, that to work the members until 7:30, 8:00, 9:30, just detracts from their ability to do work the next day. I propose to come back here at 9:30 tomorrow morning, take up where we left off and work perhaps until 5 or 6 o'clock again tomorrow. I expect to do that on Wednesday, Thursday, and Friday, and into the weekend, if necessary.

I think that we are attacking the problem. I have indicated that my concentration this week is going to be on HB 1075, HB 593, and SB 770, and I think we are proceeding properly. I expect to get the job done before the end of the week.

The SPEAKER. Does the gentleman, Mr. Richardson, desire further recognition?

Mr. RICHARDSON. Just one other point. I just feel that that is like a slow death. It would seem to me that perhaps we could be dealing with all these issues that he has already enumerated. If there are three, it would seem to me that maybe we should stay in session, with the indulgence of the members of the House, to try to get some of them out of the way, and maybe breaking off at 5 or 6 o'clock every night does not answer that. If we want to break for dinner to get folks' minds back together and then come back, it would seem to me, Mr. Speaker, that that might even be a suggestion that you might take under consideration.

The fact is that I feel that this is a very serious matter and not a matter of games. It seems that my sincerity in dealing with this matter—

The SPEAKER. The gentleman has a right to be heard. And it may well be that the gentleman from Philadelphia has only been emphasized and underlined by other powers as to the seriousness of the matter before the House. I thought only the gentleman from Philadelphia, Mr. Mullen, could call upon those powers, but there may be others.

The gentleman, Mr. Richardson, may proceed.

Mr. RICHARDSON. Thank you very much.

I am just indicating that I think it is in bad taste that we try and deal with the matters as loosely as they are being dealt with. I am just indicating that perhaps there might be an opportunity for us to break for dinner and then come back and deal with some of these matters and subsequently do that every day until we can really get down to the issue, because the way we are going, I think we will be here until 12:30 a.m. on June

30, which will then be July 1, dealing with these same issues if we are going to go about it in that manner.

I would hope that the seriousness that is being indicated at this point, Mr. Speaker, would change some of the direction that has already been decided on by the leadership. It just seems to me that our schools are in very serious danger and our children are the ones who will receive the brunt of this type of punishment. I just do not feel that it is fair and I am just raising that question because I think it is a very serious situation.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, let me just state again: We are not unmindful, Mr. Richardson, of the problems of the school district of Philadelphia and many other school districts across this Commonwealth. We are not unmindful that a state budget must be passed by June 30.

I can only repeat to you that my experience is that breaking for supper and then working into the evening is counterproductive. Working into the evening will be counterproductive as to our progress tomorrow. Breaking for dinner will affect the quantity and the quality of the House after dinner, and I would think that the best procedure is to adjourn the House now. It is 6 o'clock; we have put in a reasonable day. I thank the members for their attention and I thank the members for their work today, but I think starting tomorrow morning is the best course of procedure.

WELCOMES

The SPEAKER. The Chair is pleased to welcome the mother of one of our members, Mrs. A. J. Hayes, Sr., of Erie. She is here as the guest of the Erie delegation, and, of course, particularly the guest of her son, Representative David Hayes.

Mrs. Hayes, we share with you the pride you have in your son and we know how proud he feels today to be on the floor of this House and have his mother watching him. Just keep a careful eye on him, Mrs. Hayes, for us, will you?

The Chair also would like to welcome Mr. Rege Laughlin. Mr. Laughlin comes from Monroeville. He is the guest of the gentleman from Allegheny, Mr. Taddonio.

The House, too, welcomes you, Mr. Laughlin. We are pleased to have you here and trust that your visit has been informative.

The Chair recognizes and welcomes to the hall of the House the guests of Representative Carmel Sirianni. The guests are Mrs. Diane Scandale and Mrs. Sandi Raymond of Scranton, and Mrs. Ann Sensi of Clarks Summit.

Will those ladies please rise so the House may welcome them?

The Chair is delighted to have the ladies present and would advise the ladies that anytime they wish to be recognized by this House or by this Chair, the only thing they have to do is come as the guests of Miss Sirianni. The Chair would not dare not recognize any guests of Miss Sirianni.

The Chair would like to take this opportunity before it is too late to recognize the presence in the hall of the House of Mrs. Julia Ballentine from Middleburg.

Mrs. Ballentine, it is to be noted, is one of the unsung heroes of this society, giving untold hours and support, and voluntary support, in behalf of the children who are worked for by PARC,

the Pennsylvania Association for Retarded Children, and those children and adults who are supported by the Mental Health-Mental Retardation Association.

Mrs. Ballentine is in Harrisburg today on behalf of the Snyder County Chapter of Mental Health-Mental Retardation, and the Chair warmly welcomes Mrs. Ballentine and asks her to stand and be recognized.

The Chair thanks the lady, and the Chair is delighted that the lady is involved in behalf of those children in whom the Chair has been interested a great number of years.

The lady is the guest of Representative Thomas of Snyder County.

The Chair is delighted to welcome to the hall of the House, the school director of Shaler Area Township schools, William Schofield, who is the guest of Representative Pott and Representative Cessar.

