

Legislative Journal

SATURDAY, AUGUST 13, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 77

HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

THE HONORABLE D. R. WRIGHT, member of the House of Representatives and guest chaplain, offered the following prayer:

Almighty God, Thou Who art high above us and yet deep within us, sanctify these proceedings to Thy eternal purposes of grace and truth. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Friday, August 12, 1977, will be postponed until printed.

ANNOUNCEMENT

The SPEAKER. The Speaker is about to declare the House in recess until 1 p.m. It might be better at 1 p.m., Saturday than 1 p.m., Sunday.

At 1 p.m., we shall be in session. We cannot guarantee how long that session will take place, but that is the reason that we need the recess from 11 a.m. to 1 p.m. We are hopeful we will be able to get you out of here.

The House will stand in recess until 1 p.m. At 1 o'clock, it is the Speaker's intention to take a master roll call. The Chair would suggest to the members who are present that those of you who wish to eat lunch will have to go out of the building to do it.

The Chair has just been advised that we have now been able to make arrangements for lunch to be served on the floor of the House at approximately 2 o'clock for those of you who can wait that long for a late lunch. We apologize for not alerting the cafeteria personnel in time to keep them here. We blew that one.

We shall be taking a master roll at 1 o'clock. We expect voting action on the floor of the House this afternoon. We beg your indulgence and ask that you report promptly to the floor of the House at 1 o'clock.

RECESS

The SPEAKER. The House stands in recess until 1 p.m.

AFTER RECESS

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

MASTER ROLL CALL RECORDED

The SPEAKER. The Speaker announces that he is about to take up the master roll call and urges all members to report immediately to the floor of the House.

The following roll call was recorded:

YEAS—192

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

Foster, A.	Lynch	Ryan	Irvis,
Foster, W.	Mackowski	Salvatore	Speaker
Freind	Madigan		

NAYS—0

NOT VOTING—8

Gleeson	Knepper	Mebus	Spencer
Katz	McGinnis	Smith, L.	Thomas

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

STATEMENT BY MR. ZEARFOSS

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

Mr. ZEARFOSS. Mr. Speaker, I request permission of the House to make a brief statement.

The SPEAKER. The gentleman is recognized and may proceed.

Mr. ZEARFOSS. Mr. Speaker, I do not know whether HB 1349 is going to pass in its present form in the next vote when it is taken. If it does not, I have an alternative. I hesitate to characterize it as a Republican or minority budget alternative. It is my alternative. It is essentially the Nolan-Hager amendment with one exception. I have restored the \$30-million rollover for Philadelphia's schools.

I plan to move at a propitious moment to have the rules suspended to permit the introduction of that amendment. I probably will not vote for that motion, but I will make the motion and, if the rules are suspended, I will then offer that amendment.

I also understand that Mr. Foster has another amendment that is exactly like the Nolan-Hager amendment, which would not restore the \$30-million rollover to the Philadelphia schools.

I am just making this announcement at this time to let the House know that there is an alternative available if HB 1349 is not ready for passage in its present form.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leave of absence for the gentleman from Philadelphia, Mr. KATZ, for today.

The SPEAKER. The Chair thanks the gentleman. Without objection, leave is granted. The Chair hears no objection.

The SPEAKER. The House will stand in recess for one-half hour, until 2 o'clock. Lunches are going to be provided on the floor of the House at 2 o'clock. The Speaker urges the members to report promptly at 2 o'clock. The House is declared in recess until 2 p.m.

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

Mr. S. E. HAYES. What happens at 2 o'clock, Mr. Speaker?

The SPEAKER. Well, first we eat, then we pray; or we pray first and then we eat.

No, quite seriously, we hope to bring up HB 1349 again at approximately 2 o'clock. You do not need a caucus, I assume.

REPUBLICAN CAUCUS

Mr. S. E. HAYES. Well, Mr. Speaker, it is our feeling that we would like to caucus immediately, if at all possible. I would request the recess be extended a short while in case we are not quite done at 2 o'clock.

The SPEAKER. Two-thirty?

Mr. S. E. HAYES. Two-thirty, Mr. Speaker.

The SPEAKER. The House will stand in recess until 2:30. There has been a call for an immediate caucus of the Republicans in the Republican caucus room, immediately.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, I would like to find out more precisely what our schedule is going to be. For that reason I want to ask this question: Mr. Speaker, when we come back at 2:30, does the majority leader expect that we will have another recess?

I think that we are entitled to get some idea as to what our schedule may be because some of us have other commitments that might erode a plan that is in the making. We may still be without the votes.

I just want to ask personally, after we come back at 2:30, do we at that time intend to confront this business or might we have another extension for the same purpose?

I have thought, Mr. Speaker, that maybe we should have stayed here last night and have done what we had to do. We had some time and an extension this morning, but you run out of that process. And if we can be aware of when we can expect that process to end, then some of us might be able to make some previously arranged commitments.

I would like to ask the majority leader, Mr. Speaker, when we come back at 2:30 whether we intend to deal with the budget question once and for all today or whether or not there may be a further extension?

The SPEAKER. The Chair will attempt to answer the gentleman in the absence of the majority leader.

It is the hope of the majority leader and of the Speaker to call up HB 1349. It is our hope that there will be 102 votes for the passage of the bill so that we may complete that part of the budget today.

Mr. WILLIAMS. So that one can reasonably expect to go home somewhat shortly after 2:30?

The SPEAKER. That is not what the Speaker said.

Mr. WILLIAMS. Is that what the Speaker meant?

The SPEAKER. It is not.

Mr. WILLIAMS. So then I take the Speaker's response to be

that we very well may have another extension or another recess.

The SPEAKER. The Speaker could conceivably see that that is within the realm of undifferentiated possibilities.

Mr. WILLIAMS. Mr. Speaker, with that possible conclusion, as one restless member, I would like to suggest that the Democrats have a brief caucus also so that the Democrats can know more specifically what is going on. It may very well be, based on some comments of other members, that we can help as a caucus. If it is going to go on and on and on or if that is a possibility, I think we are entitled to have some idea and possibly help as a caucus to shorten this process.

I do not know how we do that but could the Speaker for the majority leader somehow organize a caucus upon this recess?

The SPEAKER. The Speaker is quite sure that the majority leader will take the first opportunity which presents itself for a Democratic caucus. That first opportunity may well be on the recall of the order of the House.

Mr. WILLIAMS. Mr. Speaker, I understand that. It is just that—

The SPEAKER. It is just that it is very frustrating.

Mr. WILLIAMS. Well, it is more than that, Mr. Speaker. There are some people who ideally feel that they might be able to help. By accident, that might be true. If we can find out where we are, then we would know and it would just take a few minutes for us to do that. I am just asking for a caucus so that we can be informed, if you can arrange that.

The SPEAKER. The Speaker is having a great deal of difficulty in hearing the question of the gentleman, but if the gentleman's question is, can the Speaker arrange for a caucus?, the answer is, the Speaker not only can, but the gentleman may rest assured that if the Speaker finds it necessary, the Speaker will.

RECESS

The SPEAKER. This House stands in recess until 2:30.

As long as the recess has been extended until 2:30, we will serve the lunches at that time instead of 2 p.m. They will be served on the floor of the House.

AFTER RECESS

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

The SPEAKER. For the members who have not understood the announcement of the Speaker, we have arranged for lunches to be served on the floor of the House. For those people who are in the caucus rooms, we would appreciate it if they wished to have lunch served that they would report to their seats on the floor of the House. When we have finished serving the lunch, it will be the intention of the majority leader, at the request of a number of Democrats, to call for a caucus of the Democratic Party. But at the present time, we would urge those members who wish to have lunch served to report to the floor of the House. And then, if they wish to return to the caucus room, they, of course, may do so.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1600 By Messrs. ENGLEHART, ARTHURS, LETTERMAN, McCLATCHY, MADIGAN, STUBAN, GRIECO, FREIND, WARGO, PETRARCA, J. L. WRIGHT, WEIDNER, D. M. FISHER, DeMEDIO, GALLAGHER, GRAY, GARZIA, CALTAGIRONE, D. R. WRIGHT, STEWART, HASKELL, A. K. HUTCHINSON, DOMBROWSKI, DUFFY, DeWEESE, CIMINI, McLANE, McINTYRE, BORSKI, CIANCIULLI, GIAMMARCO, PARKER, PIEVSKY and BERLIN

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), referred to as the Pennsylvania Harness Racing Law, further providing for the disposition of pari-mutuel pools and Pennsylvania Fair Funds.

Referred To Committee on Urban Affairs.

No. 1601 By Messrs. GEESEY, ANDERSON, A. C. FOSTER, FRYER, MORRIS, YAHNER, RUGGIERO, S. E. HAYES, DORR and COLE

An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the Municipal Police Education and Training Law, providing for courses of study and training of part-time police officers.

Referred to Committee on Local Government.

No. 1602 By Messrs. CIMINI, TAYLOR, REED, WAGNER, PYLES and McCLATCHY

An Act amending the "Solicitation of Charitable Funds Act," approved August 9, 1963 (P. L. 628, No. 337), exempting certain youth organizations from registration.

Referred to Committee on State Government.

No. 1603 By Messrs. ZEARFOSS, O'KEEFE, FREIND, KOLTER, GREENFIELD, BELLOMINI and DININNI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for pro rating the driver's license fee for the months the license is validated during the year in which the license is issued.

Referred to Committee on Transportation.

No. 1604 By Messrs. CIMINI, BITTINGER, REED, STEWART, HAMILTON, STUBAN, WASS, DIETZ, O'CONNELL, MACKOWSKI, LEVI, HALVERSON, MADIGAN and HELFRICK

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring able bodied recipients to assist others in emergencies and disasters.

Referred to Committee on Health and Welfare.

No. 1605 By Messrs. TADDONIO, POTT, CESSAR, ZORD, A. C. FOSTER and BURD

An Act amending "The Administrative Code of 1929," ap-

proved April 9, 1929 (P. L. 177, No. 175), providing for the temporary suspension of compensation and expenses of Members of the General Assembly when a general appropriation act is not passed by May 25 each year.

Referred to Committee on State Government.

No. 1606 By Messrs. POTT and ZORD

An Act amending the "Dog Law of 1965," approved December 22, 1965 (P. L. 1124, No. 437), further providing for offenses of dogs.

Referred to Committee on Agriculture and Rural Affairs.

DEMOCRATIC CAUCUS

The SPEAKER. At the request of Mr. Hardy Williams and a number of other Democrats who made the very reasonable request that the Democratic caucus be called together so that those of us who are in leadership may inform the members as to precisely where we see this budget problem as of this moment, the majority leader asks for recognition to declare a recess until 4 p.m. and to ask for an immediate caucus of the Democrats in the Democratic caucus room immediately, please.

RECESS EXTENDED

The SPEAKER. This House stands in recess for the purpose of a Democratic caucus until 4 p.m.

ANNOUNCEMENT

The SPEAKER. The Speaker wishes to announce to all the members that although the recess is going to be continued, the continuation will probably be of short duration.

Those members who were inquiring of the Chair as to whether or not they could make plans for leaving Harrisburg this afternoon are advised to cancel those plans. The Speaker anticipates calling the members shortly to the floor of this House and taking up various bills on today's calendar, bills of major importance; bills which require accurate roll calls; bills which the Speaker trusts will furnish a budget to the Commonwealth of Pennsylvania this afternoon.

RECESS

The SPEAKER. This House will be in recess subject to the call of the Speaker.

AFTER RECESS

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

ANNOUNCEMENT

The SPEAKER. The Speaker has been informed that there are certain bills to which amendments are to be offered on the calendar today. The Speaker, without objection, passed over certain bills on the calendar and the Chair now reconsiders its announcement that these bills were passed over on the calendar. Therefore, he now turns to each bill in turn to see if there are amendments to be offered.

CALENDAR

JUDICIARY BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 280, printer's No. 282**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for filling vacancies in the office of justice judge or justice of the peace.

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 **Senate bill No. 717, printer's No. 914**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes prohibiting certain sexual conduct involving children and the dissemination of photographs or films depicting said sexual conduct.

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

Ordered, to be transcribed for third consideration.

SB 874 PASSED OVER TEMPORARILY

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

Mr. PIEVSKY. Mr. Speaker, would you pass over SB 874 temporarily?

The SPEAKER. That is one of the bills to which amendments may be offered and that bill is passed over temporarily.

FINANCE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1062, printer's No. 1238**, entitled:

An Act amending the "Tax Reform Code of 1971" approved March 4, 1971 (P. L. 6, No. 2), further defining "dividends".

On the question,

Will the House agree to the bill on third consideration?

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

Mr. ZEARFOSS. Mr. Speaker, I rise in anticipation. From all accounts, the amendment to be offered by Mr. Doyle to this bill is a very important one to me and I know to other members from the southeastern section of the Commonwealth. I would hope that the amendment is taken up only after those members have had an opportunity to review the amendment. It is not on the desks at this time.

The SPEAKER. The gentleman's point is well taken. That is the reason the Chair retreated from its recognition of the gentleman, Mr. Doyle.

The amendment clerk has already fulfilled an important function. She informed the Speaker that the amendment had not been duplicated and has not been circulated as of this time.

That is the reason for the delay.

The chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I wonder if you would instruct the chairman of the State Democratic Party to stay off this floor.

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

The SPEAKER pro tempore. In reply to the gentleman, Mr. Ryan, I do not see the gentleman on the floor.

The Chair thanks the gentleman, Mr. Ryan, for pointing this out to the Chair.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

ANNOUNCEMENT

The SPEAKER. The Speaker intends to call up at a later time this evening, HB 1349, hopefully, for a final vote.

There are two members who are affirmative votes who are not currently in their seats and must be brought back to Harrisburg for that vote. We expect that vote to be, finally, at 102 and to end the torment of this state tonight. But it is not possible for us to bring them back here until approximately 8:30.

Therefore, this House will stand in recess until 8 o'clock. The first order of business will be the taking up of amendments to HB 1062 on page 2.

Does the gentleman, Mr. Butera, have a question?

Mr. BUTERA. Mr. Speaker, just a query: Would it not be possible to take up the debate on HB 1062 now?

The SPEAKER. It would be possible, but the floor leader does not wish to do that. I am acceding to his wishes.

RECESS

The SPEAKER. The House will stand in recess until 8 p.m.

AFTER RECESS

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

**HOUSE BILLS INTRODUCED AND
REFERRED TO COMMITTEES**

No. 1607 By Messrs. REED, CIMINI, BITTINGER, PRATT, TENAGLIO, CALTAGIRONE and D. M. O'BRIEN

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for the powers and duties of the Public School Employees' Retirement Board.

Referred to Committee on Education.

No. 1608 By Messrs. REED, BITTINGER, PRATT, CALTAGIRONE, TENAGLIO, ZWIKL, CIMINI and D. M. O'BRIEN

An Act providing for certain public representation on the membership of the licensing boards of the Commonwealth.

Referred to Committee on Professional Licensure.

No. 1609 By Messrs. REED, CIMINI, BITTINGER, STEWART, PRATT, TENAGLIO, CALTAGIRONE and ZWIKL

An Act establishing the Pennsylvania Independent Crime Commission and prescribing its organization, powers and duties.

Referred to Committee on Judiciary.

No. 1610 By Messrs. REED, CIMINI, BITTINGER, PRATT, TENAGLIO, CALTAGIRONE and D. M. O'BRIEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for breach of privacy of telephone or telegraph communications and the lawful interception of communications under certain circumstances.

Referred to Committee on Judiciary.

No. 1611 By Messrs. SCHMITT, IRVIS, MANDERINO, GREENFIELD, MORRIS, FRYER, O'DONNELL, BORSKI, JOHNSON, COHEN, GLEESON, BRANDT, WARGO, SHUPNIK, GARZIA, SALVATORE, BERLIN, WIGGINS, DeMEDIO, MRKONIC, SHELTON, RIEGER, GALLAGHER, CIANCIULLI, MUSTO, WANSACZ, CAPUTO, COWELL, BROWN, McLANE, PETRARCA, STAPLETON, GEORGE, CALTAGIRONE, COLE, TENAGLIO, D. M. O'BRIEN, REED, MILLIRON, CIMINI, GIAMMARCO, RITTER, DOYLE, KLINGAMAN, BRUNNER, SCHWEDER, McINTYRE, ITKIN, GRAY, TRELLO, WILSON, NOVAK, ABRAHAM, MISCEVICH, Mrs. KERNICK, Messrs. LINCOLN LETTERMAN, YAHNER, SCIRICA, SWEET, RENWICK, BELLOMINI, ENGLEHART, MILANOVICH, LAUGHLIN, McCALL, M. M. MULLEN, MELUSKEY, Mrs. GILLETTE, Messrs. VALICENTI, LOGUE, GAMBLE, JONES, HOFFFEL, OLIVER, Mrs. KELLY, Messrs. KOWALYSHYN, TADDONIO, R. R. FISCHER, HOPKINS, NOYE, HALVERSON, LEHR, PYLES, GREENLEAF, WILLIAMS, RHODES, DOMBROWSKI, O'CONNELL, SCHEAFFER, TAYLOR, ZITTERMAN, STUBAN, GEISLER, BARBER, Mrs. HARPER, Messrs. DUMAS, RUGGIERO, RICHARDSON, WHITE, BERSON, LIVENGOOD, BITTINGER, STEWART, D. R. WRIGHT, ZEARFOSS, GESEY, GALLEN, PICCOLA, SHUMAN, HELFRICK, PRATT and GATSKI

An Act relating to the preservation of consumer claims and defenses, and prescribing remedies and penalties.

Referred to Committee on Consumer Affairs.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. HASAY, M. P. MULLEN, BITTLE, MACKOWSKI, O'CONNELL, HELFRICK, DIETZ, GRIECO, ZEARFOSS, Mrs. TAYLOR, Messrs. E. H. SMITH, STUBAN, DeWEESE, STEWART, DAVIES, RYAN, W. D. HUTCHINSON, WILSON, D. M. O'BRIEN and CIMINI

HOUSE RESOLUTION No. 140 (Concurrent)

The General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States to propose an amendment to the Constitution of the United States to permit the various states to provide for the voluntary recitation of prayer in the public schools.

Referred to Committee on Federal-State Relations.

FINANCE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House resumed consideration of **House bill No. 1062, printer's No. 1238**, entitled:

An Act amending the "Tax Reform Code of 1971" approved March 4, 1971 (P. L. 6, No. 2), further defining "dividends".

On the question,

Will the House agree to the bill on third consideration?

Mr. DOYLE offered the following amendments:

Amend Title, page 1, lines 1 through 10, by striking out all of said lines and inserting

Amending the act of August 5, 1932 (Sp. Sess., P. L. 45, No. 45), entitled, as amended, "An act empowering cities of the first class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," providing a limit on the tax on income levied against nonresidents of cities of the first class.

Amend Bill, page 1, line 13 through 22; page 2, lines 1 through 9, by striking out all of said lines on said pages and inserting

Section 1. The act of August 5, 1932 (Sp. Sess., P. L. 45, No. 45), referred to as the Sterling Act, is amended by adding a section to read:

Section 1.1. The tax on income levied on the income of persons who are not residents of a city of the first class pursuant to this act shall not exceed the rate of four and five-sixteenths per cent per year until the tax on the income of persons who are residents of a city of the first class exceeds the rate of five and three-fourths per cent per year; thereafter the rate of tax on income of nonresidents shall not exceed seventy-five per cent of the rate of tax imposed on residents.

Amend Sec. 2, page 2, line 10, by striking out "60 days" and inserting immediately

On the question,

Will the House agree to the amendments?

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

Mr. DOYLE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment I offer is offered not only on my own behalf but on the behalf of my fellow Democratic colleagues from Delaware County and Mr. Hoeffel, a Democrat from Montgomery County, as well. Their names appear on the amendment.

The amendment itself is fairly easy to understand. Briefly, it puts a freeze on the Philadelphia wage tax imposed on nonresidents of Philadelphia at the present and existing rate of 4 $\frac{5}{16}$ percent. That freeze would remain so on the nonresidents until such time as the tax rate on residents was above 5 $\frac{3}{4}$ percent, thereby creating a differential or parity of 75 percent between the residents and nonresidents of the city. If the rate of tax was increased above that rate of 5 $\frac{3}{4}$ percent on the residents, then the tax rate would be raised on the nonresidents equally; that is, they would remain at a 75-percent parity, one to the other.

Now the reason why this is important—and I might add here that this amendment, when enacted into law, would cost the city of Philadelphia absolutely nothing unless and until they themselves raise the rate of tax above that figure. That would then cost only the loss of revenue from nonresidents, and that might be some time in the future.

Now it is important to understand that the reason we are asking for this amendment is because of the inequity by the imposition of the Sterling Act on the suburban Philadelphia communities where it is the only area, the only area, in the state that has this imposition. Philadelphia is the only city in Pennsylvania, because of the Sterling Act, that cannot extend a credit back to local municipalities and school districts that impose their own wage tax for school purposes or municipal purposes.

Philadelphia also is the only city in the United States that does not treat their nonresidents in a different manner and at a lower rate in the imposition of a wage tax.

But most important is the fact that Philadelphia is the only school district or area in the state that has one taxing authority and taxing body to levy the taxes and collect the taxes for both municipal government and the school subsidy effort, and that is the city council of Philadelphia.

We sent over a bill. We amended a bill here in the House to sort of correct the situation by asking the people of Philadelphia if they wanted to elect their school board which would have the ability to levy its own taxes. This is not now presently in the bill which is being considered by the Senate and probably will not become law. Therefore, it is essential that you understand that by the Philadelphia city council's raising the rate of the wage tax on nonresidents, the nonresidents would actually begin to subsidize the schools of Philadelphia.

Now their suburban residents are already paying for their own schools. They are already paying taxes to the Commonwealth of Pennsylvania, a very large and major portion of which goes to the effort of supporting schools on a statewide basis. The major portion of the state moneys also goes to Philadelphia and the larger cities. But to ask the suburban residents by an indirect method to fund the cost of education solely for Philadelphia is an imposition that we cannot accept. It goes too far and is a gross inequity.

It is not our purpose in any way, shape or form to punish Philadelphia or to exert any kind of animosity towards Phila-

delphia. This is important, because last year when Philadelphia came and said, we want to be treated the same as other intermediate units in the Commonwealth and we opt for intermediate status and therefore get money in advance the same as the rest of the Commonwealth does, this Chamber and this state recognized that plea and they passed the necessary legislation to correct that. I voted for it, and we got nothing back for our own school districts.

Back as far as 1969 and 1970 and 1971 with the beginning of block grants for the city of Philadelphia, at that time 30 millions of dollars, this legislature and this Commonwealth has given special treatment to Philadelphia. I voted for some of those block-grant appropriations and so did all of my Republican colleagues from the county.

What we are doing here is simply balancing the equities, and we are asking here to be treated fairly, the same as the other districts in the state are treated, the same kind of plea that we heard from Philadelphia last year or 2 years ago.

It is important to understand that we get no credit back, as I said before, and this inequity will be corrected by an amendment which we call the Hoeffel amendment, which was offered before to the previous bill then under consideration, HB 593.

The inequity would be adjusted by adjusting the school subsidy formula to take care of the wages, take that out of the new formula which is expected to pass and become law, because the suburban Philadelphia communities and school districts—and only those school districts in the state—cannot effectively tax the wages of their own residents to support their own efforts towards school subsidies, school taxes. This would effect a balancing in that respect, and we have had the assurance of our leadership that the figures will be gone over and that the amendments will be made before the next fiscal year; that is, the next fiscal school year.

Now with regard to HB 1062 and the amendment, the amendment actually takes out everything that is in the bill as it presently stands and puts in the new provisions.

It is the intention, upon inquiry of the majority leader, that HB 1062 would be tabled tonight and then at a subsequent date he would offer an amendment to put in any increase necessary in the income tax, Pennsylvania state income tax, corporate net income tax. Therefore, we are wedding tonight the two — this amendment and the future tax of Pennsylvania.

With the final passage of this amendment into law, we will begin the kind of cooperation that will serve in the best interests of Philadelphia and the surrounding communities. Both can benefit; both stand to gain by mutual cooperation; and both will be the beneficiaries.

I ask tonight your favorable vote, not only from the other side of the aisle but especially from my Democratic colleagues, to understand that there are special problems here in our area of suburban Philadelphia as there are special problems in Philadelphia and in other areas of the state. I would especially appreciate their support, and I say that on behalf of my Democratic colleagues from the counties of Delaware and Montgomery as well as myself.

Thank you, Mr. Speaker.

FILMING PERMISSION GRANTED

The SPEAKER. The Speaker has given permission for Bill Martin of KYW and KDKA to shoot silent film on the floor of the House, and permission is also granted at this time for Alex Minoff of WPVI-TV to shoot silent film on the floor of the House.

It is the Chair's understanding that the gentleman, Mr. Ryan, wishes to raise a question of constitutionality. Is that accurate?

Mr. RYAN. No, that is inaccurate, Mr. Speaker. I wanted to speak on the amendment.

The SPEAKER. What is the question that the gentleman, Mr. Greenfield, has to raise?

Mr. GREENFIELD. Mr. Speaker, I just wanted to speak against the amendment.

POINT OF ORDER

RULES SUSPENDED FOR FISCAL NOTE

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

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

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. It seems that rule 19(a), subparagraph (3), is being violated here. I would like to move to suspend rule 19(a) (3), which requires the circulation of a fiscal note on an amendment 1 day prior to voting on the amendment, because I think we want to vote on this today.

PARLIAMENTARY INQUIRY

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

Mr. COHEN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COHEN. Are we voting on the lack of a fiscal note to the amendment or are we voting on the lack of a fiscal note to the bill itself?

The SPEAKER. We are voting on a motion to suspend that part of the rule which requires that a fiscal note attached to an amendment be circulated 1 day prior to the voting on the amendment.

The fiscal note has been prepared and has been distributed, but under the current rules of the House, the House would have to wait until tomorrow to vote on this amendment. The gentleman, Mr. Zearfoss, has made a motion to suspend the rule so the House can consider the amendment tonight.

Does that answer the gentleman's inquiry?

Mr. COHEN. Yes, it does. Thank you very much, Mr. Speaker.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.
 Mr. W. D. HUTCHINSON. Mr. Speaker, I cannot find the fiscal note on my desk. I do not question the fact that it has been distributed. I would simply like to see it.
 The SPEAKER. Does the gentleman have one now?
 Mr. W. D. HUTCHINSON. Yes, thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Zearfoss. For what purpose does the gentleman rise?
 Mr. ZEARFOSS. I rise to a parliamentary inquiry.
 The SPEAKER. The gentleman will state it.
 Mr. ZEARFOSS. Does the maker of a motion have to vote in favor of the motion?
 The SPEAKER. No; that is not so required.
 Mr. ZEARFOSS. Thank you, Mr. Speaker.
 On the question,
 Will the House agree to the motion?
 The following roll call was recorded:

YEAS—153

Abraham	Fryer	Manderino	Schmitt
Anderson	Gallagher	Manmiller	Schweder
Armstrong	Gallen	McCall	Scirica
Bellomini	Gamble	McClatchy	Seltzer
Bennett	Garzia	McLane	Shuman
Berlin	Gatski	Mebus	Shupnik
Berson	Geesey	Meluskey	Smith, E.
Bittinger	Geisler	Milanovich	Smith, L.
Bittle	George, C.	Miller	Spencer
Brandt	George, M.	Milliron	Spitz
Brown	Gillette	Miscevich	Stairs
Brunner	Gleeson	Moehlmann	Stapleton
Burd	Goodman	Morris	Stewart
Burns	Greenleaf	Mrkonic	Stuban
Butera	Grieco	Mullen, M. P.	Sweet
Caltagirone	Halverson	Mullen, M. M.	Taylor, F.
Caputo	Haskell	Musto	Tenaglio
Cassidy	Hayes, D. S.	Novak	Trello
Cessar	Hayes, S. E.	O'Brien, B.	Valicenti
Cimini	Helfrick	O'Connell	Wagner
Cole	Hoeffel	O'Donnell	Wansacz
Cowell	Hopkins	O'Keefe	Wargo
Davies	Hutchinson, A.	Pancoast	Wass
DeMedio	Itkin	Parker	Wenger
DeVertter	Johnson	Petrarca	Wiggins
DeWeese	Jones	Pievsky	Williams
DiCarlo	Kelly	Pitts	Wilt
Dietz	Kernick	Polite	Wise
Dombrowski	Kolter	Pratt	Wright, D.
Doyle	Kowalyshyn	Prendergast	Wright, J. L.
Duffy	Laughlin	Pyles	Yahner
Dumas	Lehr	Ravenstahl	Yohn
Englehart	Letterman	Reed	Zeller
Fee	Lincoln	Renwick	Zitterman
Fischer, R. R.	Livengood	Rhodes	Zwinkl
Fisher, D. M.	Logue	Ritter	
Flaherty	Lynch	Ruggiero	Irvis,
Foster, A.	Mackowski	Ryan	Speaker
Freind	Madigan	Scanlon	

NAYS—37

Barber	Greenfield	Noye	Shelton
Beloff	Hamilton	O'Brien, D.	Sirianni
Borski	Harper	Oliver	Taddonio

Cianciulli	Honaman	Piccola	Taylor, E.
Cohen	Hutchinson, W.	Pott	Vroon
Dorr	Klingaman	Richardson	Weidner
Foster, W.	Levi	Rieger	Wilson
Giammarco	McIntyre	Salvatore	Zearfoss
Goebel	Mowery	Scheaffer	Zord
Gray			

NOT VOTING—10

Arthurs	Hasay	McGinnis	Thomas
Dininni	Katz	Rappaport	White
Donatucci	Knepper		

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

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

The SPEAKER. The Chair recognizes the minority whip.
 Mr. RYAN. Mr. Speaker, I believe I had the floor and yielded for the purpose of a personal inquiry being made, but, in any event, I think it is to the advantage of both Mr. Greenfield and myself to yield to Mr. Pott, who intends to question the constitutionality. I think that one should be taken care of before we go into a long debate on the amendment itself.

Mr. GREENFIELD. I so yield, Mr. Speaker.

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

Mr. POTT. I rise to address the amendment, Mr. Speaker.

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

Mr. POTT. Thank you, Mr. Speaker.

The remarks which I deliver to the floor this evening may seem to be irrelevant to what we are talking about, but relevance to the subject matter tonight on this amendment may be purely a unique matter, whatsoever, in itself.

At this time, Mr. Speaker, I would like to interrogate the majority leader, if I may.

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman from Allegheny County may proceed.

Mr. POTT. Thank you, Mr. Speaker.

Mr. Speaker, previously you have stated to this House of Representatives that it is your desire to pass HB 1349, act on the nonpreferreds and act on taxes. Is this still your desire, and is this still your order of desire?

Mr. MANDERINO. It is still my order of desire on final passage. This is the amendment process. I do not intend to run this bill on final passage this evening.

Mr. POTT. Mr. Speaker, is it your desire to pass a budget which is encompassed in HB 1349? Is it your desire to act on the nonpreferred appropriations? And is it your desire to act on taxes before—

The SPEAKER. The gentleman will yield.

For the information of the gentleman from Allegheny County, interrogation must be on the point of discussion; not to the intentions and motivations of any member on this floor. The gentleman will contain his interrogation strictly to the ques-

tion at hand, which is the amendment before the House.

Mr. POTT. Thank you, Mr. Speaker.

I asked for the indulgence of the House when I rose to speak, Mr. Speaker, when you consented the floor to me, when the majority leader consented to interrogation, when I said that my remarks may seem irrelevant at times but I can guarantee the House that my remarks and interrogation are totally relevant to the subject matter before this House of Representatives here this evening.

Mr. Speaker, is it your desire to pass a budget, act on nonpreferreds and act on taxes in that order?

The SPEAKER. The gentleman will yield.

Mr. MANDERINO. Mr. Pott, you may have asked for the indulgence of the House, but it does not sound like they want to give it to you.

Mr. POTT. Is that a motion, Mr. Majority Leader?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. MORRIS. If the gentleman wishes to discuss anything else other than Mr. Doyle's amendment, I move that he must have the unanimous consent of this House, and he will not have it from this member.

The SPEAKER. The gentleman's motion is not necessary.

The Chair believes the gentleman from Allegheny County has understood the admonition of the Chair and will adhere to the rules of the House. The gentleman from Allegheny, Mr. Pott, may continue but will limit himself strictly to the question at hand, and that is the question of the amendment offered by the gentleman from Delaware, Mr. Doyle.

Mr. POTT. Thank you, Mr. Speaker.

I would like to continue my interrogation then of the majority leader.

Mr. Speaker, the Doyle amendment, as I read the Doyle amendment, is an amendment to the Sterling Act. HB 1062, Mr. Speaker, as I read it, is an amendment to the 1971 Tax Reform Code. I understand these to be two different laws. Am I correct, Mr. Speaker?

Mr. MANDERINO. I think your interrogation should more properly be put to the Parliamentarian.

Mr. POTT. So be it.

PARLIAMENTARY INQUIRY

The SPEAKER. Will the gentleman, Mr. Pott, restate his question?

Mr. POTT. Yes, Mr. Speaker. Mr. Speaker, a point of inquiry, if I may, please?

The SPEAKER. The gentleman will state his point of inquiry.

Mr. POTT. Mr. Speaker, is it proper to interrogate the Parliamentarian or is it proper to direct the questions to the Speaker?

The SPEAKER. It is proper to direct the question of parliamentary inquiry to the Speaker. It is never proper to interrogate the Parliamentarian.

Mr. POTT. Thank you, Mr. Speaker.

May I interrogate the Speaker on a point of parliamentary procedure?

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

Mr. POTT. Thank you, Mr. Speaker.

Mr. Speaker, I read the Doyle amendment as an amendment to the Sterling Act. I read HB 1062 as an amendment to the 1971 Tax Reform Code.

These appear to me, Mr. Speaker, to be two different acts. Am I correct in my reading of this?

The SPEAKER. The Chair is not enabled to state whether or not the gentleman is correct in his reading of anything. That is not said to be funny or not in derision of the gentleman at all. If the gentleman wishes to place a question formally before this House, the proper question is the question of germaneness of the amendment offered by the gentleman from Delaware. Then that question is settled by a vote of the House.

Mr. POTT. Thank you, Mr. Speaker. Then I would like to continue my interrogation of the majority leader.

The SPEAKER. The majority leader has indicated he will stand for further interrogation. The gentleman may proceed.

Mr. POTT. Thank you, Mr. Speaker.