

Legislative Journal

TUESDAY, JUNE 28, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 53

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

The SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Most Lovable, Most Powerful, and Most Merciful God, we look to Thee as the protector of all who trust in Thee, and we know that without Thee nothing is strong and nothing is holy. Therefore, O Gracious Lord, we pray that Thou wilt increase in us Thy mercy, and multiply upon us the power of Thy might; so that we may rely upon the abundance of Thy steadfast love, and move forward with the reliance upon Thy vigilant guidance and direction. Enable us to be faithful and true to our calling, and challenge us to witness to Thy great promises. This we ask in the name of our Gracious Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, June 27, 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 further request for leaves of absence.

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

Mr. S. E. HAYES. Mr. Speaker, I request a leave for the gentleman, Mr. PITTS for today's session.

The SPEAKER. Without objection, leave is granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The Speaker announces the taking of the master roll call. All those members who have not reported to the floor will report immediately to the floor for the master roll call.

Members will proceed to vote.

The following roll call was recorded:

YEAS—198

Abraham Gallagher Madigan Scanlon

Anderson	Gallen	Manderino	Scheaffer
Armstrong	Gamble	Manmiller	Schmitt
Arthurs	Garzia	McCall	Schweder
Barber	Gatski	McClatchy	Scirica
Bellomini	Geesey	McGinnis	Seltzer
Beloff	Geisler	McIntyre	Shuman
Bennett	George, C.	McLane	Shupnik
Berlin	George, M.	Mebus	Sirianni
Berson	Giammarco	Meluskey	Smith, E.
Bittinger	Gillette	Milanovich	Smith, L.
Bittle	Gleeson	Miller	Spencer
Borski	Goebel	Milliron	Spitz
Brandt	Goodman	Miscevich	Stairs
Brown	Gray	Moehlmann	Stapleton
Brunner	Greenfield	Morris	Stewart
Burd	Greenleaf	Mowery	Stuban
Burns	Grieco	Mrkonic	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	Polite	Williams
Dombrowski	Kelly	Pott	Wilson
Donatucci	Kernick	Pratt	Wilt
Dorr	Klingaman	Prendergast	Wise
Doyle	Knepper	Pyles	Wright, D.
Duffy	Kolter	Rappaport	Wright, J. L.
Dumas	Kowalyshyn	Ravenstahl	Yahner
Englehart	Laughlin	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Letterman	Rhodes	Zeller
Fisher, D. M.	Levi	Richardson	Zitterman
Flaherty	Lincoln	Rieger	Zord
Foster, A.	Livengood	Ritter	Zwikl
Foster, W.	Logue	Ruggiero	
Freind	Lynch	Ryan	Irvis,
Fryer	Mackowski	Salvatore	Speaker

NOT VOTING—2

Pitts
Shelton

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1423

By Messrs. BUTERA and SELTZER

An Act making an appropriation to the Department of Public Welfare for assistance programs, county administration of the public assistance programs and medical assistance programs.

Referred to Committee on Appropriations.

No. 1424 By Messrs. DOYLE, BURNS, CIMINI, O'KEEFE, RITTER, SCIRICA, WAGNER, Mrs. KERNICK, Messrs. ABRAHAM, MEBUS and Mrs. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of radio-microwave speed timing devices and providing for disposition of certain fees.

Referred to Committee on Transportation.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 945

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between June 30, 1977 and August 1, 1977 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1977.

Referred to Committee on Appropriations.

SENATE BILL No. 946

An Act making appropriations to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the year beginning July 1, 1977 and for the payment of cash grants and medical assistance and expenses accrued or incurred prior to and remaining unpaid on July 30, 1977.

Referred to Committee on Appropriations.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. SHUMAN, TAYLOR, LINCOLN, DiCARLO, COLE, S. E. HAYES, LEVI and Mrs. HONAMAN

HOUSE RESOLUTION No. 126
(Concurrent)

The General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to change the date of the celebration of Memorial Day to May 30.

Referred to Committee on Federal-State Relations.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor presented the following communication from the Governor:

APPROVAL OF HOUSE BILL No. 350.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 27, 1977.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 350, printer's No. 382, entitled "An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'The Administrative Code of 1929,' authorizing the Department of General Services and other administrative departments to permit any independent college or university and non-profit fire, rescue and ambulance companies to participate in purchase contracts entered into by the Commonwealth."

MILTON J. SHAPP,
Governor

REPORT OF JOINT STATE GOVERNMENT COMMISSION

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Shupnik.

Mr. SHUPNIK. Mr. Speaker, on behalf of the Joint State Government Commission, I have the honor to transmit herewith the publication "Probate, Estates, and Fiduciaries Code: Proposed Amendments and Comments—1977."

Copies of this report will be found in the members' post office boxes.

The SPEAKER. The report will be noted in the Journal and printed in full in the Appendix.

(For publication, see Appendix)

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that three Senate bills which are on the table at the present time — SB 560, SB 697 and SB 793 — be removed from the table.

The SPEAKER. It has been moved by the majority leader that SB 560, SB 697 and SB 793 be taken from the table.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—188

Abraham	Gallen	Manderino	Schmitt
Anderson	Gamble	Manmiller	Schweder
Armstrong	Garzia	McCall	Scirica
Arthurs	Gatski	McClatchy	Seltzer
Barber	Geesey	McGinnis	Shuman
Bellomini	Geisler	McLane	Shupnik
Bennett	George, C.	Mebus	Sirianni
Berlin	George, M.	Meluskey	Smith, E.
Berson	Giammarco	Milanovich	Smith, L.
Bittinger	Gillette	Miller	Spencer
Bittle	Gleeson	Milliron	Spitz
Borski	Goebel	Miscevich	Stairs
Brandt	Goodman	Moehlmann	Stapleton
Brown	Gray	Morris	Stewart
Brunner	Greenfield	Mowery	Stuban
Burd	Greenleaf	Mrkonic	Sweet
Burns	Grieco	Mullen, M. P.	Taddonio
Butera	Halverson	Mullen, M. M.	Taylor, E.
Caltagirone	Hamilton	Musto	Taylor, F.
Caputo	Harper	Noye	Tenaglio
Cessar	Hasay	O'Brien, B.	Thomas
Cianciulli	Haskell	O'Brien, D.	Trello
Cimini	Hayes, D. S.	O'Connell	Valicenti

Cohen	Hayes, S. E.	O'Donnell	Vroon
Cole	Helfrick	O'Keefe	Wagner
Cowell	Hoeffel	Oliver	Wansacz
Davies	Honaman	Pancoast	Wargo
DeMedio	Hopkins	Parker	Wass
DeVerter	Hutchinson, A.	Petrarca	Weidner
DeWeese	Hutchinson, W.	Piccola	Wenger
DiCarlo	Itkin	Pievsky	White
Dietz	Jones	Polite	Williams
Dininni	Katz	Pott	Wilson
Dombrowski	Kelly	Pratt	Wilt
Dorr	Kernick	Prendergast	Wise
Doyle	Klingaman	Pyles	Wright, D.
Duffy	Knepper	Rappaport	Wright, J. L.
Dumas	Kolter	Ravenstahl	Yahner
Englehart	Kowalyszyn	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Letterman	Richardson	Zeller
Fisher, D. M.	Levi	Rieger	Zitterman
Flaherty	Lincoln	Ritter	Zord
Foster, A.	Livengood	Ryan	Zwinkl
Foster, W.	Logue	Salvatore	
Freind	Lynch	Scanlon	Irvis,
Fryer	Mackowski	Scheaffer	Speaker
Gallagher	Madigan		

NAYS—2

Cassidy	Laughlin
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NOT VOTING—10

Beloff	McIntyre	Rhodes	Shelton
Donatucci	Novak	Ruggiero	Wiggins
Johnson	Pitts		

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

BILL REMOVED FROM TABLE AND RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, several days ago HB 945 was on its 13th or 14th day. It was the intention of the sponsors of that bill that it be dropped back to committee, needing additional work. It was by error placed on the table. I would like to move that HB 945 be taken from the table and re-committed to the Committee on Conservation.

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

BILLS REREPORTED FROM COMMITTEE

HB 489, PN 1619 By Mr. WARGO

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, adding provisions relating to public utilities and making repeals.

Rereported from Committee on Rules.

HB 1384, PN 1646 By Mr. MANDERINO

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

estimated useful life of the project, and making an appropriation.

Rereported from Committee on Rules.

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 27. The chairmen will please send these reports immediately to the desk.

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

Monday, June 27, 1977.

Mr. Speaker:

The Agriculture and Rural Affairs Committee did not meet week beginning June 20, 1977.

WM. SHUMAN
Secretary of Committee

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

Attendance Report

June 24, 1977.

MAJORITY MEMBERS		Present	Absent
MR. CHAIRMAN, Max Pievsky		X	
Frank Oliver		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	Joseph Ted Doyle	X
James Wright	X	Thomas Fee	X
Signed		Helen Gillette	X
MAX PIEVSKY		James Goodman	X
H. JACK SELTZER		Ivan Itkin	X
ROLL CALL		Joseph Kolter	X
House Bill 1062		James J. Manderino	X
MAJORITY MEMBERS	VOTE	Martin Mullen	X
Jim Barber, Subcommittee Chairman	yea	Raphael Musto	X
Mr. Oliver	yea	Joseph Petrarca	X
Amos Hutchinson, Subcommittee Chairman	yea	James Prendergast	X
Bernard Dombrowski	yea	Samuel Rappaport	X
Joseph Ted Doyle	yea	Fred Shupnik	X
Thomas Fee	yea	John Wansacz	X
Helen Gillette	yea	Joseph Wargo	X
James Goodman	yea	MINORITY MEMBERS	
Ivan Itkin	yea	H. Jack Seltzer, Min. Chairman	X
Joseph Kolter	yea	Harry Bittle	X
Martin Mullen	absent	James Gallen	X
Raphael Musto	yea	John Hamilton	X
Joseph Petrarca	yea	H. Harrison Haskell	X
James Prendergast	yea	Charles Mebus	X
Samuel Rappaport	yea	Frank O'Connell	X
Fred Shupnik	yea	Sheldon Parker	X
John Wansacz	yea	L. Eugene Smith	X
Joseph Wargo	yea	Benjamin Wilson	X
Mr. CHAIRMAN, Max Pievsky	yea	James Wright	X
James Manderino	absent	Signed	
MINORITY MEMBERS		MAX PIEVSKY	
H. Jack Seltzer, Minority Chairman	yea	H. JACK SELTZER	
Harry Bittle	yea	ROLL CALL	
James Gallen	absent	House Bill 1384	
John Hamilton	yea	MAJORITY MEMBERS	VOTE
H. Harrison Haskell	yea	Frank Oliver	yea
Charles Mebus	yea	Joel Johnson, Subcommittee Chairman	absent
Frank O'Connell	yea	Amos Hutchinson, Subcommittee Chairman	yea
Sheldon Parker	absent	Bernard Dombrowski	absent
L. Eugene Smith	yea	Joseph Ted Doyle	absent
Benjamin Wilson	yea	Thomas Fee	absent
James Wright	absent	Helen Gillette	yea
YEAS—26		James Goodman	yea
NAYS—0		Ivan Itkin	yea
ABSENT—5		Joseph Kolter	absent
Signed		Martin Mullen	yea
MAX PIEVSKY		Raphael Musto	yea
H. JACK SELTZER		Joseph Petrarca	absent
Attendance Report		James Prendergast	absent
June 23, 1977.		Samuel Rappaport	yea
MAJORITY MEMBERS	Present Absent	Fred Shupnik	yea
MR. CHAIRMAN, Max Pievsky	X	John Wansacz	yea
Frank Oliver	X	Joseph Wargo	yea
Joel Johnson-Subcommittee Chairman	X	Mr. CHAIRMAN, Max Pievsky	yea
Amos Hutchinson-Subcommittee Chairman	X	James Manderino	absent
Bernard Dombrowski	X	MINORITY MEMBERS	
		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	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—19
 NAYS—0
 ABSENT—12
 Signed
 MAX PIEVSKY
 H. JACK SELTZER

ROLL CALL
 Senate Bill 697

MAJORITY MEMBERS	VOTE
Frank Oliver	yea
Joel Johnson, Subcommittee Chairman	absent
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	absent
Joseph Ted Doyle	absent
Thomas Fee	absent
Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	absent
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	absent
James Prendergast	absent
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	yea
Frank O'Connell	yea
Sheldon Parker	yea
L. Eugene Smith	absent
Benjamin Wilson	yea
James Wright	yea

YEAS—18
 NAYS—1
 ABSENT—12
 Signed
 MAX PIEVSKY

H. JACK SELTZER
 ROLL CALL
 Senate Bill 695

MAJORITY MEMBERS	VOTE
Frank Oliver	yea
Joel Johnson, Subcommittee Chairman	absent
Amos Hutchinson, Subcommittee Chairman	yea
Bernard Dombrowski	absent
Joseph Ted Doyle	absent
Thomas Fee	absent
Helen Gillette	yea
James Goodman	yea
Ivan Itkin	yea
Joseph Kolter	absent
Martin Mullen	yea
Raphael Musto	yea
Joseph Petrarca	absent
James Prendergast	absent
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 yea
 H. Harrison Haskell yea
 Charles Mebus yea
 Frank O'Connell yea
 Sheldon Parker yea
 L. Eugene Smith absent
 Benjamin Wilson yea
 James Wright yea

YEAS—19
 NAYS—0
 ABSENT—12
 Signed
 MAX PIEVSKY
 H. JACK SELTZER

AMENDMENTS TO SENATE BILL NO. 695

Mr. Max Pievsky
 Printer's No. 985

Amend Sec. 2, page 2, line 10, by striking out "\$21,220,000" and inserting \$19,935,000
 Amend Sec. 2, page 2, lines 12 and 13, by striking out "and safety"
 Amend Sec. 2, page 2, line 19, by striking out all of said line and inserting 42,300,000
 For the salaries, wages and all necessary expenses for the operation of the safety construction programs, including planning and research, design, engineering, right-of-way acquisition and the operation of the engineering district facilities and liaison services with communities on local road engineering and

construction activities. 7,700,000
 Amend Sec. 2, page 2, line 26, by striking out all of said line and inserting 328,400,000
 Amend Sec. 2, page 3, line 15, by striking out all of said line and inserting 4,543,000
 Amend Sec. 2, page 3, line 18, by striking out "35,500,000" and inserting 35,510,000
 Amend Sec. 2, page 4, line 20, by striking out "5,500,000" and inserting 5,000,000
 Amend Sec. 2, page 6, line 27, by striking out all of said line and inserting 93,641,000

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

June 22, 1977.

SUBJECT: Business & Commerce Committee Meeting Minutes - June 21, 1977

TO: Honorable K. Leroy Irvis, Speaker

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

The Business and Commerce Committee held a meeting on Tuesday, June 21, 1977, in Room 401, Main Capitol Building, at 1:00 P.M. The roll was taken by Chairman Bennett as follows:

PRESENT

Bennett	Tenaglio
Arthurs	Zwinkl
Kowalyshyn	Smith, L. E.
Laughlin	DeVerter
Letterman	Dorr
Livengood	Grieco
McCall	Halverson
Milliron	Knepper
O'Keefe	Scheaffer
Pratt	Taddonio
Ravenstahl	

ABSENT

Williams
 Spencer

INTRODUCTION OF GUESTS:

Mr. Charles Bacas, Department of Community Affairs
 Ms. Jacqueline Burrie, Pennsylvania Manufactured Housing Association
 Mr. Max Fox, Sentry Financial Services
 Mr. John Hohenwarter, Department of Transportation
 Mr. Fred Morgan, Pennsylvania Manufactured Housing Association

CONSIDERATION OF BILLS:

Senate Bill 69, Printer's No. 69 — Representative Knepper made the motion to report this bill out of Committee as committed, and Representative Zwinkl seconded the motion. A roll call vote was taken and the motion was passed unanimously by a vote of 21 yeas — 0 nays.

The meeting was then recessed at 2:00 P.M. due to the fact that the members had to return to Floor Session. It was announced that the meeting would resume when the House had adjourned for the day.

The meeting was resumed at 7:00 P.M. in Room 401, and the

consideration of bills was continued.

Senate Bill 871, Printer's No. 940 — Representative Halverson made the motion to report this bill as committed, and Representative Pratt seconded the motion. A roll call vote was taken and the motion passed by a vote of 16 yeas — 4 nays.

House Bill 1135, Printer's No. 1341 — Representative Laughlin offered an agreed to amendment to this bill. Representative Dorr then made the motion to report House Bill 1135 from Committee as amended, and Representative Ravenstahl seconded the motion. A roll call vote was taken and the motion passed unanimously 20 yeas — 0 nays.

ADJOURNMENT:

Having no further bills to consider, Representative Tenaglio made the motion to adjourn the meeting. Representative Grieco seconded the motion. The meeting was adjourned at 8:15 P.M.

Attendance Report

June 21, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN, Reid L. Bennett	X	
Jack R. Arthurs	X	
Russell Kowalyshyn	X	
Charles Laughlin	X	
Russell Letterman	X	
Henry Livengood	X	
Thomas McCall	X	
John Milliron	X	
Peter O'Keefe	X	
Ralph Pratt	X	
Robert Ravenstahl	X	
Francis Tenaglio	X	
Hardy Williams		X
Kurt Zwinkl	X	
MINORITY MEMBERS		
L. Eugene Smith	X	
Walter DeVerter	X	
Donald Dorr	X	
Joseph Grieco	X	
Kenneth Halverson	X	
James Knepper	X	
John E. Scheaffer	X	
Warren Spencer		X
Lee C. Taddonio	X	

Signed
 ROBERT RAVENSTAHL
 Secretary

ROLL CALL

Senate Bill 69, Printers No. 69

MAJORITY MEMBERS	VOTE
MR. CHAIRMAN, Reid L. Bennett	yea
Jack R. Arthurs	yea
Russell Kowalyshyn	yea
Charles Laughlin	yea
Russell Letterman	yea
Henry Livengood	yea

Thomas McCall	yea
John Milliron	yea
Peter O'Keefe	yea
Ralph Pratt	yea
Robert Ravenstahl	yea
Francis Tenaglio	yea
Kurt Zwikl	yea
MINORITY MEMBERS	
L. Eugene Smith	yea
Walter DeVerter	yea
Donald Dorr	yea
Joseph Grieco	yea
Kenneth Halverson	yea
James Knepper	yea
John E. Scheaffer	yea
Lee C. Taddonio	yea

YEAS—21
NAYS—0

Signed
ROBERT RAVENSTAHL
Secretary

ROLL CALL

Senate Bill 871, Printer's No. 940

MAJORITY MEMBERS		VOTE
MR. CHAIRMAN, Reid L. Bennett	yea	
Jack R. Arthurs	yea	
Charles Laughlin	yea	
Russell Letterman	yea	
Henry Livengood	yea	
Thomas McCall	yea	
John Milliron	yea	
Peter O'Keefe	yea	
Ralph Pratt	yea	
Robert Ravenstahl	yea	
Francis Tenaglio	yea	
Kurt Zwikl	yea	

MINORITY MEMBERS	
L. Eugene Smith	nay
Walter DeVerter	nay
Donald Dorr	nay
Joseph Grieco	yea
Kenneth Halverson	yea
James Knepper	yea
John E. Scheaffer	nay
Lee C. Taddonio	yea

YEAS—16
NAYS—4

Signed
ROBERT RAVENSTAHL
Secretary

ROLL CALL

House Bill 1135, Printers No. 1341

MAJORITY MEMBERS		VOTE
MR. CHAIRMAN, Reid L. Bennett	yea	
Jack R. Arthurs	yea	
Charles Laughlin	yea	
Russell Letterman	yea	
Henry Livengood	yea	
Thomas McCall	yea	
John Milliron	yea	
Peter O'Keefe	yea	
Ralph Pratt	yea	
Robert Ravenstahl	yea	
Francis Tenaglio	yea	
Kurt Zwikl	yea	

MINORITY MEMBERS	
L. Eugene Smith	yea
Walter DeVerter	yea
Donald Dorr	yea
Joseph Grieco	yea
Kenneth Halverson	yea
James Knepper	yea
John E. Scheaffer	yea
Lee C. Taddonio	yea

YEAS—20
NAYS—0

Signed
ROBERT RAVENSTAHL
Secretary

AMENDMENTS TO HOUSE BILL NO. 1135

Printer's No. 1341

Amend Sec. 1 (Sec. 3.2), page 2, line 23, by inserting after "dealership."
The dealer shall serve only those customers in his immediate area.

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

Attendance Report

June 21, 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		
CHAIRMAN, James Gallen	X	
Kenneth Brandt	X	
Stephen Freind	X	X
Stanford Lehr	X	X
Jeffrey Piccola	X	
Roosevelt Polite	X	
Vern Pyles	X	
Lee Taddonio	X	X
Clarence Dietz	X	

Signed
C. L. SCHMITT
Chairman

OFFICIAL LEAVE REQUESTS

I Roland Greenfield ask for official leave of absence from attending the meeting of the Consumer Affairs Committee on June 21, 1977 for the following reason:

Rules Committee Meeting.

Signed: ROLAND GREENFIELD

I Francis E. Gleeson ask for official leave of absence from attending the meeting of the Consumer Affairs Committee on June 20, 1977 for the following reason:

Illness.

Signed: FRANCIS E. GLEESON

I Mark B. Cohen ask for official leave of absence from attending the meeting of the Consumer Affairs Committee on June 21, 1977 for the following reason:

Meeting on Appropriations bill.

Signed: MARK B. COHEN

I Thomas Stapleton ask for official leave of absence from attending the meeting of the Consumer Affairs Committee on June 21, 1977 for the following reason:

Meeting with bureau representatives and constituents.

Signed: THOMAS J. STAPLETON JR.

I Stephen Reed ask for official leave of absence from attending the meeting of the Consumer Affairs Committee on June 21, 1977 for the following reason:

Conflicting legislative duties.

Signed: STEPHEN REED

Attendance Report

June 22, 1977.

MEETING CANCELLED

Signed
C. L. SCHMITT
Chairman

Attendance Report

June 20, 1977.

MEETING CANCELLED

Signed
C. L. SCHMITT
Chairman

ROLL CALL

House Bill 452 (491)

Passed — Voice Vote

Signed
C. L. SCHMITT
Chairman

ROLL CALL

House Bill 489 (533)

Passed — Voice Vote

Signed
C. L. SCHMITT
Chairman

AMENDMENTS TO HOUSE BILL NO. 489

Printer's No. 533

Amend Table of Contents, page 3, line 19, by striking out "Appeal and Review" and inserting Judicial Proceedings
Amend Table of Contents, page 3, by inserting between lines 20 and 21

§ 902. Costs on review.

§ 903. Restriction on injunctions.

Amend Table of Contents, page 5, line 26, by striking out "Definitions." and inserting Declaration of policy and definitions.

Amend Table of Contents, page 6, line 16, by removing the period after "Speedometers" and inserting and speed recorders.

Amend Sec. 1 (Sec. 102), page 12, by inserting between lines 10 and 11

"Highway." A way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular traffic.

Amend Sec. 1 (Sec. 102), page 12, line 27, by striking out "The term "public utility" includes persons" and inserting Any person

Amend Sec. 1 (Sec. 301), page 18, line 19, by inserting after "commission" or hold any place, position or office under it,

Amend Sec. 1 (Sec. 301), page 18, line 20, by removing the period after "utility" and inserting or who holds any other appointive or elected office of the Commonwealth or any political subdivision thereof.

Amend Sec. 1 (Sec. 301), page 20, line 14, by inserting after "chairman."

The chairman shall have such powers and duties as authorized by the commission as provided in section 331(b) (relating to powers of commission and administrative law judges).

Amend Sec. 1 (Sec. 316), page 32, line 26, by inserting after "review."

The issuing or registration by the commission of any certificate, license or permit whatsoever, under the provisions of this part, or any finding, determination or order made by the commission refusing or granting such certificates, licenses or permits, shall not be construed to revive or validate any lapsed, terminated, invalidated or void powers, franchises, rights or privileges; or to enlarge or add to the rights, powers, franchises

or privileges contained in any charter, or in the grant of any franchise, or any supplement or amendment to any charter, or to give or remit any forfeiture.

Amend Sec. 1 (Sec. 331), page 36, line 23, by inserting after "General rule.—"

The commission may, on its own motion and whenever it may be necessary in the performance of its duties, investigate and examine the condition and management of any public utility or any other person or corporation subject to this part. In conducting the investigations the commission may proceed, either with or without a hearing, as it may deem best, but it shall make no order without affording the parties affected thereby a hearing.

Amend SUBCHAPTER B Analysis, page 48, line 3, by striking out "Appeal and Review" and inserting Judicial Proceedings

Amend Sec. 1 (Sec. 501), page 49, by inserting between lines 11 and 12

(c) Compliance.—Every public utility, its officers, agents, and employees, and every other person or corporation subject to the provisions of this part, affected by or subject to any regulations or orders of the commission or of any court, made, issued, or entered under the provisions of this part, shall observe, obey, and comply with such regulations or orders, and the terms and conditions thereof.

Amend Sec. 1 (Sec. 502), page 49, lines 24 and 25, by striking out "in the Commonwealth Court,"

Amend Sec. 1 (Sec. 502), page 49, line 25, by removing the comma after "mandamus"

Amend Sec. 1 (Sec. 502), page 49, line 28, by removing the semicolon after "thereto" and inserting a period

Amend Sec. 1 (Sec. 502), page 49, lines 28 through 30, by striking out "and such court is hereby" on line 28, all of line 29, and "to hear and determine all such actions." on line 30

Amend Sec. 1 (Sec. 511), page 58, line 22, by inserting after "section."

The procedure in this section providing for the determination of the lawfulness of assessments and the recovery back of payments made pursuant to such assessment shall be exclusive of all other remedies and procedures.

Amend Sec. 1 (Sec. 702), page 61, line 19, by striking out "serve" and inserting cause to be served

Amend Chapter 9 Heading, page 64, line 7, by striking out "APPEAL AND REVIEW" and inserting JUDICIAL PROCEEDINGS

Amend Chapter 9 Analysis, page 64, by inserting between lines 9 and 10

§ 902. Costs on review.

§ 903. Restriction on injunctions.

Amend Sec. 1, page 64, by inserting between lines 20 and 21

§ 902. Costs on review.

The costs resulting from any review may not be imposed on the commission except in cases where the complaint or proceeding was instituted by the commission.

§ 903. Restriction on injunctions.

No injunction shall issue modifying, suspending, staying or annulling any order of the commission, or of a commissioner, except in a proceeding questioning the jurisdiction of the commission and then only after cause shown upon a hearing.

Amend Sec. 1 (Sec. 1307), page 75, line 1, by inserting after "and" may include

Amend Sec. 1 (Sec. 1307), page 75, line 25, by striking out "connected" and inserting collected

Amend Sec. 1 (Sec. 1308), page 76, line 29, by striking out "does" and inserting shall

Amend Sec. 1 (Sec. 1308), page 77, line 7, by removing the period after "utility" and inserting and such rate shall thereafter be observed until changed as provided by this part.

Amend Sec. 1 (Sec. 1308), page 79, line 8, by inserting a comma after "programs"

Amend Sec. 1 (Sec. 1308), page 79, line 8, by striking out "and"

Amend Sec. 1 (Sec. 1308), page 79, line 12, by inserting a comma after "filing"

Amend Sec. 1 (Sec. 1310), page 81, line 17, by striking out "or" and inserting a comma

Amend Sec. 1 (Sec. 1310), page 81, line 17, by inserting after

"fiscal" or other

Amend Sec. 1 (Sec. 1312), page 84, line 23, by striking out "in any court of common pleas of this Commonwealth,"

Amend Sec. 1 (Sec. 1503), page 87, line 18, by striking out "and"

Amend Sec. 1 (Sec. 1503), page 88, line 9, by striking out "and" and inserting or

Amend Sec. 1 (Sec. 1503), page 88, line 18, by striking out "Contacting" and inserting contacting

Amend Sec. 1 (Sec. 1503), page 88, line 18, by removing the period and inserting , or

Amend Sec. 1 (Sec. 1503), page 88, line 19, by striking out "Contacting" and inserting contacting

Amend Sec. 1 (Sec. 1503), page 88, line 20, by removing the period and inserting , or

Amend Sec. 1 (Sec. 1503), page 88, line 21, by striking out "If" and inserting if

Amend Sec. 1 (Sec. 1503), page 88, line 25, by removing the period after "customer" and inserting , or

Amend Sec. 1, Analysis, page 112, line 5, by striking out "Definitions." and inserting Declaration of policy and definitions.

Amend Sec. 1 (Sec. 2501), page 112, line 18, by striking out all of said line and inserting

§ 2501. Declaration of policy and definitions.

(a) Declaration of policy.—It is hereby declared to be the policy of the General Assembly to regulate in this part the service of common carriers by motor vehicle and forwarders in such manner as to recognize and preserve the inherent advantages of, and foster sound economic conditions in such service, and among such carriers and forwarders in the public interest; to promote safe, adequate, economical, and efficient service by common carriers by motor vehicle and forwarders, and just and reasonable rates therefor, without unjust discrimination, and unfair or destructive practices; to improve the relations between, and coordinate the service and regulation of, common carriers by motor vehicle, forwarders, and other carriers; to develop and preserve a safe highway transportation system properly adapted to the needs of the commerce of this Commonwealth and insure its availability between all points of production and markets of this Commonwealth. It is hereby found as a fact, after due investigation and deliberation, that the service of common carriers by motor vehicle, forwarders, contract carriers by motor vehicle, and brokers, including the procurement and provision of motor vehicles and other facilities for the safe transportation of passengers or property over the highways, are so closely interwoven and interdependent, and so directly affect each other, that in order effectively to regulate such common carriers by motor vehicle and forwarders, and to provide a proper and safe highway transportation system in the public interest, it is necessary to regulate the service of such contract carriers by motor vehicle and brokers, including the procurement and provision of motor vehicles and other facilities for the safe transportation of passengers or property over the highways, in the manner set forth in this chapter.

Amend Sec. 1 (Sec. 2501), page 112, line 19, by striking out "The" and inserting (b) Definitions.—The

Amend Sec. 1 (Sec. 2503), page 116, line 20, by inserting after "interest" and the policy declared in section 2501 (relating to declaration of policy and definitions)

Amend Sec. 1 (Sec. 2505), page 118, line 1, by removing the period after "interest" and inserting and the policy declared in section 2501 (relating to declaration of policy and definitions); otherwise such application shall be denied.

Amend Sec. 1 (Sec. 2507), page 120, line 13, by striking out "interest," and inserting policy as set forth in section 2501 (relating to declaration of policy and definitions),

Amend Sec. 1 (Sec. 2507), page 120, line 18, by striking out "public interest," and inserting policy declared in section 2501,

Amend Chapter 27, Analysis, page 122, line 7, by removing the period after "Speedometers" and inserting and speed recorders.

Amend Sec. 1 (Sec. 2702), page 125, line 17, by striking out "and" and inserting the

Amend Sec. 1 (Sec. 2702), page 125, line 19, by inserting

after "commission."

When such appropriation of real property has been recorded under the provisions of any other statute, such recording shall not be duplicated under the terms of this subsection.

Amend Sec. 1 (Sec. 2702), page 126, line 4, by inserting after "tracks;" or

Amend Bill, page 128, lines 27 through 30; page 129, lines 1 through 22, by striking out all of said lines and inserting

§ 2705. Speedometers and speed recorders.

(a) General rule.—No railroad locomotive shall be operated in excess of 30 miles per hour in this Commonwealth without a device or devices making a permanent record of the speed at which the locomotive is traveling and providing the engineer or operator of the locomotive with a view of such speed. Both devices shall be functioning correctly within four miles per hour.

(b) Exceptions.—Locomotives operated or used exclusively within designated yard limits in switching or transfer service need not be equipped in accordance with the provisions of this section. Locomotives while being used in commuter passenger service need not be equipped with a speed recording device.

(c) Notification of compliance.—Each railroad shall notify the commission of the date that each locomotive comes into compliance with the provisions of this section. The notification shall state the serial number or other identification of the locomotive.

(d) Schedule of regulated locomotives.—Each railroad affected by the provisions of this section shall maintain at a designated location a list or schedule of the locomotives referred to in this section. It shall set forth, along with other information, the date that the device or devices referred to in subsection (a) were calibrated and found to be functioning in accordance with the provisions of this section. It shall advise the commission as to such location. In the case of speed recorders, the permanent records required hereby shall be maintained by the railroad at a location made known to the commission for a period of six months or, in the event of an accident during the operation of the locomotive involved, until permission to destroy them has been granted by the commission.

(e) Enforcement.—The commission shall enforce the provisions of this section and may issue such order or orders as may be proper to require compliance therewith.

Amend Sec. 1 (Sec. 3312), page 146, line 14, by removing the period after "offense" and inserting for the first offense and a misdemeanor of the third degree for subsequent offenses.

ROLL CALL

House Bill 489 (533)

Passed — Voice Vote

Signed

C. L. SCHMITT

Chairman

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

June 27, 1977.

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

During the week of June 20, 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 27, 1977.

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

The Federal-State Relations met on Tuesday, June 21, 1977, in Harrisburg.

The topic of discussion was House Resolution 119, which memorializes Congress to expedite the authorization of the construction of the Arctic Gas Project.

The Arctic Gas Project is a proposal by seventeen U. S. and Canadian energy firms to provide a delivery system for transporting the large potential natural gas reserves from the North Slope of Alaska and Northern Canada to markets in both countries.

Following the discussion, Vern Pyles moved to report the Resolution out of Committee and Bernard Dombrowski seconded the motion. The Committee unanimously voted to report the bill as committed.

Attached is the attendance report.

Attendance Report

Tuesday June 21, 1977.

COMMITTEE MEMBERS	Present	Absent
CHAIRMAN, James P. Ritter	X	
Bernard Dombrowski, Vice Chairman	X	
Leland Beloff		X
Ted Berlin		X
David DiCarlo		X
Francis Gleeson		X
Frank Meluskey		X
Fred Shupnik	X	
William Stewart	X	
David Sweet	X	
Helen Wise	X	
David Wright	X	
Frank Zitterman	X	
Kurt Zwikl		X
H. Sheldon Parker, Minority Chairman	X	
Gibson Armstrong	X	
David Hayes		X
June Honaman	X	
Jeffrey Piccola		X
Joseph Pitts	X	
Vern Pyles	X	
Roy Wilt	X	
Joseph Zord	X	

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

There were no meetings of the Finance Committee the week of June 20, 1977.

RONNY J. 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 20, 1977.

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

June 27, 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 Health, Dr. Leonard Bachman, on Monday, June 20, 1977, at 11:45 a.m., in Room 246.

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

ANITA P. KELLY
 Chairman
 Committee on Health and Welfare

Attendance Report

June 20, 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:

June 27, 1977.

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

Please be advised that the Insurance Committee held no meetings during the week of June 20, 1977.

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

June 29, 1977.

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

No meetings were scheduled by the Judiciary Committee during the week of June 20, 1977.

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

June 24, 1977.

SUBJECT: Labor Relations Committee Meeting
 June 23, 1977
 TO: Honorable K. Leroy Irvis
 Speaker
 FROM: A. Joseph Valicenti, Chairman
 Labor Relations Committee

A meeting of the House Labor Relations Committee was held on Wednesday, June 23, 1977, in Room 246. The meeting was called to order at 9:00 a.m. and a roll-call vote was taken by the secretary which indicated that nineteen members were present. The chairman declared that a quorum was present and the committee was authorized to conduct business for the day.

Upon motion by Representative Novak, seconded by Representative Giammarco, the committee waived the reading of the minutes of the meeting which was held June 15, 1977 and by further motion the minutes of the meeting 15 June 1977 were accepted.

Chairman Valicenti called up Senate Bill #560, PN 1105. Henry Coyne, counsel to the Labor Relations Committee, presented his explanation of the bill. The chairman then asked for any discussion on said bill. Representative Goebel asked if the bill would present an additional tax burden to local govern-

ment. Mr. Coyne commented that if the public employer has a good employment rating, with regard to unemployment, the cost to the local public employer would be nominal. However, if the local public employer has a poor record of employment security, then the cost would be increased.

Mr. Sam Wolfson, representing the Bureau of Employment Security, Department of Labor & Industry, was present and was recognized by the chairman. Mr. Wolfson presented the Department's view on the legislation and stated that the purpose of the legislation was not to impose any cost on local governments but merely to cause Pennsylvania to come into conformance with the recent legislation enacted by the federal government. Mr. Wolfson pointed out that for the first year, which would be 1978, the federal government would reimburse the Pennsylvania Unemployment Compensation Fund for any cost paid by refund for local public employees. He also pointed out that the local public employers have the option of paying the unemployment compensation contributions by way of a 2% tax or reimburse the fund for benefits paid on behalf of the local public employer.

Representative Marvin Miller stated that the reimbursements made by the federal government would be to the state UC fund and not to the local government for contributions which may have to be made by the local government public employer or contributions made by same employer for benefits paid to its employees. Representative Miller presented an amendment to the bill which would reduce the percentage of local government employers from 2% to 1% and upon roll-call vote, of 11 no's and 8 yeas, the amendment failed.

Chairman Valicenti then recognized Mr. Ed Rodriguez of the AFSME and Mr. John Dankosky from the state Chamber of Commerce. Both gentlemen offered their views on this legislation, which they supported.

The chairman recognized Representative Giammarco who made a motion that the bill be reported out of committee, which was seconded by Representative Musto.

Representative Stewart Greenleaf then was recognized by the chairman and stated that he had an amendment which he would like to offer to the committee and as a matter of courtesy. Representative Giammarco and Musto withdrew their motion and the chair recognized Representative Greenleaf. The amendment which was presented would have deleted school crossing guards as an employee who would receive benefits under the bill. Upon roll-call vote, the amendment fell. The vote was 10 no's and 9 yeas.

Then Representative Giammarco made a motion to report the bill out of committee and the motion was seconded by Representative Musto. Upon roll-call vote, Senate Bill #560 was reported out of committee, as committed, by 18 yeas and 1 no.

Subsequently the chairman called up Senate Bill #748 for discussion by the committee. Attorney Coyne informed the committee that this bill proposes to amend the Workmen's Compensation Act by including in the definition of "employee" the term "volunteer in State Parks and Forest Programs." The bill would provide workmen's compensation benefits for volunteers who work in state parks and forests. It was pointed out that this bill was somewhat analogous to the legislation which

provided workmen's compensation benefits for volunteer firemen and emergency medical service personnel and ambulance drivers. Mr. Valicenti noted that the bill passed the Senate on 21 June 1977 by a vote of 49-0. A motion made by Representative Novak to report the bill out of committee, as committed, was seconded by Representative Giammarco. A roll-call vote was taken and the vote was unanimous, 19-0.

The next order of business was Senate Bill #495. This bill amends the Prevailing Wage Act. The essence of the bill is that it requires authorities created by any city, borough, or township, as well as authorities created by the Commonwealth, to pay prevailing wages for projects undertaken or financed by the authority. It was pointed out that this bill would extend the requirements for payment of the prevailing wage to all employees of all authorities within the Commonwealth. Additionally, the prevailing wage would have to be paid by contractors who would be employed by authorities for the construction of capital improvement projects. A motion was made by Representative Novak to report Senate Bill #495 out of committee and was seconded by Representative Giammarco. A roll-call vote was taken and the vote was 13 yeas and 6 no's and the chairman directed that the bill be reported out of committee, as committed.

At this time, Representative Beloff made a motion that the committee adjourn, which was seconded by Representative Polite and the vote was unanimous that the meeting of the Committee on Labor Relations adjourn. The chairman declared the meeting to be adjourned at 9:45 a.m.

Respectfully submitted,
EDWARD WIGGINS
Secretary

ROLL CALL

Senate Bill #748, PN #794

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

A. Carville Foster yea
 Ronald Goebel yea
 Donald Dorr yea

YEAS—19
 NAYS—0

Signed
 EDWARD WIGGINS
 Secretary

ROLL CALL

Senate Bill #451, PN #1037

MAJORITY MEMBERS

MR. CHAIRMAN, A. J. Valicenti VOTE
 Raphael Musto yea
 Charles Caputo absent
 Leland Beloff yea
 Thomas Flaherty absent
 Henry Giammarco yea
 Clifford Gray yea
 James McIntyre yea
 Michael Mullen yea
 Bernard Novak yea
 William Stewart yea
 Edward Wiggins yea
 Ronald Donatucci absent
 Michael Cassidy absent

MINORITY MEMBERS

Forest Hopkins yea
 Roosevelt Polite nay
 Stewart Greenleaf yea
 Marvin Miller nay
 John Davies nay
 James Knepper nay
 A. Carville Foster nay
 Ronald Goebel yea
 Donald Dorr nay

YEAS—13
 NAYS—6

Signed
 EDWARD WIGGINS
 Secretary

ROLL CALL

Senate Bill #560, PN #1105

MAJORITY MEMBERS

MR. CHAIRMAN, A. J. Valicenti VOTE
 Raphael Musto nay
 Charles Caputo absent
 Leland Beloff nay
 Thomas Flaherty absent
 Henry Giammarco nay
 Clifford Gray nay
 James McIntyre nay
 Michael Mullen nay
 Bernard Novak nay

William Stewart nay
 Edward Wiggins nay
 Ronald Donatucci absent
 Michael Cassidy absent

MINORITY MEMBERS

Forest Hopkins yea
 Roosevelt Polite yea
 Stewart Greenleaf nay
 Marvin Miller yea
 John Davies yea
 James Knepper yea
 A. Carville Foster yea
 Ronald Goebel yea
 Donald Dorr yea

YEAS—8
 NAYS—11

Signed
 EDWARD WIGGINS
 Secretary

ROLL CALL

Senate Bill #560, PN #1105

MAJORITY MEMBERS

MR. CHAIRMAN, A. J. Valicenti VOTE
 Raphael Musto nay
 Charles Caputo absent
 Leland Beloff nay
 Thomas Flaherty absent
 Henry Giammarco nay
 Clifford Gray nay
 James McIntyre nay
 Michael Mullen nay
 Bernard Novak nay
 William Stewart nay
 Edward Wiggins nay
 Ronald Donatucci absent
 Michael Cassidy absent

MINORITY MEMBERS

Forest Hopkins yea
 Roosevelt Polite yea
 Stewart Greenleaf yea
 Marvin Miller yea
 John Davis yea
 James Knepper yea
 A. Carville Foster yea
 Ronald Goebel yea
 Donald Dorr yea

YEAS—9
 NAYS—10

Signed
 EDWARD WIGGINS
 Secretary

ROLL CALL	
Senate Bill #560, PN #1105	
MAJORITY MEMBERS	
MR. CHAIRMAN, A. J. Valicenti	VOTE
Raphael Musto	yea
Charles Caputo	yea
Leland Beloff	absent
Thomas Flaherty	yea
Henry Giammarco	absent
Clifford Gray	yea
James McIntyre	yea
Michael Mullen	yea
Bernard Novak	yea
William Stewart	yea
Edward Wiggins	yea
Ronald Donatucci	yea
Michael Cassidy	yea
MINORITY MEMBERS	
Forest Hopkins	yea
Roosevelt Polite	yea
Stewart Greenleaf	yea
Marvin Miller	yea
John Davies	yea
James Knepper	yea
A. Carville Foster	yea
Ronald Goebel	nay
Donald Dorr	yea

YEAS—18
NAYS—1

Signed
EDWARD WIGGINS
Secretary

Attendance Report

June 23, 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
Don Dorr X

Signed
EDWARD WIGGINS
Secretary

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

June 29, 1977.

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

Dear Lee:

We respectfully submit to you information concerning the
Liquor Control Committee which held no meetings during the
week of June 20, 1977.

Thank you for your cooperation.

Cordially,
JAMES D. BARBER
Chairman

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

June 27, 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 20,
1977.

Mr. DeMEDIO, chairman of the Military and Veterans Af-
fairs Committee, presented the following report:

June 28, 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 Com-
mittee did not meet during the week of June 20-24.

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

June 27, 1977.

SUBJECT: Mines and Energy Management Committee Meeting Report

TO: The Honorable K. Leroy Irvis
The Speaker

FROM: Bernard F. O'Brien, Chairman
James Wright, Minority Chairman

The Mines and Energy Management Committee did not hold any committee meetings during the week of June 20, 1977.

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 20, 1977.

HON. WILLIAM W. RIEGER
Acting Chairman

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

Mr. Speaker:

The House State Government Committee did not meet during the week of June 20, 1977.

HON. ROBERT A. GEISLER
Chairman

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

June 27, 1977.

Hon. K. Leroy Irvis
Speaker
Room 139, Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Mr. Irvis:

This is to inform you that there were no meetings of the Transportation Committee the week of June 20, 1977.

Respectfully submitted,
JOSEPH A. PETRARCA
Secretary

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

June 27, 1977.

SUBJECT: Report of Urban Affairs Committee

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

FROM: Charles N. Caputo, Chairman

Urban Affairs Committee

The Committee on Urban Affairs did not meet during the week of June 20, 1977.

ANNOUNCEMENTS DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I would like to ask at this time for an immediate recess of the House until 11:15. We have some quick business which I think we can discuss in the caucus and be back on the floor here in 45 minutes.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Hayes.
Mr. S. E. HAYES. Thank you, Mr. Speaker. There will also be a Republican caucus immediately.

RECESS

The SPEAKER. This House now stands in recess until 11:15.

AFTER RECESS

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. I would like to correct a vote on the record, Mr. Speaker. At one point last night fatigue overcame me and I voted in error on the suspension of the rules on the 11 o'clock deadline. I voted in the affirmative. I would like to have the record clear that I should have voted in the negative and I voted in error.

Thank you.

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

GAVEL TURNED OVER TO MR. FRYER

The SPEAKER. The Chair at this time turns the gavel over temporarily to the gentleman, Mr. Fryer, to act in the Chair's stead while the Chair attends a meeting in the Governor's office.

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

CALENDAR

JUDICIARY BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 70, printer's No. 1323**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes further defining the offense of obscenity redefining obscene further providing for injunctions further providing criminal sanctions against the sexual exploitation of children and prohibiting the transportation of certain materials relating to the sexual exploitation of children.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 71, printer's No. 81**, entitled:

A Joint Resolution making application to the Congress of the United States to call a convention for drafting and proposing an amendment to the Constitution of the United States to guarantee the right to life to the unborn fetus.

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

Ordered, to be transcribed for third consideration.

INSURANCE BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 675, printer's No. 753**, entitled:

An Act amending "The Pennsylvania Insurance Guaranty Association Act" approved November 25, 1970 (P. L. 716, No. 232), changing the definition of the term "property and casualty insurance policy".

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

Ordered, to be transcribed for third consideration.

URBAN AFFAIRS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 716, printer's No. 588**, entitled:

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

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

Ordered, to be transcribed for third consideration.

LABOR RELATIONS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 119, printer's No. 119**, entitled:

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

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

Ordered, to be transcribed for third consideration.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair wishes to announce that there are forms for the members of the House to use in having visitors introduced. They will be found at the pages' desk.

GAVEL RETURNED TO SPEAKER

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman for presiding.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair wishes to announce that the Chair has given permission to Marcia Kaplan, WTPA-TV, to film silent film for 10 minutes on the floor of the House. The Chair would advise the members that this permission has been granted, beginning now.

The Chair also wishes to announce that the Altoona television station WTAJ-TV will also be taking silent film on the floor of the House for a period of 10 minutes.

SB 770 REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I do not know whether SB 770 was on its 15th day yesterday or not, but we did put it on the table. I would like to remove it from the table, and I so move.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

Abraham	Gallagher	Madigan	Schmitt
Anderson	Gamble	Manderino	Schweder
Armstrong	Garzia	Manmiller	Scirica
Arthurs	Gatski	McCall	Seltzer
Barber	Geesey	McClatchy	Shuman
Bellomini	Geisler	McGinnis	Shupnik
Beloff	George, C.	McIntyre	Sirianni
Bennett	George, M.	McLane	Smith, E.
Berlin	Giammarco	Mebus	Smith, L.
Berson	Gillette	Meluskey	Spencer
Bittinger	Gleeson	Miller	Spitz
Bittle	Goebel	Milliron	Stairs
Borski	Goodman	Miscevich	Stapleton
Brandt	Gray	Moehlmann	Stewart
Brown	Greenfield	Morris	Stuban
Brunner	Greenleaf	Mowery	Sweet
Burd	Grieco	Mrkonic	Taddonio
Burns	Halverson	Mullen, M. P.	Taylor, E.
Butera	Hamilton	Mullen, M. M.	Taylor, F.
Caltagirone	Harper	Musto	Tenaglio
Cassidy	Hasay	Novak	Thomas
Cessar	Haskell	Noye	Trello

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

NAYS—0

NOT VOTING—7

Caputo	Milanovich	Rappaport	Shelton
Gallen	Pitts	Rhodes	

The question was determined in the affirmative and the motion was 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 Bill, pages 1 through 92, by striking out lines 9 through 19, page 1; and all of said pages and inserting

Section 1. This act shall be known and may be cited as the "General Appropriation Act of 1977."

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive, Legislative and Judicial Departments of the Commonwealth for the payment of the salaries, wages or other compensation and travel expense of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1977 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1977.

I. EXECUTIVE DEPARTMENT

To the Governor

For the salaries, wages and all necessary expenses for the following purposes and activities, including the maintenance of the Executive Mansion, the expense of entertainment of official guests and members of the General Assembly and the Judiciary, participation in the Governor's Conference, the expenses of the Executive Board, and for the payment of traveling expenses of persons other than employees of the Commonwealth

appointed by the Governor to represent or otherwise serve the Commonwealth:	
For the Office of the Governor	\$ 1,860,000
For the Governor's share of the expenses of the Commonwealth Compensation Commission	25,000
For the administration and operation of the Office for Human Resources	143,000
For the administration and operation of the Office of Administration	3,629,000
For the administration and operation of the Office of State Planning and Development	1,009,000
For the administration and operation of the Office of the Budget	1,396,000
For the administration and operation of the Human Relations Commission	3,488,000
For the conduct of the work of the Pennsylvania Council on the Arts, requisitions to be signed by the Governor	953,000
Arts Council Administration	175,000
Philadelphia Orchestra	125,000
Pittsburgh Symphony Orchestra	205,000
Robin Hood Dell	85,000
Robin Hood Dell Better Break Program	10,000
Ambler Music Festival	125,000
Carnegie Museum	50,000
Pennsylvania Ballet	110,000
For the administration and operation of the Pennsylvania Commission for Women	123,000
For the administration and operation of the Governor's Energy Council	276,000
For payment to the Office of State Planning and Development for payment to the Delaware Valley Regional Planning Commission under terms and conditions as determined by the Office of State Planning and Development	75,000
To the Lieutenant Governor	
For the salaries, wages and all necessary expenses for the proper conduct of the office of the Lieutenant Governor, including payment of expenses of the residence at the Edward Martin Military Reservation	250,000
To the Department of the Auditor General	
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:	
Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are supported out of the General Fund and for auditing Justices of the Peace, other fining offices, Volunteer Firemen's Relief Association Funds and the offices of elected State officials	8,457,000
Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,274,000
Administration of the Board of Arbitration of Claims	230,000
To the Treasury Department	
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:	
For the administration of the Treasury Department	4,179,000
For the administrative expenses in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations	2,186,000
For the administration of the Board of Finance and Revenue	500,000
For the conduct of the work of the Commission on Interstate Cooperation and the traveling expenses of members to be paid in favor of the chairman or treasurer of the commission on presentation of his requisition and who shall file an accounting with the Auditor General	30,000

For the support of the Council of State Governments to be paid to the order of the Executive Director of the Council of State Governments who shall file an accounting of such expenses with the Auditor General 74,000

For the support of the Greck Lakes Commission to be paid on requisition of the commissioners who shall file an accounting with the Auditor General 16,000

For the payment of replacement checks issued in lieu of outstanding checks when presented and to adjust errors 70,000

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State University 15,000

For publishing statements of the General Fund and other funds of the Commonwealth 17,000

For the compensation of the Commonwealth's Loan and Transfer Agent for services and expenses in connection with the registration, transfer and payment of interest on bonds of the Commonwealth and other services required to be performed by the Loan and Transfer Agent 80,000

For the payment of legal fees, publication of advertisements, costs of engraving and other expenses incurred in issuing of tax anticipation notes 100,000

For the payment into the Project 70 Land Acquisition Sinking Fund to meet the principal and interest requirements on notes and bonds issued 6,134,000

For the payment into the Land and Water Development Sinking Fund to meet the interest and sinking fund requirements of notes and bonds issued and to be issued 28,558,000

For the payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds issued and notes and bonds to be issued 106,288,000

For the payment into the proper fund to meet the principal and interest requirements on notes and bonds issued, and notes and bonds to be issued for payment of the Vietnam Veterans' Bonus 4,644,000

For payment into the Disaster Relief Redemption Fund to meet principal and interest requirements on bonds issued and bonds to be issued 6,586,000

For payment into the Nursing Home Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued 3,000,000

For payment into the Volunteer Fire and Rescue Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued 540,000

For payment of law enforcement officers' death benefits 500,000

To the Department of Agriculture

For the salaries, wages and all necessary expenses for the proper administration of the Department of Agriculture, including the following programs: regulation of consumer products and promotion of fair business practices, plant health, animal health, rural services and agribusiness development 12,975,000

For payment of compensation to owners of animals destroyed in disease eradication programs 570,000

For payment of reimbursement to legally constituted law enforcement agencies for ken-

nel construction 50,000

For the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making life expenditures of county funds 20,000

For payment into the State Farm Products Show Fund to pay for that portion of the Farm Show and maintenance to Farm Show Building that is not paid from Farm Show revenues 700,000

For development and operation of an open livestock show, including cattle, swine, sheep and horses: Provided, That the department may make allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of a livestock show in the Pennsylvania Farm Show Complex: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure 60,000

For planning and staging of an open dairy show: Provided, That the department makes allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the planning and staging of a dairy show in the Pennsylvania Farm Show Complex: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure 60,000

For promotion and holding of annual local, regional and State 4-H Clubs and Future Farmers of America dairy shows: Provided, That the department may make allocations of this appropriation as it deems appropriate to an association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of Junior Dairy Shows: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance 25,000

For planning and staging ten annual 4-H Club Horse and Pony Shows and one State-wide show to be held in the fall as preliminary to the Keystone International Livestock Show 30,000

To the State Council of Civil Defense

For the salaries, wages and all necessary expenses for the proper administration of the State Council of Civil Defense, including emergency disaster assistance 443,000

To the State Civil Service Commission

For the salaries, wages and all necessary expenses for the proper administration of the Civil Service Commission including administration of the merit system for employees under provisions of the Civil Service Act supra: Provided, That in addition to the amount hereby appropriated, any money collected by the commission by way of reimbursement under the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation 1,000

To the Department of Commerce

For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the fol-

lowing: tourism and travel development, industrial development, scientific and technological development and international trade	4,521,000	Department of Education, including criminal law enforcement, general instruction, special education, compensatory programs, vocational education, higher education-professional support services, achieving economic independence-socially and economically disadvantaged, local recreation areas and facilities	11,711,000
For the administration and operation of the Navigation Commission for the Delaware River	84,000	For the salaries, wages and all necessary expenses for the oversight of special education programs	100,000
For payment of grants to recognized industrial development agencies to assist such agencies in the financing of their operational costs for the purposes of making studies, surveys and investigations, the compilation of data and statistics and in the carrying out of planning and promotional programs.	500,000	For the operation of the State Library, providing reference services and administering aid to public libraries	1,486,000
For the Pennsylvania Industrial Development Authority	8,000,000	For payment of rental charges to the General State Authority for capital improvements at State-aided educational institutions	4,300,000
For site development	1,000,000	For the operation, maintenance and administration of the State colleges and State-owned university including the McKeever Environmental Center	169,026,000
For the payment of grants to Appalachian Local Development districts	100,000	For the operation, maintenance and administration of the Scranton State School for the Deaf	1,695,000
For the payment of the Commonwealth's share of the cost of the operation of the Appalachian Regional Commission and the Office of the Appalachian State's Regional Representative	313,000	For the operation, maintenance and administration of Scotland School for Veterans' Children	3,834,000
For transfer to the Minority Business Development Fund	2,000,000	For the operation, maintenance and administration of the Thaddeus Stevens State School of Technology.	1,748,000
For tourist promotion assistance	1,500,000	For payments of subsidies to school districts on account of basic instructional and vocational education costs: Provided, That the Secretary of Education, with the approval of the Governor, may make payments from this appropriation in advance of the due date prescribed by law to school districts which are financially handicapped, whenever he shall deem it necessary to make such advanced payments to enable the school districts to keep their public schools open	1,263,475,000
For payment of ceremonies in recognition of the Distinguished Daughters of Pennsylvania.	3,000	For payments to school districts on account of annual rental or sinking fund charges on school buildings	147,000,000
For the Pennsylvania Science and Engineering Foundation to promote, stimulate, and encourage basic and applied scientific research and development and scientific and technological education in Pennsylvania.	850,000	For payments to school districts and intermediate units on account of pupil transportation.	67,000,000
For the Governor's Science Advisory Committee to finance research and information dissemination projects to be conducted by the Pennsylvania State University for the benefit of Pennsylvania industry to insure more jobs for Pennsylvania	150,000	For payments to school districts and intermediate units on account of special education of exceptional children in public schools	88,250,000
To the Department of Community Affairs		For payments to school districts on account of homebound instruction	500,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Community Affairs, including community action assistance, housing and redevelopment, area-wide services, municipal administrative support capability, local recreation areas and facilities and community development planning	5,492,000	For payments for tuition to school districts providing education to nonresident orphaned children placed in private homes by the court and nonresident inmates of children's institutions.	8,250,000
For administration of the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act	100,000	For payments of annual fixed charges to school districts in lieu of taxes for land acquired by the Commonwealth for water conservation or flood prevention.	40,000
For planning and administration of a State-wide manpower employment assistance and training program	1,750,000	For payments to intermediate units for maintenance of summer schools for school age children of migrant laborers	108,000
For payments of grants to community action agencies as provided by the act of January 26, 1968 (P. L. 48, No. 9), and to political subdivisions and organizations for social service programs.	1,300,000	To provide grants to school districts to assist in meeting the matching requirements of Federal grants received under Federal programs for the education of the disadvantaged where such programs meet criteria established by the Department of Education	1,000,000
For the payment of grants to local governments or regional councils of government to assist in developing and implementing cooperative agreements to supply municipal services	75,000	For Special Education — Approved Private Schools.	27,815,000
For the payments of grants to counties, cities, boroughs, townships, towns or regions for planning assistance	200,000	For annual payments not to exceed \$500 per student to institutions of higher learning for defraying the expenses of deaf or blind students	35,000
To the Council on Drug and Alcohol Abuse		For payment of the Commonwealth's share of the approved operating costs and lease pay-	
For the salaries, wages and all necessary expenses for the proper conduct of the Council on Drug and Alcohol	2,250,000		
For grants to counties and to private facilities to finance drug and alcohol abuse treatment and prevention programs	19,552,000		
To the Department of Education			
For the salaries, wages and all necessary expenses for the proper administration of the			

ments of intermediate units	7,193,000	Studies Center	50,000
For grants to school districts to assist in meeting Federal matching requirements for grants received under the Federal Child Nutrition Act, and to aid in providing a food program for needy children	6,240,000	For the Pennsylvania Higher Education Assistance Agency	
For payment into the Social Security Contribution Fund the Commonwealth's share of Federal Social Security taxes for public school employees	70,000,000	For payment of all scholarships and education assistance grants, including those to veterans, and dependents of prisoners of war or missing in action soldiers, and for death and disability hardship cases	68,440,000
For payment of required contribution into the Contingent Reserve and Supplemental Accounts of the Public School Employees' Retirement Fund	167,760,000	For the purpose of being held in reserve to guarantee loans granted for payment of possible losses of such loans granted and for the payment of lender participation incentives	2,500,000
In addition to the regular contribution to the Retirement Fund, this appropriation includes \$9,000,000 for continued repayment of past underfunding of the Commonwealth's obligations. This repayment will reduce the original deficit of \$90,000,000 to \$52,000,000.		For the purpose of assisting approved institutions of higher learning in securing and obtaining maximum participation in Federal student aid funds to be used as financial aid to students in meeting their costs of attendance at such institutions	1,800,000
It is the specific intent of the General Assembly to pay this deficit at the rate of \$9,000,000 a year for five years and \$7,000,000 the sixth year to reduce the balance to zero.		For the purpose of administering the programs of the agency including payment of lender participation incentives	4,033,000
For payment of required contribution into the Former Teachers' Account of the Public School Employees' Retirement Fund	6,000	For institutional assistance grants to be allotted by the Pennsylvania Higher Education Assistance Agency for the academic year beginning on or about September 1, 1977 pursuant to the criterion contained in the act of July 18, 1974 (P. L. 483, No. 174)	12,000,000
For operation and administration of programs of education and training at youth development centers	3,095,000	To the Department of Environmental Resources	
For operation of programs of education and training at State schools and hospitals, private licensed facilities, and other child care facilities of the Department of Public Welfare	7,350,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources	15,222,000
For services to nonpublic schools	18,918,000	For soil survey work	100,000
For textbooks for nonpublic schools	8,408,000	For deep mine safety	2,144,000
For student supplies for nonpublic schools	2,102,000	For occupational health	600,000
For grants to public libraries for the development and improvement of a Statewide system of libraries and library services, including State aid to local libraries, county libraries, district library centers and regional library resource centers	8,896,000	For surface mine reclamation	2,000,000
To provide aid to the Free Library of Philadelphia and the Carnegie Library of Pittsburgh, to meet the costs incurred in serving as regional libraries in the distribution of braille reading materials, talking book machines and other reading materials, to persons who are blind or otherwise handicapped	858,000	For land protection	2,409,000
For grants of \$50,000 each to the seven public television stations serving Pennsylvania to acquire, produce, record and distribute for classroom broadcast, educational programs to meet the needs of local educational agencies, and for acquiring, producing, recording and distributing, by the Department of Education, educational programming that will be used for classroom broadcast	780,000	For water quality management	5,884,000
For regional educational broadcasting councils which have been approved in accordance with the State plan for educational broadcasting by the Department of Education	175,000	For air quality and noise control	2,980,000
The funds hereby appropriated shall be in addition to any other appropriation or allocation of funds for educational broadcasting purposes and shall be used to establish educational program needs, to improve the utilization of educational television, to evaluate the effectiveness of educational television and to produce programming.		For community environmental control	5,354,000
For development, administration and coordination of educational and training programs at the State-owned adult correctional institutions	2,090,000	For radiological health	581,000
For payment of approved operating and capital expenses of community colleges and technical institutes	47,651,000	For State forestry operations	10,222,000
For higher education equal opportunity program grants	3,350,000	For the gypsy moth laboratory	400,000
For the operation of the Ethnic Heritage		For insect spraying operations	350,000
		For State parks	18,458,000
		For stream improvement projects	450,000
		For the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires	100,000
		For payments to municipalities or municipal authorities for up to 50% of the cost of acquiring lands and rights-of-way and relocating roads and utilities to qualify for Federal flood control projects	745,000
		For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems	250,000
		For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act	600,000
		For grants to counties, municipalities and authorities to assist them in preparing official plans for solid waste disposal systems	150,000
		For payment to the Great Lakes Basin Commission as the Commonwealth's assessment and payment for participation in the programs and plans of the Great Lakes Basin Commission	15,000
		For payment of Pennsylvania's share of the expenses of the River Master for the Delaware River	29,000
		For payment to the Ohio River Basin Commission as the Commonwealth's assessment and payment for participation in the development of a water resources program for the Ohio River Basin	30,000
		For the support of the Susquehanna River Basin Commission, requisitions to be signed	

by the Secretary of Environmental Resources	200,000	tion, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance	14,932,000
For the support of the Potomac River Basin Advisory Committee, requisitions to be signed by the Secretary of Environmental Resources	8,000	For the operation of Bureau of Vital Statistics	2,802,000
For the support of the Interstate Commission on the Potomac River Basin, requisitions to be signed by the Secretary of Environmental Resources	16,000	For the operation of the State Laboratory	1,776,000
For the conduct of the work of the Delaware River Basin Commission to be paid in favor of the chairman of said commission who shall file an accounting with the Auditor General	378,000	For the operation of State Health Care Centers, including the district offices of the Department of Health	8,118,000
For the support of the Ohio River Valley Water Sanitation Commission, requisitions to be signed by the Secretary of Environmental Resources	55,000	For emergency health services	2,200,000
For payment by the State Conservation Commission to local sponsors for support of small watershed projects	75,000	For maternal and child health	550,000
For payments to conservation districts for employment of executive assistants on a 50% costsharing basis, not to exceed \$5,000 per district for the State's share	100,000	For the purpose of developing, operating and purchasing hemophilia services	1,190,000
For payment of Pennsylvania's share of the costs of the Interstate Mining Commission	10,000	For the purpose of developing, operating and purchasing sickle cell anemia services	550,000
For payment of annual fixed charges in lieu of taxes to counties and townships on land acquired for water conservation and flood control	9,000	For the purpose of developing, operating and purchasing Cooley's anemia services	120,000
For payment of annual fixed charges in lieu of taxes to political subdivisions or school districts on lands acquired by the Commonwealth for Project 70	250,000	For the purpose of developing, operating and purchasing renal disease services	3,000,000
For payment of annual fixed charges in lieu of taxes to counties, school districts and townships on forest lands	399,000	For renal disease youth treatment	75,000
For the Commonwealth's share of sewage treatment facilities serving:		For the purpose of developing, operating and purchasing coal workers pneumoconiosis services	907,000
Scotland School for Veteran's Children	205,000	For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth	4,395,000
Shippensburg State College	250,000	For reimbursement to school districts on account of health services	11,810,000
Caledonia State Park	221,000	For providing aid to counties in the establishment and maintenance of local health departments	12,325,000
Kooser State Park	200,000	For payment to the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania for the operation and maintenance of the Cancer Research Program	418,000
To provide grants for rat control programs including, but not limited to, extermination measures, improvement of refuse collection and garbage collections, services and community educational activities designed to promote participation and support of the programs by residents and property owners	500,000	For payment to the Wistar Institute of Philadelphia, Pennsylvania for research in the field of cellular biology	200,000
To the Pennsylvania Fish Commission		For payment to the Inglis House of Philadelphia for the detection and diagnosis of neurological diseases	30,000
For the support of the Atlantic States Marine Fisheries Commission	3,000	Emergency Care Research Institute	800,000
To the Department of General Services		For the following research programs:	
For the salaries, wages and all necessary expenses for the proper administration of the Department of General Services including distribution of surplus State property, purchase, maintenance and disposition of State automotive equipment, standards and specifications of commodities for State agencies, purchase of commodities for State agencies, real estate and insurance, building, construction and engineering, maintenance and custody of State office buildings and grounds, general services, Federal surplus property, and distribution of Federal surplus commodities	21,543,000	Lankenau Hospital — Research	75,000
Utility cost	4,200,000	Cardio-vascular Studies — Philadelphia	60,000
For replacement of fleet vehicles	1,296,000	Cardio-vascular Studies — St. Francis Hospital, Pittsburgh	60,000
For payment of rental charges to the General State Authority	55,200,000	For outpatient-inpatient treatment:	
To the Department of Health		Cerebral Palsy — St. Christophers Hospital	75,000
For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease preven-		Cerebral Dysfunction — Children's Hospital, Pittsburgh	25,000
		Lancaster Cleft Palate	30,000
		Pittsburgh Cleft Palate	30,000
		To the Pennsylvania Historical and Museum Commission	
		For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission including development and promotion of Pennsylvania State and local history, museum development and operations, and development and preservation of historical sites and properties	5,203,000
		For administration of the Valley Forge Park Commission and operation and maintenance of the Valley Forge State Park	250,000
		For administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park	542,000
		For administration of the Brandywine Battlefield Park Commission and operation and maintenance of Brandywine Battlefield Park	112,000
		To the Department of Insurance	
		For the salaries, wages and all necessary expenses for the proper administration of the Department of Insurance including policy-	

holder services and protection, regulation of rates and policies, liquidation of companies and regulation of companies	4,683,000	For assistance to veterans who are ill or disabled and without means of support	650,000
To the Department of Justice		For pensions for veterans blinded through service-connected injuries or disease	80,000
For general government operations:		For payment of pensions to dependents of soldiers of the Pennsylvania National Guard killed in the line of duty	10,000
Attorney General	450,000	To the Milk Marketing Board	
Comptroller	63,000	For payment into the Milk Marketing Fund in the State Treasury for the purpose for which such fund is appropriated	681,000
Regional Offices	1,316,000	To the Pennsylvania Board of Probation and Parole	
Community Advocate	373,000	For the salaries, wages and all necessary expenses for the proper administration of the Board of Probation and Parole reintegration of offenders	8,564,000
Management services	651,000	Payments for grants-in-aid to counties for providing improved adult probation services	1,679,000
Criminal law	154,000	To the Department of Public Welfare	
Investigations	477,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Public Welfare including but not limited to, health services support and development, mental health systems, services to the communities, family support services, mental retardation systems and income maintenance	19,193,000
Governor's Justice Commission	484,000	For an internal audit and investigation unit	450,000
Civil Law	1,843,000	For the operation, maintenance and administration of State youth development centers, youth development day treatment centers, and youth forestry camps and for the maintenance of delinquent boys and girls in such camps, and for the purchase of Community Residential Care for trainees boarded out by the aforementioned institutions	23,934,000
Consumer Protection	1,335,000	For the operation, maintenance and administration of the State restoration centers	5,826,000
Board of Pardons	131,000	For the operation, maintenance and administration of the State medical and surgical hospitals	7,243,000
The funds appropriated for general government operations of the Department of Justice are specifically appropriated to the bureau or division indicated and shall not be used for the purposes of functions of any other bureau or division of the department.		For the operation, maintenance and administration of the State institutions for the mentally ill and the mentally retarded	345,552,000
For salaries, wages and all necessary expenses of the Office of Drug Law Enforcement	3,064,000	For administration of the State Mental Health and Mental Retardation legislation exclusive of capital improvements; for payments to reimburse counties, county institution districts and private institutions; and for the care of mental patients boarded out by the State institutions for the mentally ill and mentally retarded	101,456,000
For the operation and administration of the Pennsylvania Crime Commission	225,000	For grants to counties to purchase community based residential care, treatment and training for the mentally retarded	20,000,000
For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission	209,000	For assistance payments and county administration of the public assistance programs and medical assistance programs:	
For salaries, wages and all necessary expenses of the Crime Victims Compensation Board	200,000	Cash Assistance	528,000,000
For salaries, wages and all necessary expenses of the Office of Consumer Advocate	250,000	County Administration	93,573,000
For the operation, maintenance and administration of the State Correctional Institutions and Community Treatment Centers	70,000,000	Office of Information Systems	3,216,000
For payments of grants to political subdivisions to assist in the improvement of Juvenile Probation Services	1,568,000	Claims Settlement	3,173,000
For aid for local law enforcement	1,091,000	Medical Assistance	328,000,000
For payment of awards made by the Crime Victims Compensation Board	1,000,000	Private Nursing Homes	59,045,000
To the Department of Labor and Industry		Public Nursing Homes	20,000,000
For salaries, wages and all necessary expenses for the proper administration of the Department of Labor and Industry, including regulation of consumer products and promotion of fair business practice, accident prevention, occupational health and safety, income maintenance, and industrial relations stability	11,009,000	Supplemental Grants — Aged, Blind and Disabled	63,380,000
For occupational disease payments	26,500,000	Provided, That any rule, regulation or policy adopted by the Secretary of Public Welfare during the fiscal period 1977-1978 which adds to the cost of any public assistance programs shall be effective only from and after the date upon which it is approved as to the availability of funds by the Governor.	
For the Commonwealth's share of the cost of the Work Incentive Program to provide permanent jobs at decent pay for eligible persons receiving aid to families with dependent children	125,000	For the purpose of developing, operating and purchasing services for the aging, including but not limited to homemaking services, community care services, foster care services, protective care and services and counseling serv-	
For the payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation	9,230,000		
To carry out provisions of section 306(h) of the Pennsylvania Workmen's Compensation Act	2,060,000		
To the Department of Military Affairs			
For salaries, wages and all necessary expenses for the proper administration of the Department of Military Affairs including emergency disaster assistance, financial assistance to students and income maintenance	6,999,000		
For the operation and maintenance of the Hollidaysburg Veterans' Home	1,917,000		
For the operation and maintenance of the Soldiers' and Sailors' Home at Erie	738,000		
For payment of helicopter liability insurance	200,000		
For payment of gratuities for the education of children of certain veterans	70,000		

ices	8,299,000	lected such coverage	11,140,000
For the conduct, operation of or contracting for training courses to be given by accredited graduate schools of public health, for the personnel of county homes, nursing and convalescent homes, and nonprofit homes for the aged	50,000	To the Pennsylvania State Police	
For subsidy payments for services for the blind	940,000	For salaries, wages and all necessary expenses for the proper administration of the Pennsylvania State Police, including juvenile crime prevention, criminal law enforcement, prevention and control of civil disorders, emergency disaster assistance and fire prevention	29,262,000
For payment to counties for child welfare programs and for the care of delinquent and deprived children committed by the courts to a private or public facility	56,000,000	For salaries, wages and all necessary expenses for the proper administration of the Municipal Police Officers Education and Training Commission	1,030,000
For the purpose of developing, operating and purchasing day-care services for children from State approved facilities	18,500,000	For the payment of nonservice connected death benefits pursuant to the Greshenfeld Awards	80,000
For payment of grants and for the purpose of developing, assessing and purchasing youth services systems and special crime prevention programs for juveniles	1,500,000	To the State Tax Equalization Board	
For payment to the Home for Crippled Children, Pittsburgh, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law	400,000	For the salaries, wages and all necessary expenses for the proper administration of the State Tax Equalization Board	749,000
For payment to Children's Heart Hospital, Philadelphia, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law	800,000	To the Department of Transportation	
The hospitals named above shall file a report with the Department of the Auditor General within 90 days of the last day of each quarter. Failure to file the report timely as required hereunder shall disqualify the institution from receiving funds for the quarter covered by the untimely filed report.		For the salaries, wages and all necessary expenses for the proper administration of the Department of Transportation including urban, rural and intercity mass transportation, rail freight transportation and port development	987,000
For the purpose of developing, operating and purchasing social services	2,608,000	For urban mass transportation assistance for grants to local transportation organizations; to be used only for purchase of service projects and advertising and promotion programs	74,200,000
Arsenal Family and Children's Center	100,000	For rural and intercity transportation: for operating subsidies, lease payments and maintenance projects on rail freight lines; and operating subsidies and demonstration projects for passenger rail and bus services, including the Rural Highway Public Demonstration Program	1,200,000
To the Department of Revenue		For payment to the City of Philadelphia for the maintenance, repair, improvement and administration of the Port of Philadelphia	1,000,000
For salaries, wages and all necessary expenses for the proper administration of the Department of Revenue including corporation taxes, county collections, cigarette and beverage taxes, education tax administration and administration of the personal income tax	44,944,000	For payment to the Erie Port Commission of the City of Erie, for the maintenance, repair, improvement and administration of the Port of Erie	250,000
For payment of compensation to informers, escheators and others and for the payment of attorneys' fees and expenses arising by virtue of proceedings in escheat or by virtue of proceedings to take without escheat	5,000	For payment of services in connection with the functions of the Civil Air Patrol	35,000
For the distribution of Public Utility Realty Tax	30,000,000	To the Pennsylvania Public Television Network Commission	
To the Pennsylvania Securities Commission		For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Public Television Network Commission including network station grants	4,102,000
For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Securities Commission	817,000	For programming services	1,700,000
To the Department of State		II. LEGISLATIVE DEPARTMENT	
For salaries, wages and all necessary expenses for the proper administration of the Department of State including regulation of consumer products and promotion of fair business practice, maintenance of the electoral process, and for the proper administration of the Bureau of Professional and Occupational Affairs	5,802,000	To the House of Representatives	
For publication of proposed constitutional amendments	40,000	For the salaries, wages and all necessary expenses for the following purposes:	
For costs incurred resulting from the operation of the voter registration by mail program	525,000	Salaries of Representatives and extra compensation to the Speaker of the House of Representatives	5,500,000
For costs related to absentee voting by persons in military services	20,000	Salaries and wages for per diem and session officers and employees, including returning officers	2,884,000
To the State Employees' Retirement System		Salaries of salaried employees of the House of Representatives	4,386,000
For payment of medical/hospital insurance costs for Commonwealth annuitants who have		Mileage:	
		Representatives, Officers and Employees	675,000
		Postage:	
		Chief Clerk and Legislative Journal	225,000
		Contingent Expenses:	
		Speaker	15,000
		Chief Clerk	200,000
		Secretary	55,000
		Majority Floor Leader	6,000
		Minority Floor Leader	6,000

Majority Whip	3,000
Minority Whip	3,000
Chairman of Majority Caucus	3,000
Chairman of Minority Caucus	3,000
Secretary of Majority Caucus	3,000
Secretary of Minority Caucus	3,000
Chairman of Majority Appropriations Committee	6,000
Chairman of Minority Appropriations Committee	6,000
Chairman of Majority Policy Committee	2,000
Chairman of Minority Policy Committee	2,000
Majority Caucus Administrator	2,000
Minority Caucus Administrator	2,000

The above appropriations for postage and for contingent expenses shall be paid prior to the payment of such expenses on warrant of the State Treasurer in favor of the officers above named upon the presentation of their requisitions for the same: Provided, That the total amount of requisitions for advancements less the total amount of expenditures made as certified by such officers to the State Treasurer shall not exceed the amount of the bond of the officer having control of the disbursement from the funds advanced.

Miscellaneous Expenses:

Incidental Expenses	515,000
Expenses, Representatives	1,523,000
Legislative Printing and Expenses	3,000,000
Attending National Legislative Conference	80,000
Attending Meetings of the Council of State Governments	5,000

The above appropriation for attending National Legislative Conference shall be paid to the Chief Clerk of the House and the appropriation for attending meetings of the Council of State Governments shall be paid to the Speaker of the House in the same manner and under the same conditions as the appropriations for postage and contingent expenses above.

For the payment of the expenses of the Committee on Appropriations (D) of the House of Representatives in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State Treasury in analyzing reports, expenditures and the general operation and administration of said institutions and agencies in examining and analyzing request of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and any office expenses necessary to serve the committee and its chairman, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any State office, department, institution, board, committee, commission or agency or any institution or agency supported in whole or in part by appropriations from the State Treasury and to administer oaths. The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers,

books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The Chairman of the Committee on Appropriations shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Appropriations Committee of the committee's expenses since the filing of the prior account

360,000

For the payment of the expenses of one minority party member of the Committee on Appropriations (R) of the House of Representatives designated by a majority vote of the minority party House of Representatives Caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State Treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance, and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the majority vote of the minority party House of Representatives Caucus on the presentation of his requisition for the same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible, in the office of the minority party member of the Committee on Appropriations of the House of Representatives of his expenses since the filing of the prior account . . .

360,000

For the payment to a Committee (D) of the House of Representatives composed of the Speaker of the House of Representatives, the Majority Leader, the Majority Whip, the Majority Caucus Chairman and the Majority Caucus Secretary of the House of Representatives for allocation in its discretion to the several committees of the House of Representatives for payment of the expenses of hiring such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection

with the work of such committees during Legislative Sessions and during the interim between Legislative Sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Majority Leader on the presentation of his requisition for the same. The Majority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Majority Leader of such expenses since the filing of the prior account 650,000

For the payment to a Committee (R) of the House of Representatives composed of the Minority Leader, the Minority Caucus Chairman, and the Minority Caucus Secretary for allocation in its discretion to the several committees of the House of Representatives for the payment of the expenses of hiring such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during Legislative Sessions and during the interim between Legislative Sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Minority Leader on the presentation of his requisition for the same. The Minority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Minority Leader of such expenses since the filing of the prior account 650,000

For allocation in such amounts as may be designated by the Legislative Management Committee (D) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account 1,650,000

For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account 1,650,000

ments whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account 1,350,000

For the Commonwealth Emergency Medical System 50,000

For the Speaker of the House of Representatives share of the expenses of the Commonwealth Compensation Commission 25,000

To the Legislative Reference Bureau

For salaries, wages and all necessary expenses for the work of the Legislative Reference Bureau including the Document Law Section 1,065,000

For contingent expenses connected with the work of the Legislative Reference Bureau to be paid on warrants of the State Treasurer in favor of the director on the presentation of his requisitions for the same. The director shall file accounting of said expenses together with supporting documents whenever possible in the office of the Legislative Reference Bureau 10,000

For the printing of Laws (including the Pennsylvania Consolidated Statutes). 120,000

Advance copies of statutes and volumes of the Laws of Pennsylvania shall be printed under contracts entered into by the Legislative Reference Bureau (without the intervention of any other State agency or officer and without regard to any other statute regulating printing contracts) and distributed (without regard to any other statute regulating distribution of laws) as determined by the Bureau and moneys from sales shall be made to the Bureau or the Department of General Services, as the Bureau shall determine, which shall pay the same into the State Treasury to the credit of the General Fund. Such moneys are hereby appropriated from the General Fund to the Legislative Reference Bureau for the printing of such laws.

For the printing of Pennsylvania Bulletin and Pennsylvania Code 630,000

To the Legislative Budget and Finance Committee

For the salaries, wages and all necessary expenses for the work of the Legislative Budget and Finance Committee 292,000

To the Legislative Data Processing Committee

For the operation of the Legislative Data Processing Center 875,000

To the Joint State Government Commission

For the salaries, wages and all necessary expenses for the work of the Joint State Government Commission to be paid on warrants of the State Treasurer in favor of the chairman of said commission on the presentation of his requisition for the same, the chairman shall file an accounting of said expenses together with supporting documents whenever possible in the office of the Joint State Government Commission 957,000

To the Local Government Commission

For the salaries, wages and all expenses necessary for the work of the Local Government Commission 190,000

For the compilation and distribution of various municipal codes 80,000

To the State Legislative Air and Water Pollution Control Commission

For the salaries and expenses of the State Legislative Air and Water Pollution Control Commission 115,000

Any officer, commission, agency or committee of the Legislative Department having received an advance appropriation hereunder shall:

(1) At the end of the appropriation period, return to the State Treasury all unexpended, uncommitted and un-

encumbered balances of such advances before any advance shall be made out of any succeeding appropriation.

(2) Deposit all moneys advanced in the name of the Commonwealth in a State depository and certify the name thereof to the State Treasurer.

(3) Not later than 30 days after the termination of his term of office, or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file in the office receiving such advance an account of the expenditures of such funds together with supporting documents whenever possible.

To the Chief Clerk of the House of Representatives and the Secretary of the Senate Jointly

For the purchase of Pennsylvania, National and Bicentennial flags to be sent to residents of Pennsylvania 30,000

To the Legislative Audit Advisory Commission

For the salaries, wages and all expenses necessary for the work of the commission 65,000

III. JUDICIAL DEPARTMENT

For the salaries, wages and all necessary expenses for the following purposes:

Supreme Court

For the salaries and expenses of the Supreme Court; including the salaries and expenses for the Supreme Court judges, for the office of prothonotary and for the library in the Eastern District and Western District, for the office of prothonotary in the Middle District, for criers, tipstaves, official stenographers, court officers and the law secretary of the Chief Justice in Eastern, Middle and Western Districts and Workmen's Compensation Insurance Premiums for all Supreme Court Employees, for the office of State reporters; including the salaries and compensation of employees and expenses of judges; including the fees for prothonotaries of the Supreme Court of the Eastern, Middle and Western Districts on assignment to judges to counties other than their own; including the salaries and expenses of the State Board of Law Examiners; including the Judicial Inquiry and Review Board; including printing and miscellaneous expenses; including the expenses of procedural rules committees 2,501,000

Court Administrator, including the expenses of the Judicial Council of Pennsylvania and the District Justice Administrator created by the act of July 15, 1976 (No. 204) 1,139,000

Superior Court

For the salaries and expenses of the Superior Court; including the salary and expenses of the Superior Court judges, for criers, tipstaves, official stenographers, court officers and law secretary of the president judge and Workmen's Compensation Insurance Premiums for all employees of the Superior Court, for the Prothonotary's Office in the Philadelphia District; including salaries and compensation for employees and expenses of judges; including the expenses of dockets, stationery, supplies, books for the library and other costs of the Superior Court and its offices 1,476,000

Commonwealth Court

For the salaries and expenses of judges and employees 2,106,000

Courts of Common Pleas

Courts of Common Pleas; including the salaries and expenses of judges; including the expenses of traveling judges; including the mileage in divided judicial districts; including the salaries and mileage of associate judges. 17,912,000

Community Courts — District Justices of the Peace

For the salaries of Community Court Judges and District Justices of the Peace 13,340,000

Philadelphia Traffic Court

For the salaries and expenses of judges 170,000

Philadelphia Municipal Court

For the salaries and expense of judges 1,092,000

For law clerks, one for each judge, excluding the president judge 133,000

Section 3. This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies, the ordering of printing and binding, the purchase, maintenance and use of automobiles, the method of making payments from the State Treasury for any purpose of the functioning of any administrative department, board or commission.

Section 4. No appropriation made by this act to any department, board, commission or agency of the Executive Department shall be available unless and until such department, board, commission or agency shall have complied with sections 604, 605 and 606 of "The Administrative Code of 1929."

Section 5. The term "employees" as used in this act shall include all directors, superintendents, bureau or division chiefs, assistant directors, assistant superintendents, assistant chiefs, experts, scientists, engineers, surveyors, draftsmen, accountants, secretaries, auditors, inspectors, examiners, statisticians, marshals, clerks, stenographers, bookkeepers, messengers and other assistants in any department, board or commission.

Section 6. The term "expenses" and "maintenance" shall include all printing, binding and stationery, food and forage, materials and supplies, traveling expenses, training, motor vehicle supplies and repairs, freight, express, and cartage, postage, telephones and telegraph rentals and toll charges, newspaper advertising and notices, fuel, light, heat, power and water, minor construction and renovation, repairs or reconstruction of equipment, buildings and facilities, rent of real estate and equipment, premiums on workmen's compensation, insurance premiums on policies of liability insurance, premiums on medical payment insurance and surety bonds for volunteer workers, premiums on employee group life insurance, and employee and retired employee group hospital and medical insurance, payment of the Commonwealth's share of social security taxes and unemployment compensation costs for State employees, the purchase of replacement or additional equipment and machinery and all other incidental costs and expenses, including payment to the Department of General Services of mileage and other charges for the use of automobiles and rental payments for permanently assigned automobiles and of expenses or costs of services incurred through the Purchasing Fund. The term "expenses" also shall include the medical costs for the treatment of inmates of State institutions when the inmate must be transferred to an outside hospital: Provided, That in no case shall the State institution pay more for patient care than that provided under the State medical assistance program.

Section 7. Purchase of supplies, materials and equipment shall not be deemed to be committed or encumbered until contracts covering said purchase have been entered into with the vendors.

Section 8. (a) In addition to the amounts appropriated by this act, moneys received in payment for food and household supplies furnished to employees and other persons, except inmates, by an institution, and moneys received from the proceeds from the sale of any products of the soil, meats, livestock, timber, or other materials sold by the department shall be paid into the General Fund and are hereby appropriated out of the General Fund to the several respective institutions for the operation and maintenance of said institutions.

(b) In addition to the amounts appropriated by this act, all moneys received from any other source, except the Federal Government, as contributions for the programs provided herein, or as payment for services or materials furnished by one institution to another, except those collections designated as revenues, shall be paid into the General Fund and are hereby appropriated out of the General Fund for the purposes of the respective appropriations.

(c) In addition to any funds specifically appropriated by this act, all moneys received by a department or agency of the

Commonwealth from any other source, except the Federal Government, as contributions or supplements to the department or agency for a program or administration of an act included in this act shall be paid into the General Fund and credited to the appropriation for that program or administration of the act.

Section 9. (a) Except as provided in subsection (b), that part of all appropriations in this act unexpended, uncommitted and unencumbered as of June 30, 1978 shall automatically lapse as of that date.

(b) The appropriations to the House of Representatives of the Legislative Department shall be continuing appropriations. All unexpended moneys heretofore appropriated in any fiscal year to the Senate of the Legislative Department under any appropriation act shall automatically lapse as of July 1, 1977.

Section 10. This act shall take effect July 1, 1977.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, we have been trying, at least the leadership on this side of the aisle, for several days to get SB 770 to a conference committee, a conference committee that will attempt to give us a budget to vote on before the end of the fiscal year. I think that that is still possible, but as time goes on it becomes less and less likely. I still think, though, it is possible and I would work to that end this morning in offering an amendment which will ensure, in my opinion, that this bill will go to conference.

Many members of this side of the aisle, as indicated by the vote that was taken on SB 770 as it came from our Appropriations Committee that was tailored in a fashion to fund an adequate budget, feel that that is the type of budget that this Commonwealth should adopt.

There are members, however, who feel, and I think rightfully so, that members in the other body, as I have stated before, have been indicating and posturing that perhaps there is a form of budget that will not require the expenditures for the line items that the Appropriations Committee in the House indicated would be necessary. So what we are trying to do this morning is to send SB 770 to conference so that the Senate leaders can participate with the House leaders in formulating an adequate budget for this Commonwealth.

The amendment which I propose does the Gallen amendment one better to ensure that it goes to conference. It takes all moneys for staffing from the Senate accounts and lapses all surpluses that the Senate has. If they would accept this bill, they would have to operate without any staff at all. So I do not expect that they will accept this bill. I expect, if we pass the bill with the amendment that I propose, that this matter will go to a conference committee.

It is unfortunate that we have been able to get but one vote from the other side for an adequate budget. I do not think it is responsible for the other side of the aisle to sit by and cop out. That is the manner in which I view the tactics that they have demonstrated in the past few days.

Mr. Speaker, the amendment that I propose certainly does nothing but get SB 770 to a conference if we pass it and pass the bill. I do again repeat that I am trying to keep the wheels turning, get the bill to conference, see what the conference committee is able to arrive at and present that to both Houses

for final passage. I do not agree that the Senate should be stripped of all their money, and that is in there so that we ensure a conference report. I do not agree that SB 770 in the form that it will be so far as funding the departments is concerned is an adequate budget. I state that to you fully and openly. I do not believe that that is an adequate budget so that we can operate properly with that budget. I do believe that this is a vehicle to get the bill to conference, where everyone admits it will go, and the conferees will have to arrive at a compromise version of an adequate budget for this Commonwealth.

I move the adoption of the amendment and ask all members of the House to vote in favor of the same.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, that we have to continue to engage in this kind of gamesmanship is really sad; that we have to capitulate our responsibility to a four-member conference committee with two minority members who will have little to say about the ultimate outcome I think is pitiful.

The method by which we are approaching this budget has set us backward rather than has added anything new to the approach which we should be taking to our most important function. We are and have participated with the Governor in very carefully orchestrating this crisis so that July 1 is upon us. We must act hastily, without reason. We must forget why we have resisted up until now, because that is the strategy and I say that that is pitiful. That shows that you are unable to lead, unable to govern, because you have got to artificially put this House into a corner from which it cannot emerge because of the impending deadline.

Now if we had approached this matter rationally, starting last November, as we have been trying to do, we would not be here today not really knowing at this late date what the budget is going to be that is produced by those four people. That is what we object to and we are going to continue to object to it.

Now you talk about responsibility. Where were you last year when we were in the same position and we stood at these microphones and told you exactly what was going to happen this year? You knew it. You laughed at us and you went ahead and papered over this huge deficit. This state is in virtual bankruptcy today because of actions taken in this legislature and by this Governor last year.

There comes a time when you have to own up to the public, admit that you breached their trust last year and acknowledge why we are sitting here today with no budget with July 1 coming. It is not because of Pennsylvania's schools that we are here. That is being used as a smoke screen. We are here because last year we refused to acknowledge that we had overspent our means. We are here because this state is now running at a \$145-million deficit, with an additional projected \$150-million deficit for next year on top of the problems of Pennsylvania's schools.

All of that has been accomplished during a year when we have collected revenues at the fastest rate, I think, since I have been in this legislature. Taxes are coming in at a fast pace because they too reflect the inflationary trend of the times. It is not just expenses which go up during periods of inflation but it is also the wages of people upon which income taxes are based;

it is corporate profits upon which corporate net income tax is based; it is sales-tax-based items which are inflated in their price and their value.

So we have caught ourselves, and the public is watching us, because we refused to be honest last year. We passed a dishonest budget and now we have to pay the piper, and you have got to pay it because you did it. So when you start talking about responsibility, somehow I think you have an obligation to look at yourself.

Now on the radio, Mr. Speaker, you are playing the same game that we have seen played year after year after year, and some day we have to collectively tire of it. You are saying that if we do not have a budget that that will mean considerable hardship for many state employes and for many people who are poor, elderly, or have dependent children and rely on the Commonwealth for assistance. That is the game. They are the two groups that you like to hold hostage to pass an unfair budget.

Well, I am telling you now that the bill I introduced last night will relieve the anxiety, the unnecessary anxiety, which you are about to place upon the poor, the elderly, and the people who have dependent children, because if we fully fund welfare, which each of us in this House intends to do, we can remove that group of people from this problem rather than hold them hostage and cause them the kind of grief they do not deserve. They are not a party to this, and we have an obligation to get that bill out of committee and pass it and pass it in the Senate so that any problems that we may have, which again are based upon principle and philosophy, will not unjustly harm the people who depend upon us the most.

Stopgap appropriations, which the Senate has already passed almost unanimously, also can relieve, at least temporarily, the state employes who depend upon us for their livelihood.

So do not start using those tactics. We are used to them. They are old; they are tired; they are hackneyed. I do not think the people of Pennsylvania pay any attention to them anymore, and they do not deserve that kind of treatment.

Somehow, you continue to make it appear as though this whole problem is somehow Republican. When you won the election last year, you were tooting the other horn, that we have been given the mandate to run this state, and, indeed, the largest mandate in this General Assembly, at least, in the past 15 years. Now, suddenly, when you come upon a problem, it was caused by the Republicans.

Well, I will tell you something: The Republicans voted against the budget, almost unanimously, upon which we are presently living and which is showing a \$145-million deficit because we knew that would happen and we told you that would happen. That is exactly why we are going to oppose this one.

So why do you not try something new and why do you not call it leadership? Since you have pounded your breast that you have the votes, why do you not put them up there on the board for the massive tax increase that you are asking every member of your caucus to support ultimately when they get that conference report?

That is the problem. You know it; and I know it. Let us not confuse it.

Mr. MANDERINO. I wish I did not have to play games. I wish we would stop the game playing. But you tell me what it is when votes appear on that side of the aisle, green, for bills like HB 593, and red for the money to pay for HB 593, as we witnessed this week in this House. You tell me what it is, if it is not a game, when you proposed and supported amendments increasing the budget that came out of the Appropriations Committee of the House. En masse you supported amendments/spending more money than that bill spent, and you just told me that that bill is going to cause a massive tax increase. You voted to make it more. You tell me what it is if it is not a game to make those kinds of votes and then when the bill comes up for final passage to give one vote. That was a game too. It is unfortunate when we play these games up here, but it is certainly a game when you are willing to vote to spend the money and not willing to vote to pay the bill. That budget is nothing but a list of things the state spends its money on.

You yourself in your remarks, Mr. Minority Leader, indicate that all we would do by the stopgaps or by your bill is to relieve the situation temporarily. Is there not implicit in that that the problem has to be solved and those measures are just as they are called, stopgap measures? Certainly you recognize that. The members of the House recognize that. They are stopgap measures.

What I am trying to do today is get a permanent solution by sending a bill to conference, by getting a conference report, by voting on that conference report and by placing the new revenues in place to pay for that conference report if it spends more money than this Commonwealth is going to take in. That is the responsible position. That is the responsible position that I will continue until the last hour on June 30.

If I have to play games to arrive at a bottom line that is responsible, I will play those games because you taught me to play them.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, who gets the last word?

The SPEAKER. I do.

Mr. BUTERA. All right. Will you make it quick?

Mr. Speaker, I think the gentleman knows exactly what it is that he wants me to explain to him when we express ourselves on amendments, when we express ourselves on school subsidies. That is the first chance that we have had to be involved in this process. We are going to take every advantage of it. We each represent 60,000 people as you do.

Last October I began an attempt to get us more involved in where we are today. I was rejected by the Governor. I was rejected by his budget secretary. I took them to court to ask them for the information that they were receiving so that this House and each member could have information which would have given the structure of the budget as soon as the Governor's office had it. To those of you who are new here, this may come as a surprise: You do not have a right to that information. You might think you do but you do not have a right. The court so decided.

My feeling was very simple. If the Governor would begin to involve those of us in this legislature on both sides in his exercise, not as participants but rather as observers, that we would

have a much better understanding as to how the Governor put the pieces together when he gave us the basic document, which is where we are working from, on February 15.

How did we use up all of the increased revenue that he says is some \$480 million? How did we go beyond that? Why are we in a deficit position this year? None of us really understand that question. We begged for involvement and we were denied.

The budget hearings—that is an interesting circus. The budget hearings—were called 1 week after the Governor gave us his message. Well, nobody even knows what questions to ask 1 week after having gotten that massive document. No one, not even the most astute person in this House on the budget knows what real questions to ask.

The Governor announced that he had done a painstaking analysis of every department, agency and bureau in this government when he presented his budget to us. So I wrote to him and said, please send us your analysis. I have gotten that kind of silence, nothing. So how do I know whether the Department of Community Affairs is working, whether they are producing in accordance with the amount we are giving them? How do I know whether the Department of Revenue is collecting taxes properly? The Governor has the painstaking analysis, and we do not. Maybe you have asked for it too. I do not know. I asked you to the day he gave us his speech. So you have given us an opportunity in a free and open forum and we are expressing ourselves.

Now let me tell you there is one thing you left out when you talked about amendments. You left out the Morris amendment. I wonder why? That was the amendment which painstakingly reduced costs throughout this government. Check the votes on that one and then see where we stand.

One final point because you, I think unintentionally, confused the bill which I introduced last night with stopgaps. I want to make sure that everybody in this House knows that there is a distinct and major difference between a stopgap appropriation and a general fund appropriation, a general appropriations bill or an adjunct to a general appropriations bill. A stopgap is temporary—you are quite right—and anticipates funding at a certain level spelled out in the stopgap legislation. The full-funding bill is a permanent piece of legislation which would never have to be touched again unless the figures in your version of SB 770 regarding cash grants public assistance are wrong, because we took your figures for the full year, no stopgaps, no unnecessary anxieties, no need to call busloads of people to Harrisburg when we all know in here that we are going to fund the poor people of this Commonwealth because we must. So do not be disillusioned by the likeness between the stopgap and the bill which I presented. It is totally different. The bill which I presented is just like any other general appropriation bill. Once it goes into law or becomes law, it lasts for the full fiscal year and provides all the mechanism necessary to keep the poor people at least at the moderate level they are at now.

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

Mr. RICHARDSON. Mr. Speaker, I would like to know

whether or not I might be able to interrogate the majority leader.

The SPEAKER. Will the majority leader stand for interrogation?

Mr. MANDERINO. Before or after the vote, Mr. Speaker?

The SPEAKER. The gentleman seeks to interrogate the majority leader, I presume, now.

Mr. MANDERINO. I will consent to interrogation.

The SPEAKER. The Speaker has been in that position and understands the majority leader.

The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I am raising a question on the amendment that we have before us. I would just like the information from the gentleman as to what this amendment specifically does in relationship to cash assistance for welfare recipients.

On page 15 of this amendment, it indicates that cash assistance is at \$528 million; that the county administration is at \$93,573,000. It lists the claims settlements and the Office of Information and medical assistance and private nursing homes and public nursing homes and also supplemental grants for the aged, blind and disabled. Am I reading this amendment correctly that it indicates all of these would be cut out, Mr. Speaker?

Mr. MANDERINO. Mr. Speaker, I have a view about interrogations on the floor of the House. That view is this: If you want to interrogate me to get information that you do not have, I am perfectly willing to submit the information. If you want to interrogate me so that you more fully understand something that you think I understand, I am willing to be interrogated. I do not think it is proper interrogation when you fully understand what we are doing and I fully understand what we are doing and you are only interrogating me to illustrate a point. You can illustrate that point by just making your comments.

Mr. Speaker, the gentleman wants to know whether or not we are reducing cash grants and reducing nursing homes. The Senate version of the budget had lower figures in it than the House Appropriations Committee figures. I stand foursquare behind the figures that came out of our House Appropriations Committee. That is the version of the budget that I think is an adequate budget. I said that a hundred times, Mr. Speaker, and you know that I said that.

I have also said that all we are doing by this particular move that we are making this morning is ensuring that SB 770 goes to conference so we can fight for our position in conference and come back here with a report that everyone will have an opportunity to vote on finally. I do not really know what differences there are in the specific line items in that budget. You have read them; you can see what the difference is in the Senate version and my amendment. That is not important. What is important is that we get this bill to conference. I do not know whether you understand my answer, Mr. Speaker, but that is my answer.

Mr. RICHARDSON. So I would understand then, Mr. Speaker, that the answer is "yes" to all that you said. You are saying "yes," that the cash assistance and the other programs which I have read off are cut out of the budget completely.

I also would like to know, Mr. Speaker, whether or not, under education, the moneys are cut out completely for the funding of the two subsidy bills that we have been concerned with for the entire amount of time, those being HB 593 and HB 1075. Would also this amendment take out the moneys for that particular grant for education, Mr. Speaker?

Mr. MANDERINO. Have you read the bill and my amendment?

Mr. RICHARDSON. I am trying to understand it. I am raising the question as to whether or not—

Mr. MANDERINO. The Senate version of the budget did not contain those amounts to the best of my knowledge. My amendment does not contain those amounts.

Mr. RICHARDSON. So you are saying to us, Mr. Speaker, that under the Department of Education that the moneys then for HB 593 and HB 1075 are not included in this amendment?

Mr. MANDERINO. That is correct.

Mr. RICHARDSON. Mr. Speaker, also for the mentally ill persons in the State of Pennsylvania, would not also this amendment strip the Commonwealth of the moneys that are also in this particular amendment?

Mr. MANDERINO. This amendment takes the Senate version of the budget. You read the Senate version of the budget because you offered amendments to it, Mr. Speaker, and I think you are in an area of interrogation that you know the answer to what you are asking and you can use your answer.

Mr. RICHARDSON. I think if you remember correctly, Mr. Speaker, we on this side of the aisle decided not to offer amendments, so I did not offer any amendments. I think that is an erroneous statement.

Mr. Speaker, I raise this question with you because I think the information that we have been receiving—and I just got a phone call from our district—concerning the fact that there seemingly is some support for an amendment that does not have the cash assistance and the support that does not have the moneys in it dealing specifically with our education bills for the city of Philadelphia. I am just wondering, Mr. Speaker, what assurance do we have that in voting for this particular amendment that we will get the conference committee that is necessary in order to just clear up the budget part of it, because I earlier tried to make a move to get HB 1075 and HB 593 voted on before we got to this point? I would just like to know the rationale, Mr. Speaker, as to why we moved in this direction instead of moving in the other direction. I think it is a valid question.

Mr. MANDERINO. I think that state government and the funding of the general fund budget is our primary obligation. I think we are trying to meet that primary obligation by getting this bill to a conference committee.

I, as you, Mr. Speaker, would like to see HB 593 and HB 1075 enacted, passed in this House and sent to the Senate. Unfortunately, it is my opinion at this time that the time is running short for the budget by the end of the year, and I have determined a course of action to send this bill to the conference committee. That is not to say we will not continue to work on the school problem.

Mr. RICHARDSON. My question to that, Mr. Speaker, is,

when will we do it? After the 30th of June or before then? We have tried on several occasions to meet with the proponents of HB 593 and HB 1075 to try to work out whatever solutions are necessary. In this amendment, Mr. Speaker, I just believe that it is a sell-out to our people back home to just vote for an amendment to strip down the present budget as it presently is and then send it over there to the Senate with hopes and prayers that maybe it will go into a conference committee, and then perhaps maybe we will get some of the things to help solve the problem of the state workers of the Commonwealth of Pennsylvania. I have not heard you say that that is a guarantee that that will happen. We are guaranteeing the rest of the members of this House that that will happen. Mr. Speaker, I just in good faith cannot move in a direction where we are totally in the blind and do not know what is going to be the next step. I raise the question to you, the majority leader, what do we do in the event that this does not move into a conference committee? What is at stake for the members of this House and the State of Pennsylvania?

Mr. MANDERINO. If this does not move into a conference committee, we will be exactly where we are right now.

Mr. RICHARDSON. So then, Mr. Speaker, by your answer, you are also affirming the fact that there is no guarantee that this will move into a conference committee, but you are just hoping that perhaps this might be a vehicle or operation by which that could happen? Is that what you are saying?

Mr. MANDERINO. Mr. Speaker, I used to think I was sure the sun would come up every morning.

Mr. RICHARDSON. It does.

Mr. Speaker, I am in a very serious mood and I just think that what we are being asked to do at this point in line with the budget is to move in direct opposition to the moves which we did yesterday and on Friday. We are everyday being accused of switching. Orders from headquarters are—

The SPEAKER. The gentleman may proceed, but the Chair advises the gentleman to restrict his remarks to the amendment which is the only question before the House.

Mr. RICHARDSON. Yes, Mr. Speaker.

Mr. Speaker, I have one more question and then I would like to speak on the amendment.

Mr. Speaker, would, in your judgment, the amendment that you have proposed to this House in any way give the assurance to the number of persons who are witnessing our actions and sitting here in the chamber of the House of Representatives to really clearly answer the budget problems that are presently facing this Commonwealth of Pennsylvania?

Mr. MANDERINO. The only thing that will finally solve the budget problems which are facing the Commonwealth of Pennsylvania is a bill on final passage in the House and the Senate which seeks to fund the Commonwealth. We are not at that point now. Sending SB 770 to a conference committee, in my opinion, is the only way to get to that point before the end of the fiscal year. That is what I propose to do.

If you want me to guarantee you that this is going to a conference committee, I cannot give you my blood, but if this does not go to a conference committee, there is not a bill that you can conceive of that will go to a conference committee.

Mr. RICHARDSON. Mr. Speaker, I would like to make a few remarks on the amendment.

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

Mr. RICHARDSON. Mr. Speaker, we have been laboring here for long periods of time dealing specifically with the question of how soon we would pass a budget, whether we will pass it before June 30, or whether or not the state would be in such a state of confusion that not only would state workers be affected but also a number of school districts in the State of Pennsylvania would also be affected.

I am concerned that this amendment which we are proposing today, as yesterday, does not meet and address itself to the problems relating to our Philadelphia schools as well as the other schools in the Commonwealth of Pennsylvania.

I asked the majority leader specifically as to the cash grant assistance and other concerns which were raised by a number of members in the House concerning whether or not that would be in this particular bill. He says, no, that is going to be stripped out and sent over to the Senate in hopes that it might go to a conference committee. I do not see the logic or rationale in that.

I believe there is a strong belief that the problem that is facing our city and facing our state at this present time is one of impasse, and that we have at this point seen that a number of the members are concerned about getting a budget. I think a number of the members want a budget. I do not feel that in good taste I can vote in favor of this amendment this afternoon because of the fact that we have raised the question with the members of this House as to what we are going to do about the problems of the children of this Commonwealth, particularly in the city of Philadelphia.

We raise this question to you. We have asked that HB 1075 and HB 593 be voted on so that we, in fact, can do something to try to help—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. ZELLER. Mr. Speaker, we are back to the 10-minute rule, right, or are we still on the 3-minute one?

The SPEAKER. The 10-minute rule? What is that?

Mr. ZELLER. In other words, for an individual on the floor of the House, is it any length of time they can speak? Are we on the 10-minute or 3-minute rule or hour rule?

The SPEAKER. The rules of the House, Mr. Zeller, as the Chair interprets them, do not limit a member as to the time he may speak on any given subject. The rules delimit him as to the number of times he or she may speak.

The gentleman is speaking for the first time on this subject matter and, under the rules of the House currently in force, the gentleman could be recognized for a second time on the same subject matter but not thereafter.

Mr. ZELLER. In other words, Mr. Speaker, we are off the Friday rule of 3 minutes, and now we are on the eternity rule.

The SPEAKER. The Chair does not wish to speculate on eter-

nity for members of the House of Representatives.

Mr. ZELLER. I can appreciate that. The reason I say it is because of the fact that I was under the impression that there was a 10-minute rule—and I stand corrected—in regard to not only the interrogation but addressing the floor. We have been scolded before. Many of us have been scolded, but Mr. Richardson just keeps going on and on and on and on. I have more important things to do and I would like to be allowed to go up to my office and get some important things done.

The SPEAKER. The Chair would advise the gentleman that his remarks are out of order. The gentleman, Mr. Richardson, or any other Representative has a right to the floor to speak at whatever length he or she chooses as long as that person is speaking to the question at hand. The Chair has endeavored to keep each debate to the question at hand and the Chair will continue with that endeavor.

The gentleman, Mr. Richardson, may proceed.

Mr. RICHARDSON. Thank you, Mr. Speaker.

It is quite sad that I keep being interrupted. The gentleman is certainly not aware of what is going on and certainly it would seem to me that we should have an opportunity to address this House on concerns as I have seen him do on many other occasions, and he has been given the latitude to do also the same. I would appreciate the indulgence of the members of the House.

Mr. Speaker, if I may continue, I am quite concerned with the fact that we are in serious trouble. I have viewed the crisis of this state and our city of Philadelphia as being one of the most serious problems that the Commonwealth has ever seen in its history, particularly as it relates to our schools and the school question of our children. I emphasize that because I keep seeing that somehow being lost in the shuffle.

It seems to me that we are saying that our primary concern is to get the budget out of the way and make sure that we take care of the budget, send it over and hope that it goes to a conference committee. If it goes to a conference committee, then everybody else will go home, and come back and vote on it, and then nothing would have been done about the school question at all.

It would seem to me that perhaps we should look at the entire package. I am saying I am willing to sit down and meet with anyone who is willing to sit down and meet to discuss some other options and be able to resolve the problem, that is, dealing with the Philadelphia question, as well as this particular budget amendment, without the need to send it over to the Senate with the hope that it will go into a conference committee without any assurance of dealing with the Philadelphia question or dealing with the problems which relate to the rest of the state as does welfare. As we talked about it before, a number of members are using that as an excuse now that we have to worry about the welfare recipients. We have been saying that all along. We said they get \$1.19 a day to live off for food, while legislators get \$44 a day per diem to live off. There did not seem to be too much concern about what we were going to do about those individuals.

The Bureau of Labor Statistics' lower budget has indicated that we are nowhere near taking care of the individuals in this Commonwealth the way we are supposed to. But at any rate,

we talk about cutting this out in this particular amendment in the hopes that, maybe, over there in the Senate they will do something. They originally cut it.

I think we should act as responsible men and women to really begin to negotiate like men and women on the real problem. And that problem relates to the fact that there are a number of individuals who say they have some concerns about HB 1075 and HB 593. We should try to act as responsible as possible dealing with those particular bills in this House.

We have tried to show that we are not controlled by the administration in downtown Philadelphia but, we are controlled by the fact that our children are the ones who are being hurt, and we would do whatever is necessary to try to help save our children.

We would hope that the members of the House would also be in the same position to try to help save our babies. But I see—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. STEWART. Would the Chair ask the gentleman to keep his remarks on the amendment?

Mr. RICHARDSON. It is on the amendment.

The SPEAKER. The Chair would advise the gentleman from Philadelphia not to stray from the question before the House, which is whether he supports or objects to the amendment.

The gentleman may proceed.

Mr. RICHARDSON. Thank you, Mr. Speaker.

I guess I could go over it line item by line item and then I would be speaking specifically to the amendment. I was trying to speak on page 15, if the House wants to follow me, concerning cash grants. I will go directly to that, but now I will turn back to page 9 on education and speak directly to that. I can do that but if I keep being interrupted, I will never be able to finish my remarks.

Mr. Speaker, we are faced with a situation in this state that seems to me to be totally irresponsible for dealing with the real problem. It seems to me that all the subterfuge and other maneuvers that are being used are being used only for us to get away from the truth of what is happening in the Philadelphia and what is happening to our children in Philadelphia.

Everybody knows that if we send this budget over to the Senate in the form that is being proposed to us now, there is no hope in saving our schools in Philadelphia.

I would just say that unless there is some change in the majority leader's reasoning, I would have to vote down this amendment and ask that the other members do so so that we can really get to the serious question that is in front of us dealing with HB 1075 and HB 593 and move them to try to do something to really solve the problems of this Commonwealth of Pennsylvania. That is not to negate the fact that 10,000 state workers could be laid off if we do not pass the budget, as well as the fact that in the city of Philadelphia they are also talking about laying off 10,000 employees there.

It seems to me that the issue is quite clear at this point. The children in the city of Philadelphia are a minority, black and Spanish-speaking. We raised this question before on the floor of this House indicating that we see the little signs of racism against our children being sent to them on a daily basis.

It seems to me that if we, as yesterday, are concerned about helping all of the little children in this Commonwealth, maybe we will move in some direct action to try to save their education. Why should they be deprived of their education? No one else in this room has been deprived of theirs. This amendment, in my opinion, Mr. Speaker, does not address itself to the real needs of solving the problems of the State of Pennsylvania.

Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith, to speak upon the amendment.

Mr. L. E. SMITH. Mr. Speaker, you all know that I never take this microphone to make pure partisan speeches, and this is not one either.

With this amendment, I see a characteristic developing here that apparently has been under the surface for a long time. I think the characteristic is best described by the word that Archie Bunker made a household work, "stifle."

You have said to us from the beginning, from January, stifle. We do not want any part of your information; we do not need your cooperation; we do not care what you think.

Last week when we tried to offer amendments to this bill, the word was stifle; we have the votes.

In the bill that came out of committee, you took \$300,000 from the minority; stifle. Fire 30 employees; we do not care if you have money to raise the salaries for the rest of your staff. All we want to do is stifle you.

There are many of us on both sides of this aisle who have fought for the rights of the minority most of our adult lives, and some of you people ought to realize that if one minority can be stifled, you can all be stifled. This amendment says to the Senate, stifle or we are going to cut off your funds.

Mr. Speaker, I would like you to answer how you expect us to cooperate, how you expect us to be a part of the process when all you say to us is, stifle.

The SPEAKER. Does the majority leader want to reply to that?

The Chair recognizes the majority leader.

Mr. MANDERINO. When the House Appropriations Committee held its hearings, it specifically invited the minority leader to come and give his views. He did not find time to do so.

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

Mr. SELTZER. Mr. Speaker, I am not privy to your caucuses nor do I believe that I should be privy to them, because I still believe in the sanctity of the caucuses. So since I am not privy, I do not know what goes on there or what your leadership has told the members about a conference committee report.

If you older members know what I am going to say because you have experienced this, will you must be at ease for a moment and let me speak to some of the newer members who may not have had this experience.

Let us assume that this amendment goes in, the bill is passed and the Senate nonconcur. The bill is now in a conference committee. There is no doubt in my mind that the majority party, the leadership of the House and the Senate, can have before this House and the other body a conference committee report before the end of this fiscal year. But where does that leave you? That leaves you with one choice, to vote "yes" or "no" on the conference committee report. You have no opportunity to offer amendments; you have no choice in what is in that conference committee report; you will have no opportunity to make any changes. You will vote either "yes" or "no" before June 30.

I will tell you what that conference committee report is going to be like. I cannot give it to you in detail, department by department, agency by agency, commission by commission, but it will be higher than any budget or any appropriation bill that you have thus far voted on. If I am in error, I will apologize, but I will apologize only because I make my judgment from history.

This General Assembly, in its wisdom, never supports conference committee reports less than either body has agreed to spend. We, in our wisdom, always take the best out of both the House and the Senate versions and put them together and come up with a conference committee report, which in the end is higher and costs more money.

So not only will you be voting "yes" or "no" on a conference committee report that costs more money and spends more money and will have no input into what it will say or do, but you will now be asked to support a tax measure or measures raising \$300 million, \$350 million, \$400 million without any school subsidy. That is not unusual. We have done this before in this General Assembly, and it possibly will be done again, including a few days from now, this week, before this week is over, before this fiscal year is over.

This is an unconscionable amendment. I am not here to defend the other body, but just think what has been suggested that you do. It is suggested to you that you whiplash, that you blackmail the other body into supporting your leadership's position on how they feel the money should be spent. It seems strange that your leadership is willing to put your backs to the wall, your votes for taxes on the line for whatever reason they are suggesting that they do it.

The members of this House, believe it or not, were elected to represent a district. We all have our own districts. I do not like to be any more partisan than I am, but I am a partisan member of this House. I guess we all are and should be. I do not like to use the word "rubber-stamp" because it is an old cliché, but that is what we will be asked to do when a conference committee report comes back; we will be asked to rubber-stamp whatever has been decided upon by the conferees.

Mr. Speaker, I do not think the new breed of legislators in Pennsylvania or all over this country believed that that would ever happen to them when they ran for office. The stars were a little brighter, and I hate to see the stars dim in their first year, in their first experience in a budget fight. I do not think that many of the new members will be willing to put up with this.

Mr. Speaker, if you exercise your responsibilities as a legislator, you will vote "no" on the amendments, and if the amendment goes in, on the bill. But if you would rather continue to be

a part of the discussion process, the decisionmaking process, rather than to turn it over to a few, you vote "yes". I am voting "no." I ask that you vote "no" because I think it is the right thing to do.

Mr. Speaker, these are difficult times. They are difficult not because we cannot decide really how to spend the money, but it has not been decided yet which 102 members of this House of Representatives are going to vote for the taxes to pay for what the conferees are going to suggest we spend. Your vote today is not really on how we are going to spend; your vote today is on how we are going to fulfill the needs of our spending through the enactment of additional and new taxes.

Mr. Speaker, this is a difficult decision you are going to have to make. I have made mine. It is easier for me to make it because I am of the opposite political faith, but it might be better for you and for your district if you vote the same way I do.

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

Mr. TRELLO. Mr. Speaker, I rise to support SB 770 with the Manderino amendment in it. I stand here confused. This week we voted on SB 770 with hundreds of millions of dollars in it for human service programs and to keep the departments going and we voted it down.

We voted on SB 770 with no money in it to hold the tax line, the Senate version, and we voted that down. Now we have another version of SB 770, and there is talk about voting this down.

I do not really agree with the way we are going about getting our budget solved for this year, but I think we have to be responsible to the people in our district.

There was a lot of talk here today about playing games. I have been an elected official for the past 15 years, all my adult life, and only once in that 15 years was I in the minority, and it was for a period of 6 months. I can honestly say I had more fun in that 6 months being in the minority than I ever had in the other 15 years. So I can appreciate the views from the other side of the aisle.

There is a lot of talk about different areas, and I can respect every Representative in this hall for representing the people in their district, but there are 12 million people in this great Commonwealth of ours. When this conference report comes back and, if the people in my district do not get their fair share in proportion with the other areas of this state, then the answer is very simple. I am going to vote against it just like everybody else.

I refer to my district as my little corner of the world. My prime responsibility is to take care of those people. But you have to look in the mirror and ask yourself one question on the budget.

I visit the Western State School and Hospital quite often back in western Pennsylvania. For those who are not familiar with Western State School and Hospital, it is a hospital for the mentally retarded, the handicapped. I visited there 1 day and I was absolutely amazed that there are 35- and 40-year-old adults who are wearing diapers who have the mentality of a 1-year-old or an 18-month-old. If something does not happen with this

budget—these people are being taken care of on a one-to-one basis—and money does not go there to provide these human services that society is responsible for—and we must provide those services as Representatives of our districts—a lot of those young kids in the mental health and retardation programs are going to lose the one-to-one program that they have to keep them alive and service them.

You look yourselves in the mirror and find out if we are playing games or if we are playing politics. If you want to be responsible to the will of the people, then you vote right, because if this bill does not come back from the conference committee with the right amount of money to take care of all these services, then in all sincerity vote against it. But if it does—and I noticed a lot of people this week have voted for amendments adding hundreds of millions of dollars to SB 770 and other bills, but when it came time to vote for it, they voted against it. When you buy a new car, you have to pay for it. If we have services to provide, we have to pay for that, too.

So why do we not look in the mirror and say to ourselves, look, let us forget about what side of the aisle we are on; let us just concentrate on the people who need our votes to provide them with services that are so desperately needed and bring the bacon back home to our districts. That is about all, Mr. Speaker.

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

Mr. COWELL. Will the majority leader allow himself to be interrogated?

The SPEAKER. The majority leader indicates he will stand for interrogation.

The gentleman from Allegheny may proceed.

Mr. COWELL. Mr. Speaker, awhile ago you were interrogated about certain line items and there were alleged deficiencies in those line items, including cash assistance grants, medical assistance grants, mental health and a couple of others. Is that correct?

Mr. MANDERINO. Yes.

Mr. COWELL. If this House would choose to reject your amendment and instead, at some point in time, choose to revert to a prior printer's number, would those numbers be any different then they would be as a result of your amendment?

Mr. MANDERINO. No, the lowered amounts were in effect. It is difficult to understand the questioning which Mr. Richardson had because the bill that came out of the Appropriations Committee added substantial moneys to the human services field and welfare, et cetera. He voted against this bill, too.

Mr. COWELL. If this House would choose to reject your amendment and instead would resort to a prior printer's number and accept that version and send it to the Governor, in your opinion would the likelihood of this House, together dealing successfully with the Philadelphia school problem and a number of other school questions, be enhanced or would the likelihood be decreased that we would successfully deal with that problem?

Mr. MANDERINO. My opinion is that the likelihood would be decreased.

Mr. COWELL. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. COWELL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COWELL. Mr. Speaker, I know it is not in order at this time, but would it be in order after this amendment is acted upon, particularly if it is defeated, to make a motion to revert to a prior printer's number at that time?

The SPEAKER. It would, indeed.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I would like permission to make a remark, if I may.

The SPEAKER. The gentleman may proceed.

Mr. COWELL. Mr. Speaker, I am going to urge that we adopt the Manderino amendment to SB 770 at this time.

Last Friday I spoke against SB 770 in its form at that time. Yesterday I voted for the Manderino amendment and I intend to do so again. There are certain basic differences between the Senate bill as it currently exists and as it was posed to this House last week and as it would be posed if the Manderino amendment would be adopted. I would like to make note of those.

The first basic difference is that we are talking about a difference in spending level of approximately \$½ billion. If this House would have adopted the bill last Friday evening, it would have been endorsing a proposal, even though we realize it would go to a conference committee, that would have included approximately \$½ billion above and beyond that which was posed by the Senate when it successfully adopted SB 770. I do not think we should do that. Today, though, we are talking about considering the possibility of adopting a budget that would be different from the Senate's but the spending level would be substantially the same.

I would contradict something that somebody say yesterday, and I believe it was Mr. Mullen. Mr. Mullen stood at the mike down front and said that a majority of the members of this House think that we have got to spend a lot more than what was in SB 770 as it was passed by the House. I am not certain that is correct. I would note that that type of proposal got only 71 votes last week. I think a proposal to revert to a prior printer's number or something that would be substantially similar to what the Senate bill posed would probably pass this House. I think that says something about the sentiments of the majority of this House in terms of the spending level for the state. I think we should keep that in mind.

If we would adopt SB 770 with the Manderino amendment, I think we would be saying that this House has a certain attitude about what the spending level ought to be. I think it is important that we express that, even though we realize it is going to go to a conference committee and they are going to shuffle figures around. I wish I could be a part of that conference committee or I wish I, as I said last Friday, could have a more full opportunity to participate intensively and directly with all those specifics. I realize that most of us will not have that, but I want to express that opinion about what that spending level

ought to approach. Again, we reserve the right to accept or reject whatever kind of report finally comes out of that conference committee.

If they do not heed our suggestion, if they do not heed that general message that we send when we adopt SB 770 in the Manderino form, then I think there is a very great likelihood that this House will not respond to the crisis which will occur on Thursday evening, but we will instead reject the conference report. I am quite confident that we will do that, because I think we have a different breed of legislators here today. They will not respond to that contrived crisis.

In addition to that, I think there is another point that needs to be made why the Manderino amendment ought to go into SB 770 and why that new version would be more desirable than what was presented to us last week.

The Senate has been playing a game with us for the last several months. They passed SB 770, a barebones, no-tax type budget. They have been running around for the last couple of months saying, well, it is the House's ballgame to play with now. They might force us up but we are going to fight them every inch of the way.

If we would adopt SB 770 as it was proposed last week, we would have effectively been sending to a conference committee a bill where there would have been a \$500-million difference between their position and our supposed position. I suspect that out of that conference committee there probably would have come something that very closely approached our level, that higher level. I think the Senate would have publicly struggled with that, but in the end I think they would have agreed to it. But they would have pointed a finger at the House and said, they made us do it on June 30 at midnight. They made us do it and they made us very reluctantly pay for the higher taxes. I do not think we ought to give them that kind of cheap opportunity. I think we ought to give them a base level that is quite similar to what they adopted over in the Senate several months ago, something quite similar to SB 770 as they adopted it.

If a single dollar is to be added on top of that, they should work hand in hand with the House conferees to add that dollar, and they should share in that responsibility. The Senate, as somebody suggested yesterday, will have to first vote on that conference report and put their votes on the line, and then we reserve the right to accept it or reject it.

So at this point, for a lot of reasons, particularly because we are getting close to the deadline and particularly because I think we can express very strongly our attitude about what the state-spending level ought to be, approximately anyway, I would urge us to adopt the Manderino amendment so this process can move along.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission for Miss Sue Klemens from UPI to take still pictures for 10 minutes on the floor of the House.

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

Mr. HELFRICK. Mr. Speaker, I rise to speak in opposition to

this amendment. We have had months to work on this budget and we have done practically nothing on it, nothing whatsoever that could be construed as being really constructive.

Last week the majority party decided to vote down every Republican amendment without debating the merits of these amendments. We all know that was ridiculous. I feel certain that if we would have continued with the process, as we were designed to do here, we would be in a position to vote SB 770 today. The majority leader claims he is worried about the poor. I can hardly believe this. When he would not even let us debate the merits of our amendments, how can anyone be interested in the poor?

There are 203 of us elected to decide on this budget. I can in no way turn my responsibility over to four people and I would ask the rest of the members in this House to accept their responsibility and continue to work for the good of the people by using their vote to work seriously and conscientiously on this budget. I urge the members on both sides of the aisle to accept this responsibility and continue conscientiously to work for the budget as they see fit. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I request permission from the majority leader for him to consent to a brief interrogation.

The SPEAKER. Will the majority leader consent to interrogation? The majority leader indicates that he will stand for interrogation, and the gentleman, Mr. Williams, may proceed.

Mr. WILLIAMS. Mr. Speaker, I have two brief categories of interrogation and they will be brief.

Did I understand you to say that your sole purpose in this amendment was to make sure that the bill got to a conference committee?

Mr. MANDERINO. Absolutely, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, do I also understand you to say, in answer to Representative Cowell's interrogation, that to get this amendment to a conference committee it would increase the possibility of the schools, including Philadelphia, to get their needed funds for public education?

Mr. MANDERINO. I think the question was posed in this manner: If we did not get SB 770 to a conference committee and a move to revert to a prior printer's number, which was the version of the Senate budget as it came to us, SB 770, if that occurrence took place, would the chances of the school problem being solved be enhanced or would the possibilities be less? And I said, in that eventuality, it would be less, because in some fashion, some poor fashion, some fashion that would require thousands of layoffs and deep cuts in social welfare programs, the budget would be on the Governor's desk. As far as I can see the matter, that would be the end of the ballgame.

Mr. WILLIAMS. Mr. Speaker, maybe I did not understand your explanation and I wonder if you could make it more specific so that I could understand why you think there is a difference in the success or the failure, in regard to welfare or public education, if you had the prior printer's number or this particular amended version? What is the difference?

Mr. MANDERINO. This particular amendment is designed to get the bill to conference committee.

Mr. WILLIAMS. Okay.

Mr. MANDERINO. If the Senate bill were accepted by a prior printer's number, there is no reason for it to go back to the Senate. It goes right to the Governor's desk. Once the Governor has signed the bill and cut into the employment of the state by some 10,000 or more employes and taken his blue pencil and blue-lined items in the budget to cut back \$160 million where he thinks that it should be cut, I think the ballgame would be over.

Mr. WILLIAMS. That assumes, does it not, that this House would pass a bill like the Senate—the prior printer's number—and the Senate would then—

Mr. MANDERINO. That was the assumption. That was the hypothetical.

Mr. WILLIAMS. The assumption would then be that the Governor would then sign such a bill, is that correct?

Mr. MANDERINO. That would be my guess.

Mr. WILLIAMS. Mr. Speaker, one other line of this interrogation.

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

Mr. WILLIAMS. With regard to your effort to get it into a conference committee, is there any reason whatsoever why this bill could not go to a conference committee with the amendments that are in it for the programs such as welfare, for the programs such as public schools, HB 593 and HB 1075? Or assuming that we kept the programs in as they presently exist and assuming we ran HB 1075 and assuming we ran HB 593, is there any reason why we could not devise a way where we could still get the bill to a conference committee?

Mr. MANDERINO. Mr. Speaker, we did run a bill such as you described this week. It was SB 770.

Mr. WILLIAMS. Mr. Speaker, maybe you did not understand my question, and that is, we ran SB 770 with the programs in it and also ran HB 593 or HB 1075, whether they were defeated or not—I guess my question assumes that we vote on SB 770 and we also run a vote on HB 593 and HB 1075, whether up or down. Is there any reason why we could not get that to a conference committee?

Mr. MANDERINO. I wish I understood your question but I do not.

Mr. WILLIAMS. What I am saying, Mr. Speaker— Maybe you can answer if I make a statement.

One of my personal objections—and I do not know other member's objections. People have different reasons for voting for the budget—is that the budget was presented without ever giving some of us a chance to present to this House two pieces of legislation of very basic concern to public education. And not having given us a chance to do that, of course, we had very direct opposition to the bill for other reasons, including welfare grants, as Mr. Richardson pointed out.

I am suggesting that just maybe the leadership does not understand the different characteristics of opposition to SB 770 as run Friday. I am merely saying, is there any reason that if we did run HB 593 and HB 1075 and we then ran SB 770 with the programs of welfare and everything else in it, is there any

reason why we could not devise a mechanism to also insure that it will probably go to a conference committee?

Mr. MANDERINO. The only mechanism that I am aware of that will get any bill to a conference committee is 102 votes in this House. And what you described, Mr. Williams, in my opinion, at this time would not get 102 votes.

Mr. WILLIAMS. I am talking about one of those votes, Mr. Speaker, for SB 770. Maybe you do not understand. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. We are once again offering a budget which several months ago we called "irresponsible." Once again, it seems to me that I do not know why we have wasted all the time and put in all this wisdom to do what we could have done then. There is just no commonsense reason why, for all those months, all these brains in this House could not do in 5 minutes what we are attempting to do in a crunch.

Now my understanding of a conference committee is that historically in this country when two legislative bodies differ substantially on substance issues, then they go to a conference committee and try to work out those differences. All we have done here today is that we agree with that bill that cuts human services. We agree with that bill which does not include anything with regard to public education funds. We agree with everything. But we are going to take one item, one very practical item, which we all disagree with and send it to four people to decide whether or not we shall have funds for criminal investigations, to decide whether or not they think we should have funds for public education, to decide whether or not they think we should have increased or decreased funds in welfare, all the way down the list to drug and alcohol abuse. Now Mr. Speaker, if that is the process, I think that the taxpayers would save a lot of money if we did that several months ago.

We have asked from Philadelphia and others have asked from their areas of concern for an opportunity to get some attitude of this House, as Mr. Cole said. We have asked for the opportunity to send over to the Senate whatever it is, whatever it is that we think.

Now I did not ask Mr. Manderino whether or not that conference committee could assure me or you that we would get some funds for Philadelphia education. I did not ask whether or not there is some assurance that they will cut, reduce or increase welfare payments. I did not ask whether or not we had some assurance that those four people would restore funds for drug and alcohol abuse. I did not ask whether or not we had an assurance of many programs that we are all concerned about which will in fact be restored. And we do not have that assurance.

I, for one, Mr. Speaker, believe that this House, in debate and for whatever reasons anybody decides, should decide whether or not those programs go in or come out and whether or not a conference committee may change it and bring it back to us.

Mr. Speaker, many of us from Philadelphia have said that we are so concerned and so scared that this state or four people will uphold monies that we will need really badly. Nothing in those several months had given us any assurance of even serious political concern about those matters. At the final

hours we are told, okay, trust us and four men. I have no reason to do that, Mr. Speaker. What is being presented to us by way of amendment is a total contradiction in terms of our obligations with regard to time and a responsible budget.

I mean to say two things. It is obvious that we could have done that before. And number two, it is also obvious that in the next couple of days we can do whatever we want to do to send the bill that is halfway responsible to the Senate rather than to be a laughing stock of this State. And moreover, I reiterate Mr. Richardson's concern that it very well may sell out Philadelphia with regard to our foremost need.

One final observation, Mr. Speaker: I do not accept some of the comments that I have heard from Democrats, not from Republicans, on this side of the aisle. They have said to Philadelphia, you guys cannot not vote because we will be mad at you. Well, Mr. Speaker, we have got enough of that already, and I would rather have it up front than from behind.

And number two, if you watched that vote last Friday on SB 770, Mr. Speaker, every Philadelphian voted in favor of it with the exception of three. I hope you know our reasons.

But the other Democrats who are now talking the opposite, voting against this, your members voted against it. Philadelphia as a bloc voted for it then. So those tongues that criticized Philadelphia for holding something up, thank God we had enough sense within 2 days to understand that we did have a vote and held them tight and together. I do not know what happened overnight, but for the first time our delegation did something respectable.

I would suggest that when Mr. Cole says that he voted against it because it was too much, he only talks about the composition of this body. Some voted against it because it was too little, and not one of us has a monopoly on what is absolute. And so I say, do not say to us from Philadelphia that, as politicians and Representatives who have an obligation in our human area, we do not need some indication from the Democratic caucus that our needs will be taken care of and I do not see it in this amendment.

I would suggest and recommend, Mr. Speaker, and Mr. Majority Leader, that a better alternative very well may be to withdraw your amendment, take what you had last Friday, run HB 1075 and let us vote it up or down, let us run not HB 593 and let us face that proposition in the open. Then you might have some of us, who feel in opposition to your suggestion, support for a budget because we feel your concern about public education and welfare recipients.

Mr. Speaker, I do not agree with the voices in the minority over there who have said we have begged for involvement and we have been denied. I do agree with those voices who say that we should do something today that is responsible and recognize the contradiction in this very, very step that we called irresponsible just a couple of months ago.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Brunner.

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

Mr. M. P. MULLEN. Mr. Speaker, I would just like to make a few remarks.

First of all, I do not like the course of action that we are following. However, we have no other course that we can follow. We in the Democratic side are split different ways and, of course, we all have different viewpoints. That is good for the Commonwealth because we represent our particular areas.

Now the problem that we face, we could not get SB 770 passed the way that we had it last week, and no matter what we did with SB 770 this week, except this particular course of action, we would not have a chance to pass it. Now by passing it with this amendment, we have a responsible chance now of having the bill go to a conference committee, and this is a great advantage because it is going to bring everything to a head. I do not think anybody is going to vote for this bill when it comes back from conference committee unless we have an overall solution to everyone's problems to the best of our ability. Everyone is not going to get what they want. We do not expect to get everything we want. I do not think anyone in this House does, but we have to arrive at a time when we have to compromise in the spirit of friendliness and the spirit of solving the problems for the people of the Commonwealth, and I think this is the vehicle to do it.

I can visualize that even if we do reach a compromise in the committee, we may not be able to adopt a budget, but we are taking a step in the right direction. Of course, we are going to have to ask for support from our Republican friends. They are going to have to recognize that they are going to have to participate in a solution to this problem, as they always do. Whether you are in the minority or the majority, when you get down to the final days and you get down to solving the problem, you have to participate. Now whether you are for additional taxes or against additional taxes or for more money in the budget or for less money, everyone is going to have to participate and they are going to have to recognize that they represent an individual district, but what is more important is that they have an obligation to solve the problem, the total problem for the State. This is the only way we can do it because this is the only way we think that we have a reasonable chance of solving the problem, because as I said a minute ago, I do not think we could get SB 770 over there in any other way.

So I hope that Hardy and Dave and all the other boys, who may have doubts about this course of action, realize that we have no other course to follow. We have explored every other course. And those who disagree with us from Philadelphia, they have no other course of action. We have to try to solve it. So let us vote for the amendment and try to get the bill into a Conference Committee and then try to resolve all our differences on everything when we get the report back.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. Mr. Speaker, would the majority leader consent to a brief interrogation, please?

The SPEAKER. The majority leader indicates that he will stand for interrogation, and the gentleman from Montgomery may proceed.

Mr. PYLES. Mr. Speaker, it is my understanding—and correct me if I am wrong—that each line item in your proposed amendment, including the amount of money proposed for those line items, is exactly the same as the Senate version which was printer's No. 823, except that under the provisions for the legislative department, the Senate moneys are removed. Is that correct?

Mr. MANDERINO. Yes.

Mr. PYLES. Then am I to believe, Mr. Speaker, that on the line items such as, cash assistance, which in your version shows \$528 million, that is the same as the Senate version?

Mr. MANDERINO. Does that give you some concern, Mr. Speaker?

Mr. PYLES. I am asking. I asked a question.

Mr. MANDERINO. Well, you know, we had a different figure on that line item when we voted the budget last week or this week, and you did not vote for that either.

Mr. PYLES. I am asking, Mr. Speaker—

Mr. MANDERINO. Do you know the answer to the question that you are asking?

Mr. PYLES. I need the answer from you, sir, otherwise I would not have asked for an interrogation.

Mr. MANDERINO. I have read that document and you have read that document. Do you know what I am providing for cash assistance in this document? If you know the figures there and if you read SB 770 the other day, you know what figure was there, and this is the kind of interrogation that I will not stand for.

Mr. PYLES. Thank you, Mr. Speaker.

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, I refer you to rule 48.

The SPEAKER. Just by coincidence the Speaker has rule 48 in front of him.

Mr. PYLES. Rule 48 is regarding the conference committee, and I would like to read it and ask a question.

The SPEAKER. The gentleman may proceed.

Mr. PYLES. "All Committees of Conference shall be appointed by the Speaker and shall be composed of three members, two of whom shall be selected from the Majority Party and one from the Minority Party.

"The conferees shall confine themselves to the differences which exist between the House and Senate."

The question, Mr. Speaker, is the duties and the responsibilities of a Conference Committee. Sir, if this amendment is passed, may the Conference Committee address itself to those items that there are no differences in?

The SPEAKER. The question answers itself. Under the rules of the House, rule 48 specifically states that the conferees shall confine themselves to the differences which exist between the House and Senate. If any Committee of Conference were to report to this House—

PARLIAMENTARY INQUIRIES

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

Mr. LINCOLN. I rise to a parliamentary inquiry.

The SPEAKER. The Chair is addressing a point of parliamentary inquiry which would take precedence over the gentleman's point. The gentleman from Montgomery has the right to have his point answered first.

The Chair repeats, the question answers itself. If any Committee of Conference were to report to the floor of this House a report which the House decided did not address itself to differences which exist between the House and the Senate, then that report would be in violation of the rules and the House would not be required to accept it.

The Chair cautions the gentleman, however, that the vital word in the language he read is the word "differences". That would be the word which would be subject to interpretation, in the opinion of the Chair, if the question were to arise.

PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, do the rules that we in this House adopt every session at the beginning of each session have any influence whatsoever in the Senate?

The SPEAKER. No. The rules of the House govern only the House for the session thereby adopted.

Mr. LINCOLN. Then rule 48 really does not mean a darn thing then when it becomes a joint effort between the House and the Senate?

The SPEAKER. No, the gentleman is incorrect. The Committee of Conference Report must be adopted by both the Senate under its rules and by the House under its rules. If the House were to decide at any given time that it would not adopt a Committee of Conference Report because that Committee on Conference Report violated the rule of the House, then the adoption by the Senate would be a useless gesture because it could not become law.

Mr. LINCOLN. What happens if the Senate does not have the identical rule in their rules?

The SPEAKER. The Chair does not wish to seem abrupt with the young man, but it is not the business of the House to decide what the rules of the Senate should or should not be or indeed are or are not. The House must be concerned only with its own affairs and with its own rules. The Senate is allowed to govern itself. That may be an error on the part of those who constructed the constitution but, nevertheless, it is constitutional law.

Mr. LINCOLN. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. I have not completed my parliamentary inquiry.

The SPEAKER. The Chair apologizes to the gentleman. The Chair thought that he had completed. Will the gentleman continue?

Mr. PYLES. Mr. Speaker, you indicated that there could be a difference as to the interpretation of the word "differences."

The SPEAKER. That is correct.

Mr. PYLES. It is rumored in this House that we actually abide by two different types of conference committees. Is that historical in this House body? In other words, the rumor has it that on appropriation bills, the Conference Committee has wide latitude whereas in other subsidy bills, it does not. Is that historical in this House or is that just usage by the definition of "differences"?

The SPEAKER. The Chair is unaware of the rumor, although the Chair does not deny that such a rumor may exist.

But a Committee of Conference is a Committee of Conference regardless of the subject matter and would be held to the same rule, rule 48, as any other committee of conference. It would be up to the House, of course, to decide whether or not a report on the part of the committee of conference denigrated the rule of the House or abided by the rule of the House. Then, of course, that question would be raised when the question of adopting the report came before the House. But no matter what the subject matter, a committee of conference, in the opinion of the Chair, is a committee of conference.

Mr. PYLES. Thank you, Mr. Speaker.

I would like to address myself to the amendment, please, sir?

The SPEAKER. Would the gentleman yield temporarily to the gentleman, Mr. Seltzer, and then the Chair will return the floor to the gentleman, Mr. Pyles?

Mr. PYLES. Yes, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, I think, it is my understanding, that the question that has been posed by the gentleman, Mr. Pyles, would indicate that if, because the same amount of money is in the Senate version for cash grants as is in what we are sending back to them, then under a strict interpretation of a committee of conference, that could not be changed. I believe that is what the gentleman is trying to develop here with his debate.

Let me respond, Mr. Speaker, and say that, historically, as long as I have been here and served on conference committees, we have never used a strict interpretation of the word "differences" to mean that narrow point of view that we would hold between the two figures of a House version of a budget and a Senate version of a budget.

Mr. Speaker, if you go back to the parliamentary decisions that were held back through the years in this House, as well as Mason's Manual and other parliamentary authorities in the Congress, you would find two types of committees on conference. One is a plain committee on conference and the other is referred to as a free committee on conference. And even though here in Pennsylvania we do not use the word "free" in front of our committee on conference, historically, we have acted as a free committee on conference and we in Pennsylvania have been able to write conference committee reports without the

narrow restrictions that would be posed by a tight interpretation of what the House version or the Senate version is.

If I were a partisan politician today on this particular issue, I would side with what I think Mr. Pyles' conclusions are, but in all honesty and fairness, I think for the benefit of participating in a budgetary process, the free committee on conference has certainly been a better device to resolve the fiscal problems of the Commonwealth and I hope that whatever else we do this year, we will continue with a free committee on conference.

Mr. MANDERINO. Mr. Speaker, I quite agree.

The SPEAKER. The Chair thanks both gentlemen.

Is the gentleman, Mr. Mebus, rising to the point of parliamentary inquiry or?

Then the Chair returns the floor to the gentleman, Mr. Pyles. The gentleman may proceed to address himself to the amendment.

Mr. PYLES. Thank you, Mr. Speaker.

Regardless of the free conference approach to appropriation matters, I disagree with my colleagues, Mr. Cowell and Mr. Trello, who are apparently willing to allow the six members of that conference committee to decide for me and the people whom I represent, the amounts of money and the apportionment of that money between the line items and the cost to this State. I was elected, as each and every one of us was, by our people to work in the governmental process to make determinations in their best interests, and to allow six members of the General Assembly to make that determination, I think is wrong.

I am willing to stay here day and night to resolve these issues and not, and not, allow this to go to a conference committee to make those choices for me and the people I represent.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, would Mr. Manderino consent to interrogation?

The SPEAKER. Is the majority leader on the floor of the House?

Mr. RYAN. Well, Mr. Speaker, until he comes back, I wonder if Mr. Seltzer would consent to interrogation?

The SPEAKER. Will the gentleman from Lebanon consent to interrogation?

The gentleman from Lebanon indicates to the Chair that he will stand for interrogation. The gentleman from Delaware may proceed.

Mr. RYAN. Mr. Speaker, Mr. Seltzer has been chairman of the Appropriations Committee, majority and minority, for a number of years, as has Mr. Mullen for a number of years, and I would welcome his comments on this, too.

My question, Mr. Speaker, is, could a committee on conference, assuming the Manderino method of amendments go in, could a committee of conference put in an appropriation to take care of HB 1075 and HB 593 with sufficient substantive language to earmark that money as those conferees see fit to accomplish the goals set forth in HB 1075 and HB 593 as they are presently in print?

Mr. SELTZER. Mr. Speaker, I can only respond that it is my

opinion that substantive language that would be needed to enact HB 1075, as we have had it before us, could not be written into an appropriation bill. But the moneys to pay the interest that would be needed to fund HB 1075 could be in the general appropriation bill; and in fact, Mr. Speaker, it was in until yesterday, I think, when it was amended out. And also the money for the school subsidy could be and should be in the general appropriations bill, but I think we are limited in the enabling legislation of the substantive legislation on how it should or could be spent.

Mr. RYAN. All right.

Thank you, Mr. Speaker.

May I make a few remarks on the amendment?

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

Mr. RYAN. Mr. Speaker, here a little while ago, Mr. Trello had the microphone and, although I did not take down verbatim his remarks, one of his key phrases did stick in my mind, and that was, "a used car salesman." I forget just how he was using the expression "used car salesman" but I have heard a couple of them here in operation today. I heard the majority leader, in his sales pitch, promise many things to many people. The other day and I think even this morning, Mr. Manderino at some point said that the Senate version of SB 770 was a phony budget. I know the Speaker of the House is quoted some months ago as citing the SB 770 as a phony bill. I think all of the leadership on the other side of the aisle at one time or another has made reference to the Senate version of SB 770 as being a phony bill, and yet here today we are being asked to pass SB 770 with another phony provision in it, and that phony provision, of course, is the elimination of all funding for the State Senate.

Now that immediately makes me suspicious. Here was have 203 people who are charged with the duty of amending and enacting the laws that will govern the Commonwealth, particularly the budgetary provisions being the most important. Yet in the same breath we are being asked to abdicate that responsibility and give it to four conferees. I say four, because the two from the majority party from the House and the Senate are the ones who are going to run it. Our conferees will have little or nothing to say about it, and we recognize that.

I sat here the other day, as I recall, and I listened to Mr. Manderino assure certain members that the differences that could be handled in the conference committee would be those differences between the Senate and the House version. I wondered about that at the time. Mr. Seltzer and I think Mr. Manderino today agree that that is not so, that once the conferees get that bill they can do pretty much whatever they want with it from a fiscal standpoint.

I see today and I hear today that many of the differences on the other side have been worked out; that the Philadelphia delegation for the most part now is ready to go along with their leadership. And I wonder what the Philadelphia delegation has been promised in order to go along with their leadership. And I wonder if what they have been promised is contrary to any promises, perhaps, that had been made to some of the suburban or rural legislators on the Democratic side, because I know there are certain major differences that exist within that caucus.

I think this used car salesman that is sitting over on the other side in the other office had a meeting of the employes of the used car lot here today that none of us was privy to. That meeting adjourned and we came back, and then this wonderful idea of treating the Senate, pretty much as Mr. Miller described his treatment last week, was devised.

I am suggesting, as long as I am speculating, that a couple of things could happen. A. We could end up with the conferees coming back really taking good care of the Philadelphia school districts, really giving them a load of money and disappointing the suburban and the rural legislators. On the other side of that coin, depending on which way you sell the car fastest and best, it may be that Philadelphia would be shorted by those conferees, and we folks in the suburbs would be very happy and our taxes would go down.

The other possibility that occurs to me is, suppose our brethren in the Senate decides that they will accept this version that we are sending over without any money for them, and perhaps they would agree to accept it as a result of a conference back here of the used car salesmen when it was determined we will accept that bill, we will sign it into law, and once it is signed into law, we will pick up HB 1 that is sitting over in the Senate, that is an appropriations bill, stick in the Senate money, send it back over here for concurrence, because there is no use for us then to hold the Senate as hostage because SB 770 would have been signed into law and there is no reason then to penalize our brethren in that other chamber. So we would just restore their money to them.

I guess it shows how skeptical I am after my short tenure up here, to think that anyone would not be as altruistic perhaps, as Mr. Miller who describes in very glowing terms the method by which he was handled.

I think you should give some thought to some of the things that I said and wonder how all of a sudden two diametrically opposed philosophical groups, if you please, being Philadelphia and the rural and the suburban legislators, have all been promised something, probably—I am guessing at that, that they all have been promised something—to get their support for this method whereby all of them can give up their right to vote on what goes into this conference report that is finally going to come before us for a "yes" or "no" vote. I wonder what the other gang was promised, is what you should be asking yourself. Thank you, Mr. Speaker. I would ask for a "no" vote.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have never heard you better, but I have never heard you worse.

Mr. RYAN. Well, if I may, Mr. Speaker? The reason that I sounded so good, Mr. Speaker, is because the material that you gave me to use as a straight man was so superior to what I normally have. The inconsistencies that were provided for me to make comment to today were really very well done, and you did them exactly as I wrote the script so that I could do my thing in a very superior fashion. Thank you.

The SPEAKER. Is there any one on the floor of the House who wants to act as an agent for this act?

The Chair recognizes the majority leader.

Mr. MANDERINO. The fact of the matter is, Mr. Speaker,

that the amendment I proposed today was prepared yesterday; not after any meeting. You can check the date at the top of the amendment. I had it on 6/27/77 in my possession.

The fact of the matter is, Mr. Speaker, that I promised no rural bloc anything and I promised no urban bloc anything. I promised them that if SB 770 went to conference, it would be closer to a solution to the problem than if SB 770 did not go to conference.

The fact of the matter, Mr. Speaker, is that I have been here in this legislature now some 12 short years and we have never, never had a budget bill that did not go to conference. So you can stand there and talk about those six people or those four people who are going to write the budget, and they have written the budget every year when we were in the majority and when we were in the minority, when Kenny Lee was in the Chair, when you led, when we lead. That is the way it is done, that is the way it has always been done, and that is the way that it is going to be done this year, because it is just impossible, it seems, for partisan politics to ever be submerged into a responsibility to the people of Pennsylvania. I am sorry that it is happening again this year, but we are going to have a conference committee decide the budget.

Hopefully, you on your side of the aisle and your conferees will know the wishes of your caucus. I expect, as a conferee, and Mr. Pievsky expects, as a conferee, to consult with the caucus in trying to formulate the conference report. I cannot guarantee what is going to be in that conference report because there are members of the other body who will also be members of that conference report.

I will say to you that all of the gyrations, squirmings, all of the maneuverings, all of the posturing that you are doing this morning does not become you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, yesterday Bob Butera, at this microphone, I think, addressed the House and said, what we should do is bring that Governor back over here to give us a legitimate budget message rather than the one that we had presented to us back in February.

It may very well be that the budget message was put together back here when the Democratic leadership met with the Governor prior to going into session today when they put this dog and pony show together that they are presenting to us now.

I wonder just how forthright the presentation is to the members of your side. I mean it is not forthright at all to ours because nobody told us anything. But I just wonder how forthright this presentation of the dog and pony show is when I know that you guys have not conferred. You have not gone to caucus since the meeting with the Governor. Something has taken place, it is obvious to anybody here who is in the least bit astute as a political observer. Something has taken place, some promises have been made, some deals have been struck to have a large group do an about-face, and when that large group does an about-face and they are pleased, then there is another gang over there that ain't going to like the results of that one.

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

Mr. MORRIS. Mr. Speaker, I have been standing here like Patience on the Monument while Mr. Ryan spoke at least twice and perhaps three times on the same issue. He is only the whip and he is not the minority leader.

But aside from that, I just want to make a very brief statement. There is another alternative here to Mr. Manderino's amendment which has so far not been discussed but however alluded to very briefly, and that is my amendment. The same amendment as the other night is now drawn to the new printer's number. And if Mr. Manderino's amendment goes down, I am going to offer it immediately. I request the Chair to recognize me for that purpose, and I think it will solve all the problems.

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

Mr. MEBUS. Thank you, Mr. Speaker.

A number of those who have spoken this morning have indicated that if the conference committee report that is ultimately produced does not satisfy them, they shall vote against its adoption.

For those of you who are new to this House and for some of you who have been here a while and may have forgotten, let me give you an idea of what is going to happen when that conference committee report comes back.

You are going to be under the doggonist pressure that you have ever been under in your lives to vote "yes" whether you like it or whether you do not like it. The pressure will be exerted by the news media, by your employes back home, conceivably by the teachers, depending upon how the bill is written, and you will vote "yes." You will vote "yes" because you are under that kind of pressure and, in some case possibly because you figure that it is the best way out. Well, the best way out is here today, not then.

Baby Gallagher, a few minutes ago as the Speaker himself noted, was about to eat the budget. You, too, may eat the budget, except your diet may be a little heavier than Baby Gallagher's. You may have an opportunity to eat the tax bill to go with it.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

I would like to think that I am still from Mifflin County, if that is all right with the Speaker.

The SPEAKER. The Chair apologizes to the gentleman. The Chair was reading the scribbled notes here and Montgomery was attached to Mebus and not to DeVeter, although I see no reason why the gentleman from Mifflin would reject such a fine county as Montgomery.

Mr. DeVERTER. Well, us folks from the boonies, sir, do not always appreciate being associated down here in those cities when we go back home.

The SPEAKER. The Chair understands that very well.

The gentleman may proceed.

Mr. DeVERTER. Thank you, sir.

The majority leader just a few moments ago said that this is

the way we have always done it; we have always gone to a conference committee. That is fine and dandy, but that does not necessarily make it right. I think it is time that we took to heart some of the things that the minority leader has said and get around to a real budget reform code. But that is not to where I would like to direct my remarks at the moment.

First of all, there has been much on the floor said about the amendments that were offered last week to SB 770. Quite frankly, many of those amendments were offered in all sincerity. I was one of those who was unfortunate enough to come back on this floor after the majority and the minority had had a caucus. The amendment that I had offered was an amendment that I felt very strongly about, and I do not know how many of you have bothered to read the printout, the bill itself or what is related to the appropriations bill. But I have taken some time to do that. And there were quite a few items I wanted to see changed in that appropriations bill, but I thought I would at least attempt one.

That one line item in the Department of Environmental Resources in which they had line-itemed for community environmental control better than a 40-percent increase, almost \$2½ million over and above what had been appropriated to that agency in the past fiscal year.

My thought was that, because they had taken it out on the State parks and the forestry people, perhaps we could remove some of that money with all good conscience and put it where it belongs, where the people derive the most benefit. But, unfortunately, that was not to come about.

Now I think if any of you are as concerned as you express yourselves here on the floor, you might start looking at some of those line items, regardless of what you have been promised.

Let me address myself to something else, and that refers to the conference report. As we look at this document, year in and year out, yes, we get a conference report. But why do we get a conference report? Because of the games that Mr. Manderino says he is going to continue to play.

Well, let me tell you how the game is played, especially for the new members. You have been promised things and if you are out and out opposed, believe me, you will be asked what you need in your district so that they can get your vote.

Let me give you a few examples. In last year's budget—and by the way, there were many members on this side of the aisle who helped pass that budget last year without any promises of any kind whatsoever—how about the Philadelphia Orchestra, the Pittsburgh Symphony, the Robin Hood Dell Better Break, the Ambler Music Festival? That is on page 1. Back a couple pages, there are several items called the Bicentennial Community Park in Allentown, the Penn Hills Water Supply Project. Well, let me say to you gentleman, those are all line items in last year's fiscal period that are not there this year. They are not for much—\$50,000 here, \$200,000 there—but why do you think they were in there? Well, if I have to tell you that, then you should not be here on the floor of this House. That is the way deals are cut and the very things that Mr. Ryan was talking about are the things that you are going to be offered in the ensuing hours as we attempt to come to a resolution to SB 770.

Quite frankly, Mr. Speaker, that is why we are looking at ad-

ditional taxes supposedly, because we continue to build additional fundings for promises that were made, and the beat goes on and the budget goes up. That is why we are in the position we are in. That is why we are looking at a deficit this year and that is the reason next year we will probably be looking at an even greater one.

I say to you that if we continue at this rate, it is unconscionable to the people of this Commonwealth to see them work day in and day out to pay the tax bill so that we can play the games that Mr. Manderino and his friends want to play.

Thank you.

POINT OF ORDER

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick. For what purpose does the lady rise?

Mrs. KERNICK. I rise to a point of order.

The SPEAKER. The lady will state it.

Mrs. KERNICK. You know, I have heard several Representatives from the other side of the aisle talk about promises that were made for votes. Nobody in the 2½ years I was here ever promised me anything.

Reference was made to a Penn Hills water line in last year's budget. It was never debated on the floor, although I wanted to. That situation was created because PennDOT stored road salt above some houses and ruined their spring wells. The project to replace and put in water lines cost \$234,000 and in this State, this House of Representatives appropriated \$75,000. It was not promised to me for anything, and I resent the member saying that I was promised or any member was promised something for their vote.

Thank you.

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

Mr. DeVERTER. Mr. Speaker, me thinks the lady protests too much.

Mrs. KERNICK. Well, Mr. Speaker, I am glad he called me a lady, because I do not think that remark was worthy of a gentleman.

Thank you.

The SPEAKER. Perhaps it is the fact that the Chair is considerably older than the gentleman, Mr. DeVerter, but the Chair would have known who was going to win that one.

Mr. DeVERTER. Is that not always the case?

The SPEAKER. It just about always is.

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

Mr. RITTER. Mr. Speaker, I just wanted to say something to the suspicious Mr. Ryan.

I found it very suspicious yesterday when all of the Republicans joined with an overwhelming majority of Philadelphians to defeat the Manderino amendment to SB 770.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Trello, to speak for the second time on the issue.

Mr. TRELLO. Mr. Speaker, I rise again not to support what I believe is the only alternative to solve a budget, but really to make a few remarks in regards to what Mr. Ryan said.

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

Mr. TRELLO. Mr. Ryan made reference to myself and a few other Representatives as used car salesmen. He also made reference to the fact that we provided him with a very good script.

Now I do not know if Mr. Ryan thought that his script was very, very funny, but if he really did, I hope that he will forgive me for not going hysterical over his remarks.

Number two, Mr. Ryan forgot to mention the fact that I also mentioned that when this conference report came back to the floor of this House, if all 12 million Pennsylvanians were not treated equally in that conference report, I would definitely vote against it.

Now getting back to his script, you know in my lifetime I had a few occasions to tell people where to put things. Now if he thinks that script is so good and if he wants a few ideas on where to put it, he can see me after session and I will be very happy to tell him.

Thank you.

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

Mr. CASSIDY. Mr. Speaker, just one brief remark.

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

Mr. CASSIDY. I am being told that we have been made deals with and the rural legislators have been promised something and the city legislators have been promised something, but I just want to state that I have not been promised a thing. However, I am considering withholding my vote until I get my stationery and my name cards.

Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—107

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

NAYS—91

Anderson	Grieco	Miller	Smith, E.
Armstrong	Halverson	Moehlmann	Smith, L.
Bittle	Hamilton	Morris	Spencer
Brandt	Haskell	Mowery	Spitz
Burd	Hayes, D. S.	Noye	Stairs
Burns	Hayes, S. E.	O'Brien, D.	Taddonio
Butera	Helfrick	O'Connell	Taylor, E.
Cessar	Honaman	Pancoast	Thomas
Cimini	Hopkins	Parker	Vroon
Davies	Hutchinson, W.	Piccola	Wagner
DeVerte	Katz	Polite	Wass
Dietz	Klingaman	Pott	Weidner
Dininni	Knepper	Pyles	Wenger
Dorr	Lehr	Reed	White
Fischer, R. R.	Letterman	Richardson	Williams
Fisher, D. M.	Levi	Ritter	Wilson
Foster, A.	Lynch	Ryan	Wilt
Foster, W.	Mackowski	Salvatore	Wright, J. L.
Freind	Madigan	Scheaffer	Yohn
Gallen	Manmiller	Scirica	Zearfoss
Geesey	McClatchy	Seltzer	Zeller
Goebel	McGinnis	Shuman	Zord
Greenleaf	Mebus	Sirianni	

NOT VOTING—2

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

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, I have an amendment. It is prepared and I do not know whether it was distributed yet or not.

The SPEAKER. We will try to ascertain that.

The House will be at ease for 2 minutes.

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, I had proposed an amendment which I thought would go even one step further than Mr. Manderino's one step further, but at this time I offer to withdraw my amendment.

On the question recurring,

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

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—110

Abraham	Fee	Laughlin	Renwick
Arthurs	Flaherty	Letterman	Rhodes
Barber	Fryer	Lincoln	Rieger
Bellomini	Gallagher	Livengood	Ruggiero
Beloff	Gamble	Logue	Scanlon
Bennett	Garzia	Manderino	Schmitt
Berlin	Gatski	McCall	Schweder
Berson	Geesey	McIntyre	Shuman
Bittinger	Geisler	McLane	Shupnik
Borski	George, C.	Meluskey	Stapleton
Brown	George, M.	Milanovich	Stewart
Brunner	Giammarco	Milliron	Stuban
Caltagirone	Gillette	Mrkonic	Sweet
Caputo	Gleeson	Mullen, M. P.	Taylor, F.
Cassidy	Goodman	Mullen, M. M.	Tenaglio
Cianciulli	Gray	Musto	Trello
Cohen	Greenfield	Novak	Valicenti
Cole	Harper	O'Brien, B.	Wansacz
Cowell	Hasay	O'Donnell	Wargo
DeMedio	Hoeffel	O'Keefe	Wiggins
DeWeese	Hutchinson, A.	Oliver	Wise
DiCarlo	Itkin	Petrarca	Wright, D.
Dombrowski	Johnson	Pievsky	Yahner
Donatucci	Jones	Pratt	Zitterman
Doyle	Kelly	Prendergast	Zwilk
Duffy	Kernick	Rappaport	
Dumas	Kolter	Ravenstahl	Irvis,
Englehart	Kowalyshyn	Reed	Speaker

NAYS—87

Anderson	Grieco	Miller	Smith, L.
Armstrong	Halverson	Moehlmann	Spencer
Bittle	Hamilton	Morris	Spitz
Brandt	Haskell	Mowery	Stairs
Burd	Hayes, D. S.	Noye	Taddonio
Burns	Hayes, S. E.	O'Brien, D.	Taylor, E.
Butera	Helfrick	O'Connell	Thomas
Cessar	Honaman	Pancoast	Vroon
Cimini	Hopkins	Parker	Wagner
Davies	Hutchinson, W.	Piccola	Wass
DeVerter	Katz	Polite	Weidner
Dietz	Klingaman	Pott	Wenger
Diminni	Knepper	Pyles	White
Dorr	Lehr	Richardson	Williams
Fischer, R. R.	Levi	Ritter	Wilson
Fisher, D. M.	Lynch	Ryan	Wilt
Foster, A.	Mackowski	Salvatore	Wright, J. L.
Foster, W.	Madigan	Scheaffer	Yohn
Freind	Manmiller	Scirica	Zearfoss
Gallen	McClatchy	Seltzer	Zeller
Goebel	McGinnis	Sirianni	Zord
Greenleaf	Mebus	Smith, E.	

NOT VOTING—3

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

Ordered, That the clerk return the same to the Senate with information that the House has passed the same with amendment in which concurrence of the Senate is requested.

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

ANNOUNCEMENTS

LUNCH RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would like to announce a 1-hour recess for the purpose of lunch.

EDUCATION COMMITTEE MEETING

The SPEAKER. The Chair also wishes to announce that during this recess there will be a meeting of the Education Committee in the Education Committee room.

Mr. RYAN. Mr. Speaker, I wonder if we can have a copy of that final Conference Committee Report that I know you have so that we can read it over lunchtime?

The SPEAKER. The Chair would be delighted to send it to the gentleman after the Chair has had a chance to glance through it.

The cafeteria has been held open for the benefit of the members, I trust.

RECESS

The SPEAKER. This House stands in recess until 3:05 p.m. A further recess shall be in effect until 3:25 p.m.

AFTER RECESS

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

BILLS REPORTED FROM COMMITTEES AND TABLED

SB 326, PN 328 By Mr. GALLAGHER

An Act amending the act of July 17, 1961 (P. L. 776, No. 341), entitled as amended "Pennsylvania Fair Educational Opportunities Act" further providing for the construction of the act.

Education.

SB 405, PN 826 By Mr. GALLAGHER

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "An act relating to the public school system, including certain provisions; applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for the election of executive directors and assistant executive directors in intermediate units.

SB 596, PN 626 By Mr. GALLAGHER

An Act repealing the act of June 19, 1968 (P. L. 232, No. 109), entitled as amended "Nonpublic Elementary and Secondary Education Act".

Education.

SB 804, PN 863 By Mr. GALLAGHER

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

Education.

BILL REPORTED AND REREFERRED

HB 919, PN 1061

By Mr. GALLAGHER

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to incorporated educational institutions.

Reported from Committee on Education.

Rereferred to Committee on Judiciary.

CALENDAR

**RECONSIDERATION OF VOTE
ON SB 1075**

Mr. GALLAGHER moved that the vote by which SB 1075 was agreed to on third consideration be reconsidered.

Mr. MANDERINO seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—173

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

NAYS—14

Cessar	Hasay	Wagner	Zeller
Fischer, R. R.	Kernick	Weidner	Zord

Fisher, D. M.	Piccola	Wilson
Goebel	Spitz	Zearfoss

NOT VOTING—13

DiCarlo	Mullen, M. P.	Rhodes	Wansacz
Duffy	O'Donnell	Ruggiero	
Kowalshyn	Pitts	Shelton	
Livengood	Rappaport	Taylor, E.	

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

The SPEAKER. Will the gentleman, Mr. Cassidy, please come to the desk? Just to show the members how far the Speaker of the House is prepared to go to please the members, since the gentleman, Mr. Cassidy, said that he could not vote until he got his stationery, we are happy to present him with his stationery.

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

Mr. RICHARDSON. Mr. Speaker, I rise in support of HB 1075 and I ask that the rest of the members of the House do likewise. We have, for some time, been trying to get this bill considered to be looked at so that the people in the city of Philadelphia, understanding the problems as they are—and there are many—would, in fact, vote on a bill that would begin to deal with the fiscal problems of the city of Philadelphia in a more responsive way.

In this particular bill now, as amended, it does, in fact, have a vehicle by which we would have an opportunity to have the State Treasury Department immediately do a preaudit and a desk audit on the problem, as well as to insure the city council that they have proposed \$10 million to be put into Philadelphia for the Philadelphia schools. It would be, in fact, in this bill to make sure that they will not go back on their word.

To me, Mr. Speaker, the act of good faith has been there. I do not have to speak long for I have spoken on this issue for quite some time in the last few days. I think this is a very serious situation. I think this is probably one of the most important, if not the most important, issue of this entire session for it deals with the 258,000 students in the city of Philadelphia.

It seems to me that we have a responsibility and an obligation to answer the cry of our children and the fact that our children are being held hostage while adult gang war seems to me to be a real serious problem. We cannot be responsible or held accountable because there has been some fiscal mismanagement in the city of Philadelphia entirely. We have tried to recognize the fact that it is present and that it exists, but we do not feel that it is fair that the children of Philadelphia be held hostage while individuals run around playing political football with their lives and their education. Mr. Speaker, it would seem to me that our responsibility falls within HB 1075 and its passage to assure the fact that our children would certainly be guaranteed an education.

We have heard a lot of remarks downing Philadelphia and we have caught it right between the eyes. We have been shot down so many times that the struggle, at this point, seems so hopeless. What I am saying today, as we appeal and beg the mem-

bers of this House, is that there be an answer to help solve the problems of the Philadelphia schools in Philadelphia now. We cannot delay any longer. We have watched the maneuvering on this floor and we have watched individuals use all the tactics that they possibly can to kick us while we are down; to stomp on us while we are down. We said, okay, you have that upper hand, but let us not continue to stomp the man into the ground now that he is down and you have recognized that it is over. Let us not use this as another tactic just to take advantage of our children.

I feel, Mr. Speaker, that the situation that is in front of us is so severe and so important that if we deal with that we cannot, in good faith or in any other action, deal with anything else that is really on the calendar. But this bill and HB 593 seem to be part of the answer to our problem. But if we are sincere about that, we have an opportunity to really deal on the question of helping to solve Philadelphia's problems.

I do not know what all the other politics are that have been played in relationship to the fact that we have given up our only ace in the hole that we had, but the fact remains that we must do something to help Philadelphia. We must do something to help a dying district.

The gentleman last night spoke about the fact that Allegheny County has 259,000 young people in it. But he talked about all of Allegheny County negating the fact that in Philadelphia we are talking about one city that has 258,000 young people who need an education and are being held hostage by individuals who believe that they themselves are doing the right thing by making sure their education is not given to them. I do not feel that that is fair. I think we have tried to show the act of good faith again by putting certain amendments in the bill that would assure the fiscal accountability and responsibility. But it seems to me that that is diverted some way because other members have other private kinds of concessions or other concerns that are not of interest to the overall total picture.

Mr. Speaker, in our appeal today we can only ask that the members, in good conscience, do not hold hostage the children, the babies, those who cannot help themselves, those who do not have a voice or a vote on this floor, while some other individuals use it as a ploy and a tactic for their own personal political gains back in their own districts.

We have taken the kicks; we have taken the shot between the eyes. You have wounded us very severely. You have shown us that right now you hold the upper hand, but do not continue to bury us in the ground. Give us an opportunity to make sure that the adults in the city of Philadelphia, who have not lived up to their responsibilities by making the fiscal and the financial problems that are present there, not let it fall on our children.

We have indicated that out of that situation in the city of Philadelphia, that out of those 258,000 young people who are present, 154,000 young people are poverty children.

Yesterday there were some racial slurs thrown at us concerning the fact that they did not care whether or not our children were of minority descent in Philadelphia and that they could care less. I say to you that in every instance when it involves your children or your people in your own particular districts,

we have given a vote in order to help save that distressed area or that disastrous area. I am saying that the situation is no different, Mr. Speaker, and that somehow, some way, there must be some compassion given to the fact that we are still held accountable for all of the babies and the children in this Commonwealth, and it is not just Philadelphia. The next time it might be you or it might be yours.

The thing is, how many of us are going to allow Philadelphia to be sold down the drain when, in fact, we have not recognized that there are times when disastrous problems do come up that need resolving? I am saying that we have taken as much as we possibly can take. How much more can we take? When will the people in the House of Representatives, the members of this House, the ladies and gentlemen of this House, realize and recognize that we are begging and asking for your support.

That is my plea to you today. We would ask that you give us an affirmative vote on HB 1075 to help save the babies and help save our schools in the city of Philadelphia. Thank you very much.

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

Mr. DOYLE. Thank you, Mr. Speaker.

Yesterday I believe there was an unfortunate remark made, what I consider unfortunate, when someone alluded to the fact that the members in this chamber were irresponsible. I disagree with that entirely because I think that the most responsible people with Philadelphia's interest in mind are right here in this chamber and they are not otherwise and at other places.

The gentleman from Allegheny County alluded to certain facts which a Senator made known in her speech on the Senate floor. I would like to read just the first opening paragraph of her speech and I am quoting: "There are certain people, led by the Mayor of Philadelphia and the superintendent of that city's school system, who are playing a game of chicken with the State Legislature, and the students of that school system are caught in the middle of it." That is what the Senator said, and I echo those words.

To come here and say that Philadelphia has not been fairly treated or that we are not giving the students and children of Philadelphia an even break is incredible. I quote again: "First, it seems that the people of Philadelphia support their school system less than most other people in this state support theirs . . . and they are 375 out of the 505 school districts in terms of financial effort local citizens make to support their school system."

I went back last week and I asked and found out what my own school system was doing. My own school system, my primary one, which is not distressed, this year is putting more dollars per capita and per student behind their effort for schools than is the city of Philadelphia with their \$10 million.

I recall that one of the first votes I made in this House was to support the Philadelphia school system. In 1969 or 1970 there was a \$15 million bloc grant. In 1970-71 there was another additional \$15 million bloc grant to the city. In the time I have served in this legislature, there have been two revisions of the subsidy formula primarily to give Philadelphia additional

needed moneys. Then in 1975, I guess it was, we opted for, I think it was, \$36 million or \$37 million for Philadelphia, and I caught hell for that back home. But I thought that because Philadelphia needed it and because their situation required it and because it was being fair to Philadelphia, I should vote for it.

I have reached a point of sitting here listening to people say that we have not dealt fairly with Philadelphia. I think it is time Philadelphia started dealing fairly with the rest of the state. When it comes to many pieces of legislation, we hear the fact that Philadelphia is a home-rule county and "we want to do it our way; you do not understand." When it comes to this, what happens? You cannot have it both ways. You cannot say "we want to do it our way" and then come to the state and say "we want it your way so we can get more money."

There are ill-distressed school districts in Pennsylvania and they did not see the need to come to the state legislature to get bailed out. One of my own several years ago was a distressed district that was taken over and they laid the additional taxes necessary to bail them out. There have been suggestions in the paper that I see going by the boards, suggestions by the Citizens Committee of Public Education that says, if nothing else, they have not even sat down to seriously consider doing anything about the school budget.

When only 30 percent of the budget in Philadelphia goes toward the effort for their school system, something is wrong. We passed legislation, which I voted for here in this House, to enable Philadelphia to pass additional tax legislation. The Mayor vetoed that tax legislation that is still on the books, and they could use it now if he so chooses.

Quite frankly, I am just sick and tired of having them come year after year and saying, help us out, with no return consideration. Sooner or later somebody back there, what I think is a responsible party, is going to learn that Pennsylvania does not begin at City Hall and end at Cobbs Creek Parkway.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Polite.

Mr. POLITE. Thank you, Mr. Speaker.

Mr. Speaker, this legislature has been taking from Peter to pay Paul for far too long now in funding the Philadelphia schools. This year, however, Peter is finally fed up and will not bow to the pressure exerted by certain political figures or special-interest groups lobbying to bail out Philadelphia schools by sacrificing suburban middle-income taxpayers.

I have risen to oppose HB 1075 because of its blatant unfairness to the majority of residents in this Commonwealth. I am inalterably opposed to HB 1075. While it stated its purpose to issue bonds and enact a program to loan money to financially strapped school districts, in reality the bill is a thinly disguised attempt to give a single bloc grant to Philadelphia.

The sponsorship of this bill is all Philadelphia, and I submit, Mr. Speaker, that the benefits of this bill will be all Philadelphia as well.

I am not unsympathetic to the plight of the schools in this state, including Philadelphia schools. I have cosponsored HB 1067, which is a 1-year stopgap to provide assistance to schools

in the 1977-78 year so that a reasonable subsidy formula can be developed in the meantime. I must, however, question the appropriation made in HB 1075. It would do absolutely nothing for our schools in Montgomery County. I am fed up with the annual handouts to Philadelphia at the expense of the state taxpayer. Year after year the city has neglected local funding of its schools, and the state has picked up the costly tab. This year, Mr. Speaker, I hope it will be different. People in our home districts have given us this message, and the message is that they will not tolerate another Philadelphia bailout when times are tough and money is tight. Charity begins at home. It is time that Philadelphia gives consideration to either cutting school costs or paying its own way. Middle-income taxpayers will no longer be satisfied with paying out \$10 and getting 10 cents' worth of state aid in return. Therefore, Mr. Speaker, I ask all of my colleagues to vote "no" on HB 1075.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Mullen.

Mr. M. P. MULLEN. Mr. Speaker, anything I say today certainly is not going to help our cause, but I think that I ought to tell you a little about our problem so that you better understand it. I am going to tell you about my district just a little bit. I am just going to show you some of the problems we have.

Many years ago when I first came here I came from a high-middle-income class district. I am now in a ward which is in a lower bracket and I am just going to tell you some of the problems we have with our schools.

I am the ward leader in the 51st ward. In our ward we have 262 houses that are abandoned, that have been stripped, that are nothing more than shells from which we get no taxes. What we are going to do with those houses I do not know. We have a program whereby we are trying to rehabilitate them, but the problem is, if you try to rehabilitate the house, you go in there one day with a contractor and fix it up and the next morning you come back and it is stripped again. That creates a real problem because our tax base has eroded terribly. There are only a few areas in the city where the tax base has increased at all. They are very limited — up in the northeast section of the city; in the Roxborough-Manayunk section, John Hamilton's district; and parts of south Philadelphia. In the rest of them, the tax base has eroded. Sure, the center part of the city is in good shape because of all the high-rise apartments. One third of our tax base, our real estate tax base, is exempt from taxes altogether because of charitable institutions and something like that.

What does the municipality do? For example, in my district where my boy goes to school—thank God he was graduated from high school a couple of weeks ago and does not have to go there now—for 4 years when he went to school, he used to have to take a bus from our home to his school. On that bus the bus driver would not travel in his bus unless he had two policemen with him and a red car to protect the kids on the bus and to protect the kids along the way from any fights and stuff like that. This had to be paid for, not by the school board, but by the municipality. Just imagine how many buses we had in our area

and in other areas in Philadelphia where we had to provide policemen.

For example, in Bartram High School, in my district, I do not know whether they still have them there or not, but we used to have to have four policemen assigned there everyday to try to keep order. This was paid for through municipality funds. In addition to that we had security guards provided by the school board.

It is a very serious problem. Our tax base is eroded; our major source of taxes for the school board comes from the real estate tax, which I told you has eroded, and we do have a serious problem. I know that is not going to help you this time to vote for HB 1075, but I certainly wish you would consider that we are in a unique situation. This does not occur in any other areas in the state.

I would say we have a population now of about 1,800,000. We lost 200,000 population in the last few years and we have about 1,800,000. I would say of 1,800,000, at least 1 million of those people are either on social security, on public assistance or on small pensions. The rest of the people, those who are in good areas, probably will stay there until the areas go bad, but in my area, they have moved out.

To give you another example, I have belonged to the Most Blessed Sacrament Parish all my life. Five years ago we had 19,500 parishioners, and they were all good taxpayers. All of those houses were occupied that I told you now are empty. We only have 3,200 people left. We had 3,600 children in our school. We only have 400 left but we still have to keep the public school system going.

The affluent areas, for example, up in the northeast and in south Philadelphia and in John Hamilton's district—and John can correct me if I am wrong—are the only areas in the city that are still in good shape, and I think all of those taxpayers, because they are in good shape, have had their real estate taxes increased by at least 100 percent. What happened there is that because of the limited area in which they can go, the people who have a little money, everytime there is a larger sale, naturally the tax base increases, the assessment increases, so they have to pay additional taxes there, and then we had to increase the real estate taxes by one-third this year.

This is a terrible burden that is placed upon these people. These people have a right and have the ability to move. If we go into putting additional taxes on them, they are just going to move, too, and you are just going to have nothing but a city of people on relief. So please realize that our municipality has a real problem, and they are trying to meet that problem as well as the school board.

I think you people ought to think about Philadelphia as a special situation and not equivalent to your own situation. Roland Greenfield has spoken about the municipal burden that we have, and everything he says is true. But those of us who have to live there know about it, and we have to get you fellows and ladies to think of Philadelphia as a unique situation and not to make a comparison between your district and ours because there is no comparison. Do what you want today, but later on please give it some consideration.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. White.

Mr. WHITE. Mr. Speaker, I do not think that any of us from Philadelphia who are legislators, parents, children or employees of the Philadelphia Board of Education, could stand before any member of this House and say that we are perfectly satisfied with the conditions within our schools. I do not think that any of us could stand before the members of this legislature and say that we are satisfied with the way our schools are being operated; that we are satisfied with the effort that the city administration has put forth in funding those schools.

I do not even think any of us can really stand here this afternoon and say to you that we are completely and totally happy with the package of HB 1075. But I think that each one of us from Philadelphia, whether we are elected officials, whether we are parents of school children, as I happen to be, whether we are presently enrolled in that public school system or employed by that public school system, can stand before any member of this House and say that we seriously need help.

One of the things that I watched when I worked in the field of education and with young people in the city of Philadelphia was the buck-passing. I would read in our local daily newspapers that city hall has passed the buck. I would read that the legislature has passed the buck. I would read that the board of education has passed the buck. Mr. Speaker, I do not know now if there is anyone who has not touched that buck, who has not passed that buck. But I was elected to serve in this House to assume all the responsibilities that we were sworn to meet.

We had a very tough primary fight from an individual who served this House very, very well, who was an advocate for education the entire time she was here. I have no choice, no other will, than to fulfill that same advocacy role.

We have heard all the statistics at this point about what Philadelphia contributes to its school system and about what it does not contribute to the school system. We have been compared to other sections of this state and we have been shown shining examples of what the Philadelphia school system needs to be. However, Philadelphia is, in fact, unique. It is unique in that more than 53 percent of the young people who presently are enrolled in that public school come from families who are eligible for AFDC - Aid For Dependent Children.

We are unique in that more than 48 percent of those young people come from homes whose families operate on fixed incomes. We are unique because we stand on the brink of economic disaster.

Aside from the problems that we have in our schools with the loss of tax revenue, the loss of jobs, the loss of skills, the loss, Mr. Speaker, of the possibility of realizing the dreams that the 268,000 children in Philadelphia had for themselves, I cannot fully understand why anyone would want to deny the support for public education that is needed, whether it is city council or this General Assembly. I do not understand why that support is not forthcoming.

But the one thing that I can remember and the one thing that I am constantly reminded of is that somewhere in the New Testament, it talks about the day that Jesus descended to the

mountain top and took three of his disciples with him.

They looked around and they were more than satisfied and more than happy with conditions on that mountain top. They asked him a question. The question was: Let us build our temples here. And he said, "No." We did not come to serve on the mountain top, but we came to serve in the valleys where people need our guidance and our help."

We in this legislature too often take the mountaintop view. Some of us forget that we were not elected to serve the interest of those who reside on the mountain top, but we are elected to serve the interests of those who live in the valleys, who are less fortunate.

Regardless of whose fault it is, regardless of whom you may deem the responsibility to, we in this House have a responsibility as well. That responsibility, Mr. Speaker, is to provide a quality, a thorough and efficient public educational system for all of the children of this Commonwealth.

None of the speeches that will be made today will change the minds of any of you sitting here. You have decided which way you want to vote on this measure, and I suspect that you will do so. But I do not think that any of us could really sit back without conveying to you the thousands of messages that we have received from children enrolled in the public school system of Philadelphia.

We got thousands of letters. We received hundreds of phone calls and telegrams, alike. But I would like to recite for you the contents of just one letter that I received from a child in my district, and I would beg you to listen. This child attends the Widener Memorial School in Philadelphia, which is a school for the disabled and handicapped. The child spoke of all the programs and the activities that they were involved in and that the children reaped educational benefits from. But the one line that I think really hits home in terms of the problem was this: "We don't know whose fault it is that we have the problems that we have. But the one thing that we do know is that the legislature has the power to solve the problem."

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority whip.

Mr. GREENFIELD. Mr. Speaker, I stated before, as you and the members sitting in the seats in this legislature well know, the constitution states that the General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth.

Mr. Speaker, these are some of the cuts that will be necessary if we do not get your help. There will be no kindergarten classes in the schools of the city, there will be no day care programs to help the children of working parents, all community uses of gyms and other school facilities will be canceled, all sports programs and after-school and Saturday activities will be canceled, employees responsible for the safety and security at schools will be removed, breakfast and lunch programs will be eliminated and all school libraries will be closed. Thirty-two schools, including skill centers, will be closed. Counsel and vocational guidance services will not be available. Health service for the pupils will be severely restricted. Transportation services, except for the handicapped, will be eliminated. It will be impos-

sible to keep many of the schools clean because of the reduction in the custodial staff. School repairs will be severely restricted. The school district's reading program would have to be drastically reduced. Continued education for pregnant students, driver education, summer school, magnet schools, and alternate programs will be terminated. Mr. Speaker, this is not the kind of educational program, quality program, that I think is intended in the constitutional mandate of the legislature to provide for a school district.

Sure, we are in desperate straits and we need your help. I do not think I have to remind the members of the importance of this legislation or the impending crisis facing the Philadelphia School District. But before we take a final vote, I ask that your vote be as you would vote for the children of your school district if you represented Philadelphia.

We all have school districts to consider. This is one thing we have in common. We also have differences between parties and within our parties and within our delegation, but this is not the time to try each other. This is not the time to make local headlines. This is an opportunity for us to prove to the citizens of Pennsylvania, many of whom have grown apathetic in their views of politicians, that we are capable of uniting for the common good of all constituencies.

Some of you say that this bill only aids Philadelphia. This may be true today, but next year or the next the school district that you represent may be in trouble. If the bill fails, we will all be in trouble because the burden will come back to this legislature in the cost of additional unemployment compensation; welfare recipients will increase unless we provide an adequate education for the children of Pennsylvania; and, yes, even the cost of crime prevention. This is your responsibility. These are your children, not only our children of Philadelphia. Please, please give them your compassion, your understanding, and your help today.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Thank you.

Mr. Speaker, I make my comments about HB 1075, and we have heard most of the arguments pro and con. I would like to take those arguments, Mr. Speaker, to observe that by all the standards of the objectors to this bill, this bill or some form of it ought to pass.

First of all, for those who are opposed to higher taxes, this is a vehicle where that can be avoided.

There are some objections to the form of this funding. Some people have found it a little bit different, a little bit strange, that a bonding situation can apply to operating funds. Mr. Speaker, I do say to that argument that it may be a little bit strange. However, people other than the sponsors have looked at the nature of this kind of vehicle and found it basically sound, and some of those people happen to be business people, some happen to be Republicans, and some happen to be Democrats.

On the other hand, if there are some defects in the form of this bill, it seems to me that there is not much difficulty in making those corrections to satisfy a question of form or style or

what have you. That is not a monumental problem.

Some people have talked about this bill also in the vein of fiscal responsibility with regard to the School District of Philadelphia. As I have said before, that fiscal factor is true in most every school district of this Commonwealth and every public and private institution. Whereas we in Philadelphia may be imperfect, I think that this General Assembly should do things it can to correct that. Indeed, Mr. Richardson's amendment seeks to do part of just that.

It has also been suggested, Mr. Speaker, that the local effort in Philadelphia has not been what it ought to be, and I absolutely agree with that. I have said before in Philadelphia and here that it is shameful that city council did not see fit this year to allocate moneys for public education in Philadelphia. That would not have solved our problem, however, and I agree with the principle that we should in some way insure that that would happen.

It has been said, Mr. Speaker, that the moneys that we need and our condition, very frankly, are quite bad, and I think everybody knows that. The amounts of money and the programs affect, kindergarten, early childhood education, you name it. Programs that have made this city and this Commonwealth proud are programs that will be affected by this.

I said yesterday that the biggest portion, by far the biggest portion, of our problem is in the area of moneys that are tied in because of collective bargaining agreements. That is not our fault. That is there and it is going to stay there. So on the fiscal management end and in terms of what Philadelphia has done with regard to creating the condition that we find ourselves in, Mr. Speaker, some of those things objectively just cannot be helped.

It has also been said, Mr. Speaker, that any way you look at it this proposition is somewhat costly, and that is true. But it is an attempt to meet all of those other technical objections and to avoid taxes. And I say this to this Assembly: With the 10,000 people who are programmed to be laid off, in plain, common business sense and in plain, common money sense, the amount of that bill through unemployment compensation, loss of taxes and the like, just in terms of basic moneys available and basic moneys out of the taxpayer's pocket, state and city and businesswise, probably will amount to 75 percent, if not 100 percent, of the amount of money we are talking about. So it just does not make any kind of common sense if we are talking about dollar sense.

Those of us who talk about our responsibilities to the taxpayers, those of us who talk about the use of our moneys, just have to look at the fact that opposition to a proposition like this will create the loss of funds and programs, funds in almost the same amount as the amount of money that is needed to conduct the service and the programs.

Mr. Speaker, there have been advanced other arguments to which I will not address myself. We have heard them, but I am just suggesting and saying that each and every argument seems to nip the edge of the problem.

Mr. Speaker, no matter how you cut it, no matter how you slice it, the basic fundamental problem, the basic fundamental need is there. And that is an honest statement; that is an

honest appraisal by anybody who will look at the situation.

The question really is what we will do to allow children in a part of this state to have an opportunity for a viable education under our constitutional and legal mandates and hopefully under our moral mandate and responsibility to children in this country.

I have heard time and time again, when it comes to crime and the moneys that we have to spend, how much we spend and how hard we are going to be on that, and in those discussions we never ever talk about the causes that bring people to massive crime in this country. Yet everyone does know that a good, sound education is one of those fundamental things that helps to avoid a life of crime. When we are talking about crime, indeed you will hear people say that if we could just give people a good education, we will not have so much of that.

Mr. Speaker, I hear the same thing with regard to welfare people not working, lack of jobs, and all of that. We are at the bottom line in terms of the opportunity to face the question of whether or not we are going to say that we will indeed give the opportunity to kids to have an education. It comes right down to that.

Mr. Speaker, I ask why. Why is it that we will talk about each and every one of these facets which I have mentioned and refuse to ask ourselves the question? Aside from all of that, just what is it that we think that constituency of children needs, and what is it that we will decide to give to respond to our moral and our legal obligations as citizens of Pennsylvania and as legislators?

As Mr. White pointed out—

The SPEAKER. Will the gentleman yield for just a second?

MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. The Speaker now turns the gavel over temporarily to the Speaker pro tempore, Mr. Fryer.

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

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WILLIAMS. Mr. Speaker, as Mr. White pointed out, our constitution says that every child in this Commonwealth, every child, is guaranteed the right and the opportunity to a thorough and efficient educational program. If we are to live up to those words, as is our sworn duty, that means that we must do and examine those things that are necessary to make that substantially true.

Our voices are merely saying at this juncture that for some reason many of us here seem to want to take the opportunity to say that the political unit called Philadelphia should be different, should be different because it just happens to need money. All of the moneys needed are not because of waste; all of the moneys needed are not because of city council's refusal; all of the moneys needed are not because of all the reasons that we advanced.

I suggest, Mr. speaker, the time has come for us to understand that we can separate those areas of criticism and put them in their proper perspective and deal with them, but then to move ahead with a vehicle—I have not heard any other ve-

hicle—like HB 1075 as a concept which we can certainly improve upon to allow a manageable, responsible cleaning-up of the situation in Philadelphia once and for all.

Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, I had amendments to the bill which have not been completely distributed. I was having a matter checked on one of the areas of the amendment. They are ready at this time, and rather than prolong debate on the main bill, I would like to offer those amendments at this time.

The SPEAKER pro tempore. Have the copies been distributed?

Mr. MANDERINO. They have been.

PARLIAMENTARY INQUIRY

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

Mr. PANCOAST. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PANCOAST. We have already voted in moving the bill from final passage back to third consideration. Why do we have to move from third consideration back to something else?

The SPEAKER pro tempore. I have been informed by the Parliamentarian that after the bill was reconsidered, the bill was agreed to on third consideration, and the question before the House was for final passage. We now have to revert back to that position of third reading so that amendments may be offered.

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON. Is it not a fact, Mr. Speaker, that we are on final passage of this bill?

The SPEAKER pro tempore. We were on final passage.

Mr. RICHARDSON. No, no; not "were." Is it not a fact, Mr. Speaker, that we are on final passage of HB 1075? Is that not a fact, Mr. Speaker?

The SPEAKER pro tempore. That is correct.

Mr. RICHARDSON. Mr. Speaker, it seems to me that we should not revert back to anything but continue to vote up or down HB 1075 on its final passage. At the time of the amendment, it was then withdrawn, and the House then moved at that time to consider final passage of HB 1075.

I would object at this point to anything other than final passage being discussed, and I think under the rules of this House, that I am in correct motion.

The SPEAKER pro tempore. The gentleman's point of order is not well taken.

The majority leader is attempting to move to have the House consider amendments that he wishes to place before the House, and he has that right to make that motion to reconsider. We are

merely voting now on that reconsideration motion.

Mr. RICHARDSON. I will speak to the motion then, Mr. Speaker.

The SPEAKER pro tempore. I did not hear the gentleman.

Mr. RICHARDSON. I will speak to the motion.

The SPEAKER pro tempore. You were speaking to the motion?

Mr. RICHARDSON. I would like to speak to the motion, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, at this time I would ask that the members of this House not reconsider moving back to asking that amendments be taken at this particular time, because we are in the middle of a very serious debate concerning HB 1075.

It would seem to me that it is a little backward at this point that we would consider amendments when we have already passed over that particular stage of the game to really move to final passage. I do not understand the validity or the reasoning or rationale as to why we would go back and ask for amendments to be considered. It would seem to me that the members of this House were getting into the final debate on this bill, and, therefore, I would ask that we vote down the reconsideration and go ahead and vote the bill up or down.

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

Mr. MANDERINO. I would like all members to vote in the affirmative, Mr. speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—149

Abraham	Freind	Lynch	Scirica
Anderson	Fryer	Mackowski	Seltzer
Armstrong	Gallagher	Madigan	Shuman
Arthurs	Gallen	Manderino	Shupnik
Bellomini	Gamble	Manmiller	Smith, E.
Bennett	Garzia	McCall	Smith, L.
Berlin	Gatski	McLane	Spencer
Bittinger	Geesey	Mebus	Spitz
Bittle	Geisler	Meluskey	Stairs
Brandt	George, C.	Milliron	Stapleton
Brown	Giammarco	Miscevich	Stewart
Brunner	Gillette	Moehlmann	Stuban
Burd	Gleeson	Morris	Sweet
Burns	Goodman	Mowery	Taddonio
Butera	Greenleaf	Mrkonic	Taylor, F.
Caltagirone	Grieco	Mullen, M. M.	Tenaglio
Caputo	Halverson	Musto	Thomas
Cassidy	Hasay	Novak	Trello
Cessar	Hayes, D. S.	Noye	Valicenti
Cimini	Hayes, S. E.	O'Brien, B.	Vroon
Cowell	Helfrick	O'Connell	Wansacz
Davies	Hoeffel	O'Keefe	Wargo
DeMedio	Honaman	Pancoast	Wass
DeVerter	Hopkins	Parker	Wenger
DeWeese	Hutchinson, A.	Petrarca	Wilson
DiCarlo	Itkin	Pott	Wilt
Dietz	Kelly	Pratt	Wise
Dininni	Kernick	Prendergast	Wright, D.

Dombrowski	Knepper	Pyles	Yahner
Dorr	Kolter	Ravenstahl	Yohn
Doyle	Kowalshyn	Reed	Zearfoss
Duffy	Laughlin	Renwick	Zeller
Dumas	Lehr	Ritter	Zitterman
Englehart	Letterman	Ruggiero	Zwinkl
Fee	Levi	Ryan	
Flaherty	Lincoln	Scheaffer	Irvis,
Foster, A.	Livengood	Schmitt	Speaker
Foster, W.	Logue	Schweder	

NAYS—45

Barber	Greenfield	Miller	Sirianni
Beloff	Hamilton	Mullen, M. P.	Taylor, E.
Berson	Harper	O'Brien, D.	Wagner
Borski	Haskell	O'Donnell	Weidner
Cianciulli	Hutchinson, W.	Oliver	White
Cohen	Johnson	Piccola	Wiggins
Donatucci	Jones	Pievsky	Williams
Fischer, R. R.	Katz	Polite	Wright, J. I.
Fisher, D. M.	Klingaman	Rappaport	Zord
George, M.	McClatchy	Richardson	
Goebel	McGinnis	Rieger	
Gray	McIntyre	Salvatore	

NOT VOTING—6

Cole	Pitts	Scanlon
Milanovich	Rhodes	Shelton

The question was determined in the affirmative and the motion was 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 Title, page 1, lines 2 and 3 by striking out “; and” and inserting a comma

Amend Title, page 1, line 4 by removing the period after “Education” and inserting and further providing for the imposition of certain taxes.

Amend Table of Contents, page 2, by inserting between lines 11 and 12

Section 402.1. Additional requirements applicable to school districts of the first class.

Amend Bill, page 18, by inserting between lines 1 and 2

Section 402.1. Additional requirements applicable to school districts of the first class.

(a) Transfer or levy of real estate taxes.—In addition to the requirements applicable to all school districts, before a school district of the first class coterminous with a city of the first class can receive approval to participate in or receive any funds from the programs provided by this act, the council of such a city of the first class, acting upon behalf of and for the benefit of such school district shall by ordinance be required, at its election:

(1) to transfer from such city to such school district of the first class in the fiscal year 1977-1978 and in each fiscal year thereafter part of its real estate taxes in an amount equal to four mills of the tax revenue received, or to be received by such city from the real estate taxes levied by the council in the same fiscal year in which such transfer shall be made. The amount of tax revenues to be transferred in the fiscal year 1977-1978 and in each fiscal year thereafter shall be in addition to any tax revenues or other revenues of the city which by ordinance were transferred, or are to be transferred by the city to such school district prior to the effective date of this act. The revenues so transferred shall be for the exclusive use of such school district. Notwithstanding the provisions of any law or city charter to the contrary, the council of the city of the first class shall have

the authority, and its duty shall be, to open its budget approved in any fiscal year for the purpose of implementing the transfer of revenues as prescribed herein, and such school district, in like manner, shall have the same authority and duty to open its budget to receive and expend the revenue so transferred; or

(2) to levy on behalf of and for the exclusive benefit and use of such school district of the first class a tax at the rate of four mills on the assessed valuation of real estate situate in such city of the first class. Such four mill tax rate shall be imposed in the fiscal year 1977-1978 and in each fiscal year thereafter and such tax rate shall be in addition to any tax millage rate now imposed by such council, or by such school district, on the valuation of such real estate prior to the effective date of this act. Notwithstanding any provision of law or charter which prohibits council of any city of the first class from levying an interim tax after its fiscal year budget is approved, the council of such city of the first class is hereby authorized, and its duty shall be, to levy in the fiscal year 1977-1978 and in any fiscal year thereafter a tax on valuation at the rate of and for the use prescribed herein. Such school district is hereby authorized to open its budget approved for such fiscal year for the purpose of receiving and expending the revenues derived from any such interim tax imposition.

(b) Implementing requirements.—The council of any city of the first class shall have 90 days after the effective date of this act to effectuate the provisions of this section, by enacting an ordinance to either provide for the transfer of tax revenues from the city to the school district as prescribed in clause (1) of subsection (a), or provide for the imposition of an additional tax millage rate on real estate valuation as prescribed in clause (2) of subsection (a). In enacting such ordinance, council shall be prohibited from inserting therein or inserting in any other ordinance which it may enact any provision which would abolish any tax or reduce any revenues therefrom which heretofore was imposed by council or by the school district for school purposes.

(c) Failure of council to comply.—If the council of any city of the first class, coterminous with a school district of the first class, fails or refuses to implement by ordinance either of such options in the manner and within the time and under the conditions prescribed by this section, then, notwithstanding any provision of any law or of the Home Rule Charter of any such city to the contrary, and in addition to any tax which the council of such city or the board of education of such school district is now or hereafter authorized by law to impose on the assessed valuation of real estate, the General Assembly hereby imposes for the fiscal year 1977-1978 and in each fiscal year thereafter a tax at the rate of four mills on the assessed valuation of the real estate situate within the city of the first class.

(d) Collection of tax.—The additional tax hereby imposed in each fiscal year under this act shall be collected by the city of the first class in the same manner and under the same procedures as it is now authorized by law or charter in the imposition and collection of real estate taxes. The entire amount of taxes received, or to be received in any fiscal year as the result of real estate tax imposed herein shall be in addition to and not in the reduction by council of any tax heretofore imposed for the benefit and use of such school district and shall be transferred by council of any city of the first class to and for the exclusive use of the school district of the first class coterminous with it.

(e) Qualification.—In the event a tax is imposed by the General Assembly pursuant to subsection (c), a school district of the first class shall then be entitled to participate in the programs provided by this act, provided such school district meets the other terms and conditions prescribed by this act.

Amend Sec. 403, page 18, line 8 by inserting after “402,” and in the case of a school district of the first class, the additional requirements set forth in section 402.1,

Amend Sec. 415, page 27, line 13 by striking out “each” and inserting any

Amend Sec. 415, page 27, line 14 by striking out “the amount of” and inserting an amount equal to 50% of the

Amend Sec. 415, page 27, lines 17 and 18 by striking out “the respective school districts.” and inserting such school district.

Amend Sec. 505, page 30, line 8 by removing the comma

after "immediately" and inserting a period
Amend Sec. 505, page 30, lines 8 through 10 by striking out
"UPON THE" in line 8 and all of lines 9 and 10

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

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

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, several days ago—

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

Mr. POLITE. Mr. Speaker, I do not have a copy of the amendment.

The SPEAKER pro tempore. Are there copies available? Do the other members of the House have copies of the amendment?

They indicate they do. Will a page see that the gentleman, Mr. Polite, receives a copy?

Mr. POLITE. There are other members who do not have copies.

The SPEAKER pro tempore. Will the members who do not have copies of the proposed amendment raise their hands?

The Chair recognizes the gentleman from Lancaster, Mr. Brandt. For what purpose does the gentleman rise?

Mr. BRANDT. Mr. Speaker, would the majority leader kindly identify this amendment by an amendment number?

Mr. MANDERINO. A1400.

The SPEAKER pro tempore. Have all the members now received a copy of the amendment?

The Chair recognizes the majority leader.

Mr. MANDERINO. Do you have some problem, Mr. Ryan?

Mr. RYAN. No, no. At the appropriate time, Mr. Speaker, I would like to interrogate the majority leader.

Mr. MANDERINO. Thank you.

Mr. Speaker, several days ago—perhaps it was last week; I have forgotten time by now—we ran HB 1075 as an amendment to HB 593. At that time it received some 45 votes or thereabouts.

The problem in the Philadelphia School District is not going to go away, and I have looked for ways that those members in this body who want to contribute to the solution of the problem in the Philadelphia School District can do so in good conscience. I am mindful of the western press in this state which has indicated to the members from the western part of the state that, in their opinion, this was a bailout, and they used that term. Under no uncertain terms, in the Pittsburgh papers, this particular legislation was not given good marks. But in those editorials and in the strongest of those editorials taking a negative position on HB 1075, the statement was made to the members of the legislature that before we should again come to the aid of the school district in Philadelphia, we ought to require certain things.

We ought to require that some system be set up first so that we would have some handle on the situation so that the problem would not reoccur. I believe that amendments that I added

to the bill last week requiring approval of the budget went far in that direction.

The second requirement that those editorials seemed to indicate was that we ought to find, before we would help, a greater local effort for schools in Philadelphia than is presently being made, that they were willing to participate with us in solving that problem by showing a greater local effort and, in fact, by picking up some of the costs of the program.

My amendments do two things basically. The interest subsidy which is contained in HB 1075 requires the Commonwealth of Pennsylvania to pay all of the interest required to be paid on the bonds. My amendment says the Commonwealth of Pennsylvania will pay up to 50 percent of the interest on those bonds if you down in Philadelphia will pay the other 50 percent. Let us get in the boat together to solve the problem.

The second part of my amendment indicates that a greater local effort should be made. I have heard even the members from Philadelphia indicating that perhaps additional moneys ought to be forthcoming from the city to the school district, and what the second part of my amendment does is say to the city of Philadelphia that they will transfer to the school district 4 mills of taxation, which amounts to \$21.6 million this year. And not only will that 21 mills be transferred this year but it will remain with the school district for school district purposes, and that has to be in addition to present millage being diverted to the school district. That millage of 21.6 or the raising \$21.6 million will probably grow in the years to come as the property values that that millage is imposed on also grows, but at least we have 21.6 mills.

The amendment further provides that if the city does not make the transfer of millage or impose additional millage in the amount of 4 mills for school purposes in the city of Philadelphia, this legislature, by this HB 1075, hereby imposes 4 mills of taxation on properties in Philadelphia for use by the Philadelphia School District.

With the language in the bill that insures repayment in the schedule and in the budget, what we are doing is insuring that the money is there for repayment of the principal and the interest subsidy of 50 percent in the Philadelphia School District.

I do not like to propose these kinds of amendments. I do not particularly like the idea of perhaps the eventuality coming about that additional taxation will be imposed upon residents of the city who pay the highest taxes in the nation today, but I recognize that a problem exists that will not go away — that deficit in the Philadelphia School District budget of \$67 million this year and over \$100 million next year is not going to go away. We are going to have to solve that problem, and I am proposing a way by which perhaps some of us who come from the western part of the state and some of us who come from the rural areas would be able to support HB 1075, so that the problem can approach a solution for the school children of Philadelphia. I move the adoption of the amendment, Mr. Speaker.

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

Mr. RYAN. Mr. Speaker, I had indicated that I wanted to interrogate the majority leader. He did, I believe, answer the

questions I was going to ask him. I would like to just speak to the amendment.

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

Mr. RYAN. Mr. Speaker, I think there are probably some members on our side who are impressed by the efforts as they are contained in this amendment and I would not be a bit surprised if maybe one or two voted for it. I will not be one of them.

I said last week, when city council, in an exercise of generosity, pledged—unsupported by the bulk of city council and disavowed by the mayor, I believe—\$10 million, that it was tokenism on their part. Now like SEPTA and all the other transit companies, we have got double tokenism. We get two tokens this time in \$21 million rather than the \$10 million.

Do you know what is going to happen here? We will put this amendment in, and you watch. The mayor of the city of Philadelphia and city council will come out and they will complain that we here in the legislature have raised the taxes of the people of the city of Philadelphia.

What we are being asked to do here today with this amendment is not what we have been complaining about for the past weeks, that Philadelphia is unwilling to contribute to the problem. They are still unwilling. We are forcing them to make a contribution to the problem. They are not doing this on their own initiative. We are doing it for them. They were elected to rule; they were elected to make decisions; they were elected to bite the bullet and raise the taxes the same way our school directors, township supervisors, county commissioners and ourselves have bitten the bullet from time to time to raise taxes where indicated.

In this case, the thing that you will see in the newspaper and the picture and the words that you will hear on television are those dirty guys up in Harrisburg just raised the taxes on the citizens of Philadelphia by some \$21.6 million.

What we are looking for when we complained before about Philadelphia not doing its share was that they were not taking any of the money that they overtaxed last year when they raised \$80 million. They were not taking any of that money and giving it to the school system. They were spending it rather on further municipal services. They promised the people of Philadelphia a reduction. They promised a reduction in the Philadelphia taxes when they made their raise last year. They have not lived up to that promise, and this is the one that most of us were complaining about. Now what they are having us do is their job — raise their taxes to support their schools. We still have not seen anything on the part of city council as to what they are willing to do with the municipal government budget. How much of that \$80 million that they taxed last year additionally are they willing to contribute to the school system of Philadelphia?

I do not think it is right that we come up here and impose on them a tax when they are unwilling to impose it upon their own people who elected them, when they are unwilling to disgorge some of the money that they took from the citizens of Philadelphia last year when they were in a tight financial bind and admittedly overtaxed. They said they had to overtax last year in

order to get out of the deficit that they had last year. They admitted that when they did overtax last year, that deficit, then out of the way by virtue of the new tax dollars, would be available for tax reduction the following year; that is, this year. But your taxes in Philadelphia were not reduced. Your taxes were not raised by city council. You in the school district, those of you who are looking at the school district, have not seen any of that \$80 million this year go into the school board coffers.

Rather, what you have seen is you have seen the city of Philadelphia through its emissaries come up here, speak to the majority party, and say, look, we do not have the nerve because we have always campaigned on a no-tax-raise issue. That is how the mayor campaigned for many years until he got in that bind last year. We have always campaigned on no taxes. You have to fulfill our no-tax pledge. You people in Harrisburg raise the taxes so that you are tarred for that problem, not us.

If Mr. Manderino wants to do something a little super here, why does he not—he gives them the option of raising the taxes by us if city council does not disgorge it from their own overtaxed program of last year. Perhaps what would have been better, Mr. Speaker, is if your option, instead of saying “or,” said “and;” by that I mean if the city council were told you will transfer 4 mills because you overtaxed last year and you will raise 4 mills for your additional local effort. Maybe that is the way it should have gone to show something, and that should have been done by city council, not by us here in the legislature.

I oppose it.

PARLIAMENTARY INQUIRY

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

Mr. O'DONNELL. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'DONNELL. Mr. Speaker, even after 3 years here I am not sure I can distinguish political speeches from sincere sentiments. Accordingly, I would like to put Mr. Ryan's statements to the test.

Clearly Mr. Manderino's amendment has three parts, the third part of what is the imposition of a tax by the General Assembly.

The second part says to get into this program under HB 1075, the city council has to make the choice, and it is appropriately their choice whether to divert existing tax revenues or to impose additional millage.

I think Mr. Ryan's point is well taken that that is their responsibility. Accordingly, I would like to ask the Chair, as a matter of parliamentary inquiry, if there is some way that sections (c), (d), and (e) on page 3, which are an act of the General Assembly imposing a tax on that county, can be separated from the rest. I think the rest of the amendment does place the responsibility on city council where it properly belongs, and I think only by dividing can we be able to distinguish among the speakers who have come to the microphone, who is sincerely interested in the problem and who is making political hay.

The SPEAKER pro tempore. Will the gentleman state precisely where he would like to have the proposed division?

Mr. O'DONNELL. I am not proposing a division. I am asking, as a matter of parliamentary inquiry, whether the Chair can advise me if there is any way that sections (c), (d), and (e), which are clearly distinguishable in their impact and in their intent, can be separated out from the rest of the Manderino amendment. They begin on line 4, page 3, going to the end of the page.

The SPEAKER pro tempore. Will the gentleman suspend?

The Chair is of the opinion that it is not divisible in the manner in which the gentleman has suggested.

POINT OF ORDER

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

Mr. O'DONNELL. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'DONNELL. Is divisibility a matter for the House or for the Chair?

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

Mr. O'DONNELL. Is this a question for the Chair or for the House?

The SPEAKER pro tempore. The Chair can rule in the first instance, which he has, but you could appeal it to the members of the House.

In the opinion of the Chair, the question is not divisible where the gentleman had stated. If he will read it, I think he will gain the same conclusion.

Mr. O'DONNELL. I have read it, Mr. Speaker. I do not agree with the conclusion. Accordingly, would a motion to divide be in order?

The SPEAKER pro tempore. It would.

MOTION TO DIVIDE

Mr. O'DONNELL. I would move to divide, to separate out of the amendment, page 3, line 4 to the end of that page.

The SPEAKER pro tempore. It is moved by the gentleman from Philadelphia, Mr. O'Donnell, that this amendment be divided. He would delete, on page 3, section (c) and the rest of that page, which would be sections (c), (d) and (e), from all of page 2 and the first three lines on page 3.

In the opinion of the Chair, the question is not divisible.

The question now before the House is, Shall this amendment be divided as stated?

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

Mr. MILLIRON. To ask a few questions of Mr. O'Donnell on the question of division.

The SPEAKER pro tempore. Will the gentleman, Mr. O'Donnell, consent to interrogation?

Mr. O'DONNELL. Yes, Mr. Speaker.

The SPEAKER pro tempore. He indicates he will, and the gentleman may proceed.

Mr. MILLIRON. Thank you, Mr. Speaker.

Mr. Speaker, do I understand that the intent of the division would be that in order to be able to be eligible under this act,

they would have to apply basically the 4 mills to the school district?

Mr. O'DONNELL. There are three parts. The first part is not under discussion; that is, that 50 percent should be paid by the—okay, fine.

The second part that is under discussion is the second part of the Manderino amendment, which says to get into the program, the HB 1075 authority, the city council would have to either divert 4 mills or levy 4 mills additional. Fine.

The third part, which is what I am seeking to divide out, says in the event that city council fails to do that, this Assembly hereby enacts a tax on that county. Whether or not the school district of the first class then decides to go into that authority or does not go into that authority or is eligible under the other provisions of the bill or is not eligible, this Assembly is levying a tax on that county. I think that that is clearly a different idea than putting the responsibility on the council. This says hereby taxes, this act, 90 days after the failure of the council to act. This Assembly has hereby enacted a tax on that county without the school district ever going into HB 1075 or not.

Mr. MILLIRON. Mr. Speaker, my question is, is it possible, if we would divide where you are suggesting and the school district would take advantage, so to speak, of the authority—in other words, if the city makes a commitment, so to speak, to transfer 4 mills and in the process of technicalities the bonds are floated, the school district receives the moneys and the city does not transfer the funds, could that be done? What I am saying is I am under the impression that that third section of the amendment was to assure that the 4 mills are charged or assessed if they enter the agreement. Is there any way they would enter the agreement and then not charge the 4 mills?

Mr. O'DONNELL. No, because eligibility to enter HB 1075 is conditioned upon the taxing by the city council. There is no way it can get hung up between. Otherwise, you are not eligible legally to go into HB 1075.

That third section is not a guarantee that the council act. What it in fact does is take the council off the hook. Once this is divided, I am going to vote for the first part of the Manderino amendment, because I want the city council of Philadelphia to divert some of that existing tax revenue.

The second part says listen, city council, we have thought of something even better; that is, we are going to let you off the hook. The General Assembly of Pennsylvania is going to tax you people.

Mr. MILLIRON. Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, on the question of division, I think that the Chair is entirely right that this is not a divisible question.

By their very terms, sections (c), (d), and (e) refer back to other sections in the bill. For a question to be divisible, they must be able to stand independently, each being an independent thought and idea. There is no way the second part can stand independent of the first, especially referring back to it. You are assuming that the first part will pass. The first part

may not pass. And there is no way that that can be independent.

Other than that, a division of the question makes an entirely different proposition out of it. It does not recognize two entirely separate, independent propositions that can be viewed separately without one hurting the other if it is not adopted.

I would think that the motion to divide should be voted in the negative.

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

Mr. O'DONNELL. Mr. Speaker, I think the notion of two separate ideas—this is what we are trying to deal with—is not a question of parliamentary maneuvering and whether the title of the bill and the page and the amendment number by the Legislative Reference Bureau has to be attached by the second part.

We are talking about whether or not this General Assembly imposes a tax on whether the city council of Philadelphia has the responsibility to deal with that. Those, in my mind, are two very, very separate ideas, and I ask the House not to be confused by any kind of parliamentary types of problems and simply vote that the question is divisible.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Brien.

Mr. D. M. O'BRIEN. Mr. Speaker, I rise to support Mr. O'Donnell's motion.

For weeks we have been up here debating HB 1075, and for weeks members of the General Assembly have been criticizing and chastising the city council and the administration in the city of Philadelphia for not doing their fair share for education.

Under these sections of the amendment, (c), (d) and (e), I agree with Mr. O'Donnell that we are taking city council and the administration off the hook, because it is this General Assembly that is going to be imposing this tax and not the city council of the city of Philadelphia.

I ask the members of this House to support this motion.

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

Mr. SELTZER. Mr. Speaker, the problem is still there, assuming that we adopt this amendment, because the Philadelphia School District will spend more money next year than this amendment will raise. Therefore, Mr. Speaker, the budget hole will get deeper and deeper. The need for—

The SPEAKER pro tempore. The Chair would remind the speaker that the question before the House is the division of the amendment.

Mr. SELTZER. I apologize to the Chair and hope that I will be recognized when this is resolved.

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

Mr. RYAN. Mr. Speaker, to any of the members who are trying to figure this out, I would like to suggest a way, and perhaps Mr. Manderino will review this at the same time.

It seems to me that the O'Donnell division should be the entire amendment offered by Mr. Manderino with provisions (c)

and (e) deleted. Section (c) deals with the General Assembly imposing the 4-mill tax; (e) deals with getting that tax if imposed by the General Assembly. So, in my judgment, this amendment without (c) and (e) in it would stand by itself.

However—and this is where I do not know the answer in a parliamentary sense—(c) and (e) by themselves—

Mr. MANDERINO. Cannot stand by themselves.

Mr. RYAN.—are nothing.

Mr. MANDERINO. Right, and that is why it is not divisible.

Mr. RYAN. Under our modern rules, as we adopted them this year, we are not permitted to amend amendments I recall.

The SPEAKER pro tempore. The Chair thanks the learned gentleman.

Mr. RYAN. For calling to the attention of the membership the terrible set of rules we adopted at the beginning of the year.

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

Mr. MANDEDINO. Mr. Speaker, just very briefly since a couple of the members on the question of division mentioned a couple of things.

Mr. Seltzer said the problem will not go away, and it will not go away. And if the problem is a handle on the budget in the School District of Philadelphia, the amendments that I put in last week give the Secretary of Education full control over that budget. He must review it and approve it, has the power to suspend and has the power to amend. That is the first time we have ever had that concept.

On the imposition of the tax, maybe we will be taking city council off the hook, but my concern is the schools in the School District of Philadelphia and the children who attend those schools. I do not think we ought to be playing politics with who is going to impose the additional revenues that we all know are necessary. I am willing to impose them. I think they are necessary.

PARLIAMENTARY INQUIRY

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

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RYAN. Can we suspend our rules to permit an amendment to this amendment and delete (c) and (e) from the Manderino amendment?

The SPEAKER pro tempore. I am informed that any rule of the House may be suspended as long as it does not conflict with the constitution, and this does not.

MOTION TO SUSPEND RULES

Mr. RYAN. If it is appropriate, then I would so move.

The SPEAKER pro tempore. The motion, of course, must be approved by a majority of the members of the House.

Mr. RYAN. One hundred and two votes. I understand that.

What I am suggesting now, so that it is clear, is I am asking that the rules of the House be suspended to permit us to amend the Manderino amendment by removing from that amendment provisions (c) and (e) on page 3 and then being in a position to

vote the Manderino amendment absent (c) and (e).

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

Mr. MANDERINO. Mr. Speaker, I think on the question of the suspension of the rules, the same arguments come to bear that we debated on division, and I would ask that we not suspend the rules to accomplish this because I do not think it is going to help in the solution of the problem.

GAVEL RETURNED TO SPEAKER

The SPEAKER pro tempore. The Chair is pleased at this time to turn the gavel over to the Speaker.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

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

The question before the House is, Shall the House suspend the rule which says that the House may not offer an amendment to the amendment?

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

Mr. O'DONNELL. Mr. Speaker, I believe there is already a motion on the floor.

The SPEAKER. The Chair is informed that the motion to suspend the rules supersedes the prior motion.

Mr. O'DONNELL. Thank you.

The SPEAKER. The Chair recognizes, on that motion to suspend the rules, the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, I do not want to speak on the motion to suspend the rules. I want to speak on the amendment.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—98

Anderson	Gallen	Mackowski	Ryan
Barber	Geesey	Madigan	Salvatore
Beloff	George, M.	Manmiller	Scheaffer
Berson	Goebel	McClatchy	Scirica
Bittle	Gray	McGinnis	Seltzer
Borski	Grieco	Mebus	Sirianni
Brandt	Halverson	Miller	Smith, E.
Brown	Hamilton	Milliron	Spencer
Burd	Hasay	Moehlmann	Spitz
Burns	Haskell	Mowery	Stairs
Butera	Hayes, D. S.	Noye	Stapleton
Cassidy	Hayes, S. E.	O'Brien, D.	Taddonio
Cessar	Helfrick	O'Connell	Taylor, E.
Cimini	Hoeffel	O'Donnell	Thomas
Cohen	Honaman	O'Keefe	Vroon
Davies	Hopkins	Pancoast	Wagner
Dietz	Hutchinson, W.	Parker	Wass
Dininni	Jones	Polite	Weidner
Dorr	Katz	Pott	Wenger
Dumas	Kernick	Pyles	White
Fisher, D. M.	Klingaman	Rappaport	Williams
Flaherty	Knepper	Reed	Wright, J. L.
Foster, A.	Lehr	Richardson	Yohn
Foster, W.	Levi	Ritter	Zord
Freind	Lynch		

NAYS—98

Abraham	Gallagher	McCall	Schweder
Armstrong	Gamble	McIntyre	Shuman
Arthurs	Garzia	McLane	Shupnik
Bellomini	Gatski	Meluskey	Smith, L.
Bennett	Geisler	Milanovich	Stewart
Berlin	George, C.	Miscevich	Stuban
Bittinger	Giammarco	Morris	Sweet
Brunner	Gillette	Mrkonic	Taylor, F.
Caltagirone	Gleeson	Mullen, M. P.	Tenaglio
Caputo	Goodman	Mullen, M. M.	Trelo
Cianciulli	Greenfield	Musto	Valicenti
Cole	Greenleaf	Novak	Wansacz
Cowell	Harper	O'Brien, B.	Wargo
DeMedio	Hutchinson, A.	Oliver	Wiggins
DeVerter	Itkin	Petrarca	Wilt
DeWeese	Johnson	Piccola	Wise
DiCarlo	Kelly	Pievsky	Wright, D.
Dombrowski	Kolter	Pratt	Yahner
Donatucci	Kowalyshyn	Prendergast	Zearfoss
Doyle	Laughlin	Ravenstahl	Zeller
Duffy	Letterman	Renwick	Zitterman
Englehart	Lincoln	Rhodes	Zwilk
Fee	Livengood	Rieger	
Fischer, R. R.	Logue	Ruggiero	Irvis,
Fryer	Manderino	Schmitt	Speaker

NOT VOTING—4

Pitts	Scanlon	Shelton	Wilson
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The question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

PARLIAMENTARY INQUIRIES

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

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Is the O'Donnell motion to divide still before the House, or has he withdrawn that and are we now on the amendment?

The SPEAKER. The gentleman, Mr. O'Donnell, has indicated that he is not withdrawing. Is that correct? So the gentleman's motion remains before the House. The question is, shall the House divide the Manderino amendment as stated by the gentleman, Mr. O'Donnell, and restated by the gentleman, Mr. Ryan?

Mr. RYAN. That was my second point, Mr. Speaker. Is the division proposed by Mr. O'Donnell to delete (c), (d), and (e) from this?

The SPEAKER. No. The term "delete" should not be used.

Mr. RYAN. Not delete; divide away (c), (d) and (e).

The SPEAKER. That is correct. The gentleman from Philadelphia has indicated to the Chair that he wishes to draw a line between the words "school district for school purposes" on page 3, and "(c) Failure of council to comply . . ." et cetera, down to the end of that page. That is the gentleman's motion.

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

Mr. CAPUTO. I rise to a parliamentary inquiry.
 The SPEAKER. The gentleman will state it.
 Mr. CAPUTO. Did not the Chair rule that it was not divisible?
 The SPEAKER. The Chair did rule that it was not divisible.
 Mr. CAPUTO. Should not the motion be to appeal the ruling of the Chair?
 The SPEAKER. The gentleman, Mr. O'Donnell, chose not to overrule the ruling of the Chair, but the gentleman in effect is doing that by placing a motion to divide.
 Those who are in favor of division at the point indicated will vote "aye"; those opposed will vote "no."
 Mr. WILLIAMS. Mr. Speaker—
 The SPEAKER. I thought the gentleman wished to speak on the amendment. This is on the division.
 Mr. WILLIAMS. Mr. Speaker, I want to speak now—
 The SPEAKER. On the division?
 Mr. WILLIAMS. —on the issue at hand, the division.
 The SPEAKER. On the division.
 Mr. WILLIAMS. That is correct.

QUESTION OF INFORMATION

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams, to speak on the division.
 Mr. WILLIAMS. A point of clarification, Mr. speaker.
 The SPEAKER. The gentleman will state it.
 Mr. WILLIAMS. The vote that we just voted on, the O'Donnell issue, was that a motion to suspend?
 The SPEAKER. The Chair would inform the members that the members have voted on a motion to suspend the rules. That motion failed.
 Mr. WILLIAMS. The effect of which was what, Mr. Speaker?
 The SPEAKER. The effect of that was to deny the attempt for a solution of this problem by Mr. Ryan who has suggested that the way to get out of this quagmire would be to amend the Manderino amendments. The rules do not permit that, and there is a motion to suspend the rules to so permit. Because the House failed to pass that motion, the rules are intact and the amendment may not be amended.
 Therefore, we now fall back to the prior motion placed by the gentleman, Mr. O'Donnell, to divide the question as specified.
 Mr. WILLIAMS. All right. I understand, Mr. Speaker. Thank you. So a vote to sustain the O'Donnell motion would, in fact, divide the question. Is that correct?
 The SPEAKER. A vote in the affirmative on the O'Donnell motion would, in fact, divide the amendment as indicated. This is not a vote as to whether or not the question is divisible.
 Mr. WILLIAMS. I understand that.
 The SPEAKER. This is a motion to actually divide, yes.
 Mr. WILLIAMS. In effect it would override the ruling of the Chair.
 The SPEAKER. In effect it would override the ruling of the Chair; yes, sir.
 Mr. WILLIAMS. Thank you.
 On the question,
 Will the House agree to the motion?

The following roll call was recorded:

YEAS—88

Armstrong	George, M.	Mebus	Seltzer
Barber	Goebel	Meluskey	Shuman
Beloff	Grieco	Miller	Sirianni
Berson	Hamilton	Milliron	Smith, E.
Bittle	Harper	Moehlmann	Spitz
Borski	Hasay	Mowery	Stairs
Brandt	Hayes, D. S.	Noye	Stapleton
Brown	Hayes, S. E.	O'Brien, D.	Taddonio
Burns	Hoefel	O'Donnell	Taylor, E.
Butera	Honaman	O'Keefe	Vroon
Cassidy	Hopkins	Parker	Wagner
Cessar	Hutchinson, W.	Polite	Wass
Cimini	Jones	Pott	Weidner
Cohen	Katz	Pyies	Wenger
Davies	Klingaman	Rappaport	White
Dietz	Knepper	Reed	Williams
Dininni	Levi	Richardson	Wilson
Dorr	Lynch	Ritter	Wise
Dumas	Mackowski	Ryan	Wright, J. L.
Foster, W.	Madigan	Salvatore	Yohn
Freind	Manmiller	Schweder	Zearfoss
Geesey	McClatchy	Scirica	Zwikl

NAYS—109

Abraham	Gallagher	Livengood	Ruggiero
Anderson	Gallen	Logue	Scanlon
Arthurs	Gamble	Manderino	Scheaffer
Bennett	Garzia	McCall	Schmitt
Berlin	Gatski	McGinnis	Shupnik
Bittinger	Geisler	McIntyre	Smith, L.
Brunner	George, C.	McLane	Spencer
Burd	Giammarco	Milanovich	Stewart
Caltagirone	Gillette	Miscevich	Stuban
Caputo	Gleeson	Morris	Sweet
Cianciulli	Goodman	Mrkonic	Taylor, F.
Cole	Gray	Mullen, M. P.	Tenaglio
Cowell	Greenfield	Mullen, M. M.	Thomas
DeMedio	Greenleaf	Musto	Trello
DeVerter	Halverson	Novak	Valicenti
DeWeese	Haskell	O'Brien, B.	Wansacz
DiCarlo	Helfrick	O'Connell	Wargo
Dombrowski	Hutchinson, A.	Oliver	Wiggins
Donatucci	Itkin	Pancoast	Wilt
Doyle	Johnson	Petrarca	Wright, D.
Duffy	Kelly	Piccola	Yahner
Englehart	Kernick	Pievsky	Zeller
Fee	Kolter	Pratt	Zitterman
Fischer, R. R.	Kowalshyn	Prendergast	Zord
Fisher, D. M.	Laughlin	Ravenstahl	
Flaherty	Lehr	Renwick	Irvis,
Foster, A.	Letterman	Rhodes	Speaker
Fryer	Lincoln	Rieger	

NOT VOTING—3

Bellomini Pitts 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 amendments?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Garzia, on the amendment.
 Mr. GARZIA. May I interrogate the majority leader, please?
 The SPEAKER. Will the majority leader consent to interrogation?

Mr. MANDERINO. Briefly.

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman from Delaware may place the interrogation.

Mr. GARZIA. Mr. Speaker, if I understand this amendment right, the Philadelphia City Council must impose a tax of 4 mills and give it to the school district. Can that be nonproperty tax or could it be part of the city wage tax?

Mr. MANDERINO. It is on real property.

Mr. GARZIA. In other words, they must impose a 4-percent real estate tax just for schools, or 4 mills?

Mr. MANDERINO. Or transfer of same.

Mr. GARZIA. Okay. When you say "transfer," I take it to mean they can use part of that 4 5/16 tax which they have on nonresidents?

Mr. MANDERINO. Mr. Speaker, when I drafted the amendment, I specifically indicated that it had to be property taxes. I did not want to get into the suburban problem.

Mr. GARZIA. In other words, Mr. Speaker, in this amendment, there is a guarantee that nonresidents will not be stuck with higher taxes for the school district?

Mr. MANDERINO. The 4 mills are imposed on property.

Mr. GARZIA. Okay. Mr. Speaker, you mentioned one-half of the interest will be paid by the state and the other half will be paid by Philadelphia. What happens with this bill in 4 or 5 years if half of the school districts in the state join this program? Will it still be a half percent? Or is this half percent just for the city of Philadelphia?

Mr. MANDERINO. I believe the bill is written on its features on the imposition of the tax and also on the 50-percent subsidy to apply to all school districts. The tax is imposed in the city of the first class, but the interest subsidy applies to all districts.

Mr. GARZIA. Mr. Speaker, if this amendment is voted on and it passes, in my opinion, you might as well just go to an elected school board because you are doing the same thing that an elected school board, which has voting power to increase their own taxes, can do. You are doing the same thing. This is my opinion.

Mr. MANDERINO. I am doing the same thing, Mr. Speaker, that if we ever declared them a distressed district, I would think would be the first step of the committee that would take over the schools.

Mr. GARZIA. Okay. One other question and I will sit down. Mr. Speaker, what will the cost of this amendment be to the taxpayers of Pennsylvania, say, in 5, 10, 15 years from now? Is there any cost?

Mr. MANDERINO. If my amendment is adopted, it will save probably \$12 million to \$13 million a year for the next 20 years.

Mr. GARZIA. That is if just Philadelphia school district is in this program?

Mr. MANDERINO. Mr. Speaker, my amendment says that we will not pay 100 percent of the interest subsidy; we will only pay 50 percent. So whatever the bill would cost as it is written now, I have cut it in half. The estimates that I have been given on the cost of the bill would be that the first year it would cost \$2.3 million and it would cost somewhere around \$23 million each and every year thereafter, and I have cut that cost to the

Commonwealth in half, to about \$11½ million.

Mr. GARZIA. Yes, but, Mr. Speaker, you are only talking about one school district, Philadelphia, which that kind of money. What if in 5, 10, 15 years from now three-quarters of the school districts in the state are in this program? Right now there are 18 school districts which could join this program. I think you know that. We have not even considered what that interest would be.

Mr. MANDERINO. I do not want to belabor the point, but I think you are speaking to the merits of the bill and not to the amendment.

Mr. GARZIA. I will get then to the amendment. I oppose the amendment.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. I rise in opposition to this amendment, not because I do not think Philadelphia should make an effort to clean up its own house before we vote such legislation to it but the principle behind this amendment is all wrong. If we adopt this amendment, we are, in essence, imposing a tax upon the people of Philadelphia, and Philadelphia, although represented in this body, is only represented by 30-some odd members.

If we fought for anything in our American Revolution, we fought for the principles of taxation with representation. This is in violation of that principle, and for that reason I oppose the amendment.

The SPEAKER. As an old history teacher, I am not at all sure that the gentleman has stated the reasons we fought the American Revolution. Do you mean we fought it for taxation with representation? I thought we fought it against taxation without representation. I think there is a difference.

Mr. PICCOLA. It depends where you put the emphasis, Mr. Speaker.

The SPEAKER. Okay.

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, to speak on the amendment.

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER. Will the majority leader stand for interrogation? The majority leader indicates he will. The gentleman from Philadelphia, Mr. Richardson, may proceed.

Mr. RICHARDSON. Mr. Speaker, is it not a fact that you agreed not to offer this amendment so that we could vote on HB 1075?

Mr. MANDERINO. I do not recall that, Mr. Speaker.

Mr. RICHARDSON. You do not recall that, or you do not choose to answer the question? Which one?

Mr. MANDERINO. I said I do not recall that I promised that I would not offer the amendments today. Now that is clear, unadulterated English.

Mr. RICHARDSON. Did you not say—well, I am going to give you a little more English—Mr. Speaker, that you would not offer this amendment at all because we had asked you not to offer this amendment? Did you not in fact say that?

Mr. MANDERINO. Who is "we"?

Mr. RICHARDSON. "We" are the Philadelphia delegation.

And also in the caucus, we asked you not to run this particular amendment. Did we not ask you that, Mr. Speaker?

Mr. MANDERINO. I made no promise that I would not run this amendment.

Mr. RICHARDSON. Did you ever say, Mr. Speaker, that you would, in fact, not run this amendment?

Mr. MANDERINO. If you will ask a different question, I will give you a different answer.

Mr. RICHARDSON. It is the same one, because, Mr. Speaker, one of the things is that you said in a meeting—and I am pretty sure there are other members who were in room 115 when you said it—that you would not offer this amendment to HB 1075. In fact, you indicated that you were not even going to circulate this particular amendment, that you were the only one who understood it and that you would not circulate it. Did you not say that, Mr. Speaker?

Mr. MANDERINO. That is the same question you asked me before.

Mr. RICHARDSON. I see. In other words, you are saying then, Mr. Speaker, that you do not care what your answer was in terms of giving your word. You are not even going to respond at all to the fact that you, in fact, did make that statement, Mr. Speaker, that you did stand in room 115 and you did stand in that caucus and you did say to the Philadelphia members and other members that you would not offer this amendment to HB 1075. We asked you then, Mr. Speaker, and you said you would not. But I see, Mr. Speaker, that your word is not your bond, that you went ahead and did it anyway, and it did not give us an opportunity to even discuss or work on the amendment. Mr. Speaker, I think that is a violation of a whole lot of political ethics.

Mr. MANDERINO. You think what you want, Mr. Speaker. I answered the question truthfully in the first instance, and my answer stands.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER. The request from the gentleman from Philadelphia is to interrogate the majority leader. Will the majority leader stand for interrogation?

Mr. MANDERINO. Same question, same answer.

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman, Mr. Williams, may place the interrogation.

Mr. MANDERINO. Different question, different answer.

Mr. WILLIAMS. It is not the same question. I know the answer, and I recollect it differently from the majority leader very clearly.

Mr. MANDERINO. I thought you and Mr. Richardson would both recollect it differently.

Mr. WILLIAMS. He is about 195 pounds and I am only 180 pounds.

Mr. Speaker, I want to get clear on the intent of your amendment. You said at the outset that the western Pennsylvania papers talked about the Philadelphia bail-out and advised some course of action. My question to you is: Are you offering your

amendment to comply with the observations in the newspapers as to what is correct?

Mr. MANDERINO. I am offering my amendment because there are many members of my caucus who would like to participate in the solution of the problems which we have and who are being highly criticized by the press in the western part of this state for voting to help the situation in Philadelphia without certain conditions being attached. They have expressed that concern to me, and I am trying to attach the conditions.

Mr. WILLIAMS. Mr. Speaker, I am amazed at your use and master of the English language. Are you not the one who said that this should not be a matter of politics when you discussed the issue of whether or not we impose or city council imposes a tax, because it involves children?

The SPEAKER. Will the gentleman yield?

Mr. MANDERINO. Certainly.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. DeMEDIO. Do not our rules state that personal reflections and debates of the sorts which are being conducted are not in order? Should not these questions be addressed through the Speaker and without personal reflection?

The SPEAKER. The gentleman's point is well taken.

The gentleman from Philadelphia will confine his interrogation to the question before the House and not to any implications of intent on the part of any member.

The gentleman may proceed.

Mr. WILLIAMS. Mr. Speaker, in the belief that I was conforming to our rules, it seems to me that the debate with the majority leader and Mr. Ryan was one which said that—

The SPEAKER. Will the gentleman yield?

The gentleman is wasting his time in debating with the Chair. The gentleman will direct his interrogation to the majority leader on the question before the House. The gentleman may proceed.

Mr. WILLIAMS. I thank you, Mr. Speaker. I just want to insist on my right to debate with the latitude of other members, whether it be the majority leader or Mr. Ryan, and I will end it there.

Mr. Speaker, pursuant to my further interrogation, I understand that this requirement or tax would raise about \$21 million per year in Philadelphia. Is that correct?

Mr. MANDERINO. My understanding, Mr. Speaker, is that 1 mill is worth \$5.4 million. Multiplying \$5.4 million by 4 mills, I calculate \$21.6 million.

Mr. WILLIAMS. That amount of money would precisely go where every year? In the school system, I understand, but precisely to do what?

Mr. MANDERINO. Mr. Speaker, in the collection of tax section on page 3, item (d), therein, it says: "The entire amount of taxes received, or to be received in any fiscal year as the result of real estate tax imposed herein shall be in addition to

and not in the reduction . . . of . . . and shall be transferred by council of any city of the first class to and for the exclusive use of the school district of the first class coterminous with it."

Mr. WILLIAMS. To narrow my question, is that money intended to pay for a portion of the interest and to pay for principal or is it designed to do that and something else or less?

Mr. MANDERINO. Mr. Speaker, there are other features in the bill that require the budget of the school district of Philadelphia to be submitted to the Secretary of Education for approval and review, and in those sections of the bill it indicates that enough money must be set aside each year from tax revenues to pay the interest and principal. We are simply making sure that there is enough money available in the school district in order to make those payments which we have already indicated must be provided for in the schedule filed.

Mr. WILLIAMS. Mr. Speaker, do you know of any other school district in the State of Pennsylvania which has a required tax imposed like this by the legislature?

Mr. MANDERINO. No, but it is my understanding that at one time the legislature always imposed the taxes in the city of Philadelphia for its school district. That was prior to the home rule charter. You have never had an elected school board. The school board in Philadelphia has never had the taxing power until the home rule charter was adopted. That is my understanding, and we used to—

Mr. WILLIAMS. The school board does not have it now.

Mr. MANDERINO. Let me answer you. And we used to, at all times, impose those taxes.

Mr. WILLIAMS. Mr. Speaker, you would agree that the grant of the home rule charter itself was a grant to allow the city government of Philadelphia to appropriate the permission for taxes by the school board? Is that correct?

Mr. MANDERINO. When we enacted the enabling legislation for the home rule charter for Philadelphia, in the legislation which granted them the home rule charter, we specifically—now I say specifically—reserved the power in this legislature to impose taxes.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. I think the local effort of Philadelphia is, of course, inadequate this year. I would not say that with respect to other years, but it is absolutely obvious this year. I think the solution offered by Mr. Manderino establishes a very dangerous precedent, one which disallows the local government of Philadelphia to be responsible.

In addition to that, it may very well impose a tax on Philadelphians which would generate in the future, not this year, the overexpenditure of money and the creation of waste, which is the prime point that has been discussed in this legislative body.

I just want to add one other thing. Mr. Manderino has referred to not using politics in this process. There have been discussions in regard to the Philadelphia delegation on this proposition. We have opposed it. It then changed. We opposed it again. I understand it is presented for the purpose of getting more votes for this particular bill. It seems to me that that is counterproductive to the very interest of the people he wants to serve if he is going to lose those votes.

I do not know the real reason why this amendment is being offered, but it seems to me that it is contradictory to Mr. Manderino's announced motives and intentions to help produce something constructive for the Philadelphia school problem.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have alluded to newspaper articles in the Pittsburgh paper, and I would just like to quote from an editorial that talks about "Another Bailout for Philly Coming Up." The last paragraph of that editorial, which is a front-page editorial, reads as follows:

SHOULD THE legislature continue to bailout the Philadelphia school district periodically or should it, as a condition of further aid, impose upon it restrictions aimed at putting and maintaining it on a sound financial basis?

Before the State of New York and the federal government went to the rescue of an insolvent New York City, they imposed conditions. The state set up the Municipal Assistance Corporation to manage a refinancing of the city's monstrous debt. As a result, the city's elected officials surrendered much of their autonomy.

Again, before the International Monetary Fund went to Great Britain's aid a few months ago with a \$3.9 billion loan, it imposed conditions which the British had no choice but to accept.

Similarly, if the legislature wants to play fair with its constituents statewide, it will require that Philadelphia make for its school district a local tax effort at least as great as that of most other people in the state who are called upon to bail it out.

I do not like to impose the conditions that my amendment imposes. I do want to solve the Philadelphia problems. I do want those children going to the schools in Philadelphia to have a chance at a fair life without all the frills but with what is needed to educate those children in all aspects of education. What I am trying to do here today is to ensure that we have a handle on the budget, provide moneys to the school district that it does not presently have, and ensure to us who are asked to vote for this House bill, which will provide moneys for the deficit in Philadelphia, the assurance that we will be paid back principal and interest in the authority.

My motives, Mr. Speaker, are the same as the motives of those from Philadelphia who want us to save their schools. I want to do that. I am a realist. I saw the votes that HB 1075 had without the conditions that we ought to impose. I am imposing those conditions; I am reluctantly imposing those conditions, but I think that is the only way there might possibly be a solution to the problem.

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

Mr. SELTZER. Mr. Speaker, if this amendment is adopted, the problem will not go away. The problem is still there because the school district of the city of Philadelphia is going to spend more next year than this amendment will raise. Therefore, Mr.

Speaker, the budget hole is going to get deeper and deeper and deeper. The need for more and additional taxes is caused by additional spending. Nothing in this amendment speaks to the cause of the problem — excessive spending. This is the problem; this has been the problem; and this will be the problem — excessive spending without corresponding services to the citizens and the children of the city of Philadelphia. Mr. Speaker, until there is a serious concerted effort to control spending and provide the needed services in the Philadelphia School District, the problem will not go away. It will continue to fester and it will get worse and worse and worse.

Now the members can vote for this amendment and theoretically force Philadelphia to raise \$21 million locally this year. But until somebody is really ready to bite the bullet, the bullet on spending, the school district of Philadelphia will find itself in a continuing position of increased deficits which will necessitate more money from the Commonwealth as well as from the city.

Now raising taxes for local effort is just a drop in the bucket. It is a Band-Aid on a deep incision. The real solution is controlling spending. Until there is a plan to control costs in the Philadelphia School District, I will vote “no” on this amendment and any other amendment which speaks only to increased taxes. Taxes are not the problem, Mr. Speaker, but the result of the problem.

There is, unfortunately, joint authority in the Philadelphia School District. The school district prepares the budget without any control or overview by the city council, and the city council is expected to fund the budget over which they theoretically have no control.

Mr. Speaker, I am willing to speak to the problem, not the crutch, the crutch being the imposition of additional taxes without the responsibility to control the budget. The city council needs this responsibility, and the mayor needs this responsibility to review the budget so they then have some control over the spending. Anything less, Mr. Speaker, will resolve nothing.

Who is kidding who? Until city council is forced to take over the budgetary process of the school district, the General Assembly will continue to be bullied into resolving someone else's problems with other people's money.

Mr. Speaker, I am voting “no” on this amendment, not because it does not aid but because it does not cause a resolution to the problem which has been festering for years and will continue to fester.

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

Miss SIRIANNI. I would like to know where these gentlemen from Philadelphia, who have been taking up everybody's time pleading for the poor kids in Philadelphia, were when we were voting against limousines and chauffeurs.

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

Mr. DOYLE. Mr. Speaker, I would just like briefly to answer the gentleman from Philadelphia who is objecting to this body laying a tax on the city. In every other school district in this

Commonwealth when they are distressed, there is a commission of three members appointed and they can levy taxes, and that has happened in my district.

What we are doing here is simply nothing more than what they can do now, but because the city of Philadelphia is under home rule, they cannot become “distressed.” Certainly they are distressed. The imposition of this tax is doing nothing more than what the rest of the Commonwealth has to go through. So maybe I would be the first one to say, “welcome to the Commonwealth” to the city.

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

Mr. ITKIN. I could not endorse more strongly the remarks made by my colleague on the Appropriations Committee, Mr. Seltzer.

I cannot support this amendment principally because the amendment in fact defeats the purpose of a bill which, in its own right, cannot solve the problem.

I would like to just give a very simplistic fiscal picture of what would happen under the Manderino amendment, if HB 1075 becomes law.

Let us assume, Mr. Speaker, that the school district of Philadelphia decides under HB 1075 to borrow \$100 million with the Manderino amendment to raise \$22 million in taxes. Let us further assume that the authority allows the school district of Philadelphia to float 30-year bonds for \$100 million. That will mean a principal payback of approximately \$3 million a year. Let us assume further that the interest rate on those bonds is a simple 8 percent and the Commonwealth is picking up half and the school district is picking up the other half. So that is \$4 million in interest payments, or a total obligation in that year of \$7 million. Let us assume that the school district fiscal managers are so prudent that they are able to take that \$100 million that they receive and invest it in short-term notes because they do not need the money all at once, and let us assume that they can invest that for 6 months at 6-percent interest which yields \$3 million.

What it shows, Mr. Speaker, is that with the \$22 million in taxes, they will have \$18 million left in additional revenue. Let us assume that inflation exists at the same 6 percent that we now are experiencing. Let us suppose that the school district of Philadelphia makes a mammoth effort to control their budget and not to increase it and to hold the line on their budget.

Now we are fighting here today to save the early childhood programs, save the kindergarten, save this, save that. So what the Philadelphians are telling us here today is that they are unwilling or incapable to reducing their budget. But let us suppose that under pressure they are able to do that and hold the line. Next year they have to—well, I just said they are able to net \$18 million on their taxes—borrow another \$82 million for their operating budget. So now they owe \$182 million. Now you have the debt service on \$182 million, which is \$6 million, and the interest payments of \$8 million. Even if they invested the \$82 million now in short-term notes, they will only net something like \$3 million. So next year, the year thereafter, they have to go ahead and raise another \$97 million. So now their total obligation is \$271 million.

Mr. Speaker, by the fourth year they owe \$364 million and their taxes will just compensate for the debt service they have. Where are we at that point? We are at the same point we are today only the school district of Philadelphia is in hock for \$364 million.

You see, from the beginning this plan was not viable because you are dealing with the situation of a public assistance recipient. You would never loan a public assistance recipient substantial sums of money for one reason — because you know they do not have the capacity to pay back what they borrow. This is what you are going to produce in the situation of Philadelphia. You are going to get them deeper and deeper into debt.

So it seems clear, as Mr. Seltzer has stated, that the only way we are going to solve this problem for Philadelphia and for Philadelphia to solve its problem itself is to deal with the real issue, and that is exactly what Mr. Seltzer said: You are living beyond your means. You cannot do it on your own, and you cannot borrow money because you cannot pay it back. You should be willing to realize that that is the position that most of us in this House have been saying to you. You understand that we are not against Philadelphia; we just do not want you to get into a bigger bind than you now find yourselves in.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, let us assume that Mr. Seltzer and let us assume that Mr. Itkin knew what was in this bill. Let us assume that they had read these provisions that they spoke to, each of them: A five-year detailed estimate budget segregated by years of all receipts and expenditures—including proposed proceeds from the sale of the school building and the obligations to the authority incurred by the sale of said building—must be filed.

A school district shall file a financial schedule for each year in which such school district participates in the program authorized.

The Secretary of Education shall review the financial schedule and may, in his sole discretion, require that it be supplemented or amended.

When the financial schedule, which includes the budget for each year, is in a form acceptable to the secretary, he may approve it and, if approved, shall so inform the authority.

Mr. Itkin would also have read this, assuming he had read the bill: The school district will incur no unfunded debt. The school district will not incur any debt except in accordance with the approved financial schedule.

The SPEAKER. Will the gentleman suspend?

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. We were called down, Mr. Speaker, when we were speaking on the amendment, and I would ask, Mr. Speaker, whether or not the gentleman is speaking on the amendment or whether he is speaking on the bill?

Mr. MANDERINO. I am not speaking on the amendment, but I am answering the uninterrupted debate of Mr. Seltzer and the uninterrupted debate of Mr. Itkin who spoke to these points.

The SPEAKER. The gentleman, Mr. Manderino, is in order and may proceed.

Mr. MANDERINO. Mr. Speaker, what I am saying—

The SPEAKER. Just a moment, Mr. Majority leader.

For the information of the members, and the Chair is not joking about this, greater latitude is always permitted to the majority leader and to the minority leader, both in the number of times granted on the floor in the question of addressing the question than it is to regular members.

The majority leader is in order and may proceed.

Mr. MANDERINO. All of the assumptions of Mr. Itkin about borrowing money and investing it and all of the assumptions of Mr. Seltzer about spending beyond their means are controlled in this bill. If they are not controlled, it is because the Department of Education and the Secretary of Education are going to approve a budget that would be spending beyond their means.

Mr. Seltzer and Mr. Itkin, I think if you have read the bill, you would realize that we do have a handle on the budget. The budgets must be submitted, must be approved, can be supplemented or amended; and for the first time we may be able to do something in the school districts.

On the question recurring,

Will the House agree to the amendments?

(Members proceeded to vote)

VOTES CHALLENGED

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I would hope that only those who are in their seats are voting.

The SPEAKER. The gentleman, Mr. Ryan, has requested that only those members present and in their seats be voted. That is the rule of the House.

Mr. RYAN. Mr. Shuman?

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—97

Abraham	Gallagher	Meluskey	Stairs
Arthurs	Gamble	Milanovich	Stapleton
Bennett	Gatski	Milliron	Stewart
Berlin	Geisler	Miscevich	Stuban
Bittinger	George, C.	Morris	Sweet
Brown	Gillette	Mullen, M. M.	Taddonio
Brunner	Goebel	Musto	Taylor, F.
Butera	Goodman	Novak	Trello
Caputo	Greenleaf	Noye	Valicenti
Cassidy	Hayes, D. S.	O'Brien, B.	Wagner
Cole	Hoeffel	O'Keefe	Wansacz
Cowell	Hopkins	Parker	Wargo
DeMedio	Hutchinson, A.	Petrarca	Wilt
DeWeese	Kernick	Pott	Wise
DiCarlo	Knepper	Pratt	Wright, D.
Dombrowski	Kolter	Prendergast	Yahner
Doyle	Kowalshyn	Ravenstahl	Zearfoss
Duffy	Letterman	Reed	Zeller
Englehart	Lincoln	Renwick	Zitterman
Fee	Livengood	Ritter	Zord

Fischer, R. R.	Logue	Ruggiero	Zwikel
Fisher, D. M.	Manderino	Schmitt	
Flaherty	McCall	Schweder	Irvis,
Foster, A.	McLane	Shuman	Speaker
Fryer	Mebus	Shupnik	

NAYS—99

Anderson	Garzia	Levi	Rieger
Armstrong	Geesey	Lynch	Ryan
Barber	George, M.	Mackowski	Salvatore
Beloff	Giammarco	Madigan	Scanlon
Berson	Gleeson	Manmiller	Scheaffer
Bittle	Gray	McClatchy	Scirica
Borski	Greenfield	McGinnis	Seltzer
Brandt	Grieco	McIntyre	Sirianni
Burd	Halverson	Miller	Smith, E.
Burns	Hamilton	Moehlmann	Smith, L.
Caltagirone	Harper	Mowery	Spitz
Cessar	Hasay	Mrkonic	Taylor, E.
Cianciulli	Haskell	Mullen, M. P.	Tenaglio
Cimini	Hayes, S. E.	O'Brien, D.	Thomas
Cohen	Helfrick	O'Connell	Vroon
Davies	Honaman	O'Donnell	Wass
DeVerter	Hutchinson, W.	Oliver	Weidner
Dietz	Itkin	Pancoast	Wenger
Dininni	Johnson	Piccola	White
Donatucci	Jones	Pievsky	Wiggins
Dorr	Katz	Polite	Williams
Dumas	Kelly	Pyles	Wilson
Foster, W.	Klingaman	Rappaport	Wright, J. L.
Freind	Laughlin	Rhodes	Yohn
Gallen	Lehr	Richardson	

NOT VOTING—4

Bellomini	Pitts	Shelton	Spencer
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The question was determined in the negative and the amendments were not agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Would the Chair, at least, inform this member as to what amendment was inserted in HB 1075 today?

The SPEAKER. The Chair does not believe any amendment was inserted in HB 1075 today. But the Chair was advised on an earlier inquiry that the bill had been amended. The Chair will check and see if that is factual.

The Chair is in possession now of the official record of HB 1075. On the 21st of June, on third consideration, the bill was amended. That is the reason the Chair placed the question. Will the House agree to the bill as amended on third consideration?

Mr. RITTER. Mr. Speaker, a further point of order.

The SPEAKER. The gentleman will state his further point of order.

Mr. RITTER. When the bill was amended on June 21, was it not reprinted and appeared on our calendar on final passage postponed?

The SPEAKER. That is correct.

Mr. RITTER. Then, Mr. Speaker, what would be the purpose in having the bill reprinted since it was reprinted with the amendment in it?

The SPEAKER. The Chair did not use the term "reprinted." The Chair said the bill would be prepared for final passage. That would not necessitate a reprinting.

Mr. RITTER. Mr. Speaker, would I be in order then to call up for a vote, HB 1075?

The SPEAKER. The Chair would have to reconsider its decision that the House had agreed to the bill on third consideration and that the bill would be prepared for final passage.

The Chair made that announcement after conference with the majority leader, looking at the time of the day. The Chair was following the request of the majority leader. The Chair has consulted with the majority leader, and the majority leader has informed the Chair that at this time it is not his desire to have the bill called up.

The Chair is now informed that the majority leader wishes to be recognized to place a motion before the House.

Does that answer satisfy the gentleman's inquiry?

Mr. RITTER. Mr. Speaker, I will yield to the majority leader.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have a written motion filed for a reconsideration of that amendment. I would like to take up the reconsideration, but I do not wish to take it up today. I want to pass over HB 1075 for today.

I would like to conclude the work of the day at this time. We were here until 11:30 last night. I do not think we should be here until 11:30 again. I think we should come in tomorrow morning and start fresh, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, what recourse does a member have to ask for a reconsideration of a decision that was taken by the House asking that this bill be passed over until tomorrow after the reconsideration of the Manderino amendment?

The SPEAKER. Any member may move to reconsider the decision by the Chair, but the Chair would suggest that when a majority leader requests that a bill be passed over, it has been the experience of the Chair that that request be honored. But if a member feels so strongly about a particular measure that he seeks not to honor the request of the majority leader, that member, together with another, would file a motion to reconsider. In this case, the motion would be to reconsider the vote

by which HB 1075 passed third reading. If that motion were adopted by a vote of the House, HB 1075 would again be on third consideration and available either for amendment or for final passage.

Does that answer the gentleman's point of parliamentary inquiry?

Mr. RICHARDSON. Yes. I have another one, Mr. Speaker.

The SPEAKER. The gentleman will state his further point.

Mr. RICHARDSON. I would like to know, if I can, that in order for me to make that decision, what is the course of action that the majority leader intends to move on now that he has asked that this bill be passed over for today?

If I can find the answer to that question, I would then make a motion.

The SPEAKER. The majority leader has informed the Chair that it is his intention tomorrow to offer a motion to reconsider the vote by which the Manderino amendment failed. That motion would be in order.

First would be the motion to reconsider the vote by which the bill passed third consideration. If that motion were adopted, then a further motion to reconsider the vote by which the Manderino amendment failed would be in order. If that motion passed the House, the Manderino amendment would again be before the House in its pristine state, as if it had never been acted upon or debated, but it would be available for either rejection or adoption.

Does that answer the gentleman's point of inquiry?

Mr. RICHARDSON. Not directly. Indirectly it does, Mr. Speaker, but not directly.

What I am trying to get at is what is going to be the course of action after the move has been made to table or to lay on the table HB 1075. What is the course of action for the rest of the evening?

The SPEAKER. For the gentleman's information, there has been no motion to table.

Mr. RICHARDSON. Okay.

The SPEAKER. The bill remains on the active calendar and would appear tomorrow in its exact form as it appears today. It would actually appear under final passage in exactly the same position as it does today.

Mr. RICHARDSON. The words should have been "passed over," Mr. Speaker.

I would just like to know what is the course of action going to be for the rest of the evening?

The SPEAKER. It is the intention of the majority leader as conveyed to the Chair that no further activity, no further voting be taken on any bill on the calendar today.

It is the intention of the Chair to keep the Chair open as late as necessary for the purposes of receiving reports of committees. But it is the announced intention of the majority leader to stop the session for today at this point.

Does the gentleman from Philadelphia have a further point of inquiry?

For the information of the gentleman, Mr. Wagner, the Chair was considering inviting his young daughter here to preside but the Chair does not think that he wants to impose upon the

young lady to that extent. We will have to invite her up here a little later.

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. Does the gentleman have a further point of inquiry?

Mr. RICHARDSON. Mr. Speaker, I would like to call up HB 1075. I do not think that it is in good taste that we can leave this House without voting on the measures that we have been so diligently and so vigorously trying to get some reading on.

I know that that is going to cause some fury here in the House, but it would seem to me that, in all honesty, our position is quite clear, that we have no choice other than to call up this bill and not to let it go another day without moving on it.

If the gentleman was going to move to ask for a caucus wherein we could discuss further what we should do and come back and then vote on the bill, I would have no objection. But it is distressing just to say that we are going to go out without having an opportunity to see where HB 1075 is and the amendments, if there are any, to HB 593 and vote both of them, and tomorrow is Wednesday, 1 day before the close of this year, and we will not have an answer.

I just believe that the delaying has been too long. We cannot stand it anymore. I ask that the bill be called up for a vote to determine one way or another which way it is going to go.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Mullen.

Mr. M. P. MULLEN. Mr. Speaker, I did not vote with the majority leader on this last amendment, but I think we have an obligation to respect his wishes.

I think we ought to support his position. I wish our colleague from Philadelphia would withdraw his opposition, so that we could respect the majority leader's wishes and come back tomorrow. Tomorrow is another day. But I think it is important that we should do that, every Democrat and every Republican, because we have to have respect for our leaders. So please support his position.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RHODES. Did you take the motion offered by Representative Richardson? Are we debating the motion or have you received the motion?

Are we formally debating the motion to call up?

The SPEAKER. The gentleman, Mr. Richardson, informally placed a motion to call up on final passage HB 1075.

The gentleman, Mr. Mullen, has asked him to withdraw, but that motion has not been withdrawn. Therefore, debate on the motion is in order and the question is, shall the House call up HB 1075, PN 1637, on final passage? The debate is now limited to that motion.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I am a little confused by the parliamentary status. It is my understanding that any member can call up a bill at any time, and a proper motion would be a motion to pass over, which I thought I made.

But in any event, I would ask that if we are voting on the Richardson move to call up—whatever that is. That is the first time I have heard it—I would urge a negative vote by both sides of the aisle.

PARLIAMENTARY INQUIRY

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

Mr. WILSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILSON. If I heard the gentleman, Mr. Richardson, correctly, he called up HB 1075. He did not ask if we would consider calling it up. Am I not correct?

The SPEAKER. The gentleman's language was informal. And the Chair was—

Mr. WILSON. I thought it was very formal, Mr. Speaker.

The SPEAKER. Well, that is what makes the difference between a Democrat and a Republican.

Mr. WILSON. And I have to tell you, Mr. Speaker, I even put a tie on today, too.

MOTION WITHDRAWN

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

Mr. RICHARDSON. Considering the wishes and respect of some of the members who have come to me and asked me to withdraw my motion, I will do so at this time. But I will not vote on a motion to go out without doing some more work maybe on HB 593. But I will withdraw my motion to call up HB 1075 at this time until such time as we have an opportunity to caucus and go over it. It would seem to me that we should do the work that is necessary before this budget year is out.

ANNOUNCEMENTS

APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. Mr. Speaker, I would like to call a brief meeting of the Appropriations Committee immediately in the Appropriations Committee room.

Will the desk remain open, Mr. Speaker?

The SPEAKER. The desk will remain open.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Berson.

Mr. BERSON. I want to announce a brief meeting of the Judiciary Committee tomorrow morning at 9:30 a.m., in room 401.

Thank you.

INFORMATION ON RECESS

The SPEAKER. For the information of the members, the adjournment motion will be until 10 o'clock tomorrow morning.

This House will stand in recess until 7:30 p.m., unless sooner recalled by the Speaker. There will be no other business conducted except the reception of the reports of committees. There will be no need for the members to return to the floor.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1425 By Messrs. FREIND, SPITZ, LYNCH, BURD, STAIRS, Mrs. HONAMAN, Messrs. BRANDT, ARMSTRONG, MOEHLMANN, WENGER, ZEARFOSS, W. D. HUTCHINSON, RYAN, McCLATCHY and DAVIES

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), prohibiting the Commonwealth from paying legal fees for State officials or employes in certain cases.

Referred to Committee on State Government.

No. 1426 By Messrs. REED, GRAY, MELUSKEY, BROWN and Mrs. WISE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, excluding senior citizen buses from the registration fees.

Referred to Committee on Transportation.

No. 1427 By Mr. GREENLEAF

An Act providing that inmates of county or Commonwealth prison facilities who demonstrate certain behavior be transferred to a solitary confinement area for the remainder of their prison terms.

Referred to Committee on Judiciary.

No. 1428 By Mr. PRENDERGAST

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779, No. 673), authorizing owners of farms to fish in ponds at the farm without a license.

Referred to Committee on Game and Fisheries.

No. 1429 By Mr. PRENDERGAST

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing certain mayors of boroughs to be licensees.

Referred to Committee on Liquor Control.

No. 1430 By Messrs. McCLATCHY, BURNS, GEESEY and SCHEAFFER

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), requiring assessors to consider the proximity of property to a blasting area when fixing market value.

Referred to Committee on Local Government.

REMARKS PRESENTED FOR THE RECORD

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

Mr. WAGNER. I rise to request a leave of absence for the remainder of the week. I am going to submit by comments.

The SPEAKER. Without objection, the gentleman's leave of absence will be granted for the remainder of the week.

Mr. WAGNER present the following remarks for the Legislative Journal:

Mr. Speaker, I request a leave of absence for the remainder of this week. I will be attending Camp Lavign, a Boy Scout Camp, as an adult chaperon.

Earlier this spring the scoutmaster informed the troop that he needed adult help as he could not attend the full camp week. I volunteered for the second half of the week. Plans were then made.

I realize that we have important business (budget) to complete. However, Mr. Speaker, I have attended every voting day this year. I have been present during the past several months, ready to consider and debate the budget and support the school subsidies.

We should have considered this bill prior to the last few days of the fiscal year rather than just the last 4 days.

Unfortunately, Mr. Speaker, there is a troop of Boy Scouts counting on me, and I shall not let them down.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over.

The Chair hears no objection.

RECESS

The SPEAKER. This House now stands in recess until 7:30 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

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

BILLS REPORTED FROM COMMITTEE AND TABLED

SB 874, PN 946 By Mr. PIEVSKY

An Act amending the act of July 1, 1976 (No. 17A) entitled "Federal Augmentation Appropriation Act of 1976" adding an appropriation to the Department of Justice.

Appropriations.

SB 945, PN 1144 (Amended) By Mr. PIEVSKY

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between June 30, 1977 and August 1, 1977 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1977.

Appropriations.

SB 946, PN 1145 (Amended)

By Mr. PIEVSKY

An Act making appropriation to the Department of Public Welfare for the purpose of carrying out the Public Assistance Law for the fiscal year July 1, 1977 to June 30, 1978 and for the payment of cash grants, medical assistance and county administration accrued or incurred prior to and remaining unpaid on June 30, 1977.

Appropriations.

WELCOMES

The SPEAKER pro tempore. The Chair at this time would like to welcome from the borough of Port Vue the following: Mr. and Mrs. Isador Steiner, a council member and his wife; Mr. and Mrs. Edward Szalankiewicz, a council member and his wife; Mrs. Hannah Opaturny and Mrs. Jo Ann Gubonic, who is the borough secretary. These ladies and gentlemen are the guests of Representative Mrkonic from Allegheny County.

The Chair also is delighted to recognize the presence in the hall of the House today, the Educators Roundtable, Inc., of Philadelphia; Matthew Knowles, Timothy Burris, Earl Ross, Rosse Masey, LeRoy Harvey, Raymond Gregory and Norman K. Spencer. They are the guests of the Honorable Ruth Harper of Philadelphia.

The Chair also welcomes to the hall of the House, Bill Moran from Hazleton. He is council president from AFCSME and he is the guest of Representative Ron Gatski of Luzerne County.

The Chair points out that we have on the floor a younger version of the Gallagher. Baby Gallagher has solved the problem for Baby Gallagher about the budget; Baby Gallagher is starting to eat the budget.

I am afraid some of us may have a great deal to digest, as difficult to digest as Baby Gallagher will have.

The Chair would like to recognize Nancy Hall from Local 2499 of AFSCME. Miss Hall is here from Lycoming County and is the guest of Messrs. Grieco and Cimini.

Mr. Ron Haggerty of Northumberland County is here as a guest of Mr. Helfrick.

We have from the city of Duquesne a group of 40 members of the American Association of Retired People, Lodge No. 1456. They are here as the guests of Mr. Novak from Allegheny County.

The Chair welcomes to the floor of the House Barbara Leggett and Bonnie Marpoe of AFSCME Local 2355. They are the guests of Representative Harry Bittle of Franklin County.

The Chair welcomes to the hall of the House, Fred Smeeton, who was a school director for 20 years in the Penn Delco School District in Delaware County. He is the guest of Representative Garzia.

The Chair also welcomes Larry Reisinger from Wila, Pennsylvania,—I learn more about this State every day—who is the state treasurer of the Young Republicans of Pennsylvania. He is the guest of Representative Fred Noye.

The Chair also welcomes Edward Butko, who is a state committeeman and a councilman from West Mifflin Borough. That gentleman is the guest of Representative Novak.

The SPEAKER pro tempore. The Chair at this time would like to welcome David Sundean and Bob Slencak. They are from Edinboro. They are the guests of Representative Forest Hopkins.

The Chair also recognizes Bob Moyer, president of Local 2125 of AFSCME, of Somerset, and Fae Marker from Local 2342 of AFSCME, from Somerset. They are the guests of Representative Halverson.

We would like to welcome at this time John Susi and Carl Ferraro from Sharpsburgh Borough. They are the guests of Representative Cessar.

Also we would like to welcome from Northumberland County, Walter A. Swinehart, Ralph S. Hine, Anna M. Lewis, Charles Broyad and David W. Yankowski. They are the guests of Representative Helfrick.

The Chair announces at this time the presence of two councilmen from Bellevue Borough, who are the guests of Representative Trello. They are W.C. Kastroll and H. W. Doscher.

There is also present in the hall of the House a delegation from UGI Corporation headed by Mr. Roscoe Baker. They are here as the guests of the Lehigh and Northampton County delegations.

The Chair also welcomes George Glomb, Charles Ianinni and Robert Davis, who are here as the guests of Representative Fred Milanovich of Beaver County.

We also have some visitors from Bedford County: Harry Stiffler, president of Local 2131 of AFSCME; Tony Marshall, Harry Miller, Ron Strayer and George Rouzer. This group is here as the guests of Representative Dietz of Bedford County.

The Chair is pleased to welcome Mike and Ann Voinovich and daughter Diane from Perryopolis, Pennsylvania, who are the guests of Representative Lincoln.

The Chair also welcomes Walter Panek, who is the mayor of Ambridge, Pennsylvania; James Fiorucci, mayor of Freedom, Pennsylvania, Beaver County; and Councilman Matthew Matica from Freedom, Pennsylvania. These three gentlemen are the guests of Representatives Laughlin, Brunner, Kolter and Milanovich.

The Chair welcomes Mr. John J. Howard of Bethlehem, who is the guest of Representative Schweder.

The Chair is delighted to welcome to the hall of the House the following officials from the borough of Fountain Hill in Lehigh County: Mayor George Laughlin, Council President Jack Ferry, Councilman Harry Bender, Councilman Robert Quarry, Councilman Robert Barnes, Councilman Bill Szulborski, Councilwoman Anne Marie Pearson, and the former mayor, Robert L. Smith.

They are the guests of Representative Frank Meluskey of Lehigh County.

The Chair welcomes to the hall of the House Ken Donahue and Walt Gaul from Indiana County. These gentlemen are the guests of Representative Paul Wass.

The Chair is also delighted to welcome to the hall of the House Mr. and Mrs. Robert E. Fischer and Mr. and Mrs. John Atkinson of Greenville, Pennsylvania. They are the guests of Representative Roy Wilt.

The Chair also welcomes to the hall of the House Betsy Hale from Dale Borough, suburban Johnstown. She is the guest of Representative Adam Bittinger.

The Chair also welcomes to the hall of the House Paul Looney, president of Borough Council, borough of Ellwood

City, Lawrence County; and Jack Snare, mayor of the borough of Ellwood City. They are the guests of Representative Ralph Pratt.

The Chair also recognizes Rick Gatto and Nick Colao, who are council members of the borough of Ellwood City, and Elmer Greenham, who is the borough treasurer of Ellwood City. These gentleman are also the guests of Representative Ralph Pratt.

The Chair is pleased to announce the presence in the hall of the House of Mayor James Hadsell of Bethel Park; Councilman William Ruhl of Bethel Park, who is here with his wife and children, Bill and Joe; Ray Kirsch, Joe Serdy, Levy Davenport, who are councilmen from Bethel Park Borough. They are here with their wives. I apologize if I have mispronounced those names, but the Speaker gets his name mispronounced so often that you really should not mind that.

These ladies and gentlemen are here as the guests of Michael Fisher, Representative from Allegheny County.

We are pleased to have you here even though we may have mispronounced the names. We hope the next time you come that we will be more familiar with your names so that we will have them right. We hope that you have enjoyed your visit and you will continue to enjoy it.

The Chair is also proud to announce the presence in the hall of the House of John Hamilton, who is the vice president of the Dravosburg Borough Council, and Walter Kantner, who is the zoning officer of the borough of Dravosburg.

They are the guests of Representative Mrkonjic of Allegheny County.

The Chair recognizes the presence of Girl Scout Troop 622 of Clarion, Pennsylvania. They are here with their leaders, Mrs. Kathy Feld, Mrs. Carole Heidecker, Mrs. Jann Murphy and Mrs. Evonne Perry.

The girls together with their leaders are the guests of Representative David Wright.

The Chair is also pleased to announce the presence in the hall of the House of Mrs. John F. White, Jr. and 15 young people from the Salem Baptist Church. These children are accompanied by Mrs. White and they are the guests of Representative John F. White, Jr.

The Chair is delighted to present to the House today Judge Frank J. Montemuro, president judge of the Family Court Division of the Common Pleas Court of Philadelphia. Judge Montemuro is a candidate for the Supreme Court. His Honor is the guest of Representative Frank Salvatore and the other members of the Philadelphia delegation.

We are delighted to have you here, Your Honor.

The Chair interrupts the orderly flow of business of the House to present the mayor and members of city council of the borough of Glassport. The Mayor is Charles V. Gorun, the president of council is Sam DeMarco, the members of council are Andrew Slafka, Tom Urbanski, Albert Halucha and Joseph Capozzoli.

The gentlemen are here at a conference and they wish us to know that the borough of Glassport is celebrating its 75th Diamond Jubilee Anniversary this coming Saturday, July 2.

The gentlemen are here as the guests of the gentleman from

Allegheny County, Representative Misceovich.

The Chair takes this opportunity, also, to welcome to the hall of the House, Timothy McIntyre, president of AFSCME Local 906, and Beverly Liberman, president of AFSCME Local 2609, from Blair County.

These two individuals are the guests of Representative Milliron and Representative Cassidy.

The Chair is delighted to welcome to the hall of the House a group of Girl Scout Cadettes who are here with Miss Shirley Greenwald. They are the guests of the gentleman from Erie, Mr. Hopkins.

We are delighted to have you here as our guests and we hope that you will enjoy your visit.

ADJOURNMENT

Mr. BELOFF moved that this House do now adjourn until Wednesday, June 29, 1977, at 10 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 7:10 p.m., e.d.t.) the House adjourned.