The Chair would like the gentleman, Mr. Schofield, to rise and be welcomed to the hall of the House.

The Chair is delighted to have you here and hopes that this confusion will not be taken back by you to your school teachers or your students. I think you understand as a school director that sometimes we get into a bit of disorder at the beginning of a session.

We are glad you are here.

The Chair is delighted to welcome Mrs. May Shaub, who is the legislative director of the W.C.T.U. of Lancaster County.

She is the guest of the Honorable June Honaman, and we welcome Mrs. Shaub to the hall of the House and ask that she stand and be recognized.

We are also pleased to have you here as our guest and we hope that your visit will be instructive.

The Chair is also pleased to welcome to the hall of the House, Mr. E. V. Jones, who is the guest of Representative Joel Johnson of Philadelphia.

We are pleased that you are here with us, Mr. Jones, and we hope that your visit will be an informative one.

The Chair also recognizes and welcomes to the hall of the House, James Watts, president of the Warren Area Chamber of Commerce. He is the guest of Representative Levi and Representative Mackowski.

Mr. Watts, we are pleased that you have come to the hall of the House. We hope that your visit will be informative.

The Chair is pleased to recognize Mrs. Virginia Strong. Mrs. Strong is the Democratic nominee for majority inspector of the 50th ward, 12th division, in Philadelphia.

Mrs. Strong is the guest of Representative John F. White, Jr.

Mrs. Strong, we are delighted to have you here. We hope that you will enjoy your visit.

The Chair now recognizes and welcomes Messrs. Lee Davis, Roy Bowen, Pete Reynolds and Callaghan. These gentlemen are teachers from the Bucks County school system. They are the guests of the Bucks County delegation.

The House welcomes your visit and trusts that you will enjoy your visit and that it will be informative.

NO FURTHER BUSINESS

The SPEAKER. The Chair asks the majority leader if he has

any further business to bring before the House.

The majority leader indicates he has no further business.

The Chair asks the minority leader if he has any further business to bring before the House.

The minority leader indicates he has no further business.

ADJOURNMENT

Mr. GOEBEL moved that this House do now adjourn until Tuesday, June 21, 1977, at 9:30 a.m., e.d.t.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—172

Abraham	Gallagher	Mackowski	Salvatore
Anderson	Gallen	Madigan	Scanlon
Armstrong	Gamble	Manderino	Scheaffer
Arthurs	Garzia	Manmiller	Schmitt
Bellomini	Gatski	McCall	Schweder
Beloff	Geesey	McClatchy	Scirica
Bennett	Geisler	McGinnis	Seltzer
Berlin	George, C.	McIntyre	Shuman
Berson	George, M.	McLane	Shupnik
Bittinger	Giammarco	Mebus	Sirianni
Bittle	Goebel	Meluskey	Smith, E.
Borski	Goodman	Milanovich	Smith, L.
Brandt	Gray	Milliron	Spitz
Brunner	Greenfield	Miscevich	Stairs
Burd	Greenleaf	Moehlmann	Stewart
Burns	Grieco	Mowery	Stuban
Butera	Halverson	Mrkonic	Sweet
Caltagirone	Hamilton	Mullen, M. P.	Taddonio
Caputo	Harper	Mullen, M. M.	Taylor, F.
Cessar	Haskell	Musto	Thomas
Cianciulli	Hayes, D. S.	Novak	Trello
Cimini	Hayes, S. E.	Noye	Valicenti

Cohen	Helfrick	O'Brien, B.	Vroon
Cole	Hoeffel	O'Brien, D.	Wansacz
Cowell	Honaman	O'Connell	Wargo
Davies	Hopkins	Oliver	Wass
DeMedio	Hutchinson, A.	Pancoast	Weidner
DeVerter	Hutchinson, W.	Parker	Wenger
DeWeese	Itkin	Petrarca	Wiggins
Dietz	Johnson	Piccola	Wilson
Dininni	Jones	Pievsky	Wilt
Dombrowski	Katz	Polite	Wise
Donatucci	Kelly	Pott	Wright, J. L.
Dorr	Klingaman	Pratt	Yahner
Doyle	Knepper	Prendergast	Yohn
Duffy	Kolter	Pyles	Zearfoss
Englehart	Kowalshyn	Rappaport	Zeller
Fee	Laughlin	Ravenstahl	Zitterman
Fisher, D. M.	Lehr	Reed	Zord
Flaherty	Letterman	Rieger	Zwikl
Foster, A.	Levi	Ritter	
Foster, W.	Livengood	Ruggiero	Irvis,
Freind	Logue	Ryan	Speaker
Fryer	Lynch		

NAYS—15

Brown	Lincoln	Richardson	Wagner
Cassidy	Miller	Stapleton	White
DiCarlo	O'Keefe	Taylor, E.	Wright, D.
Fischer, R. R.	Pitts	Tenaglio	

NOT VOTING—13

Barber	Hasay	O'Donnell	Shelton
Dumas	Kernick	Renwick	Spencer
Gillette	Morris	Rhodes	Williams
Gleeson			

The question was determined in the affirmative and the motion was agreed to and (at 6:02 p.m., e.d.t.) the House adjourned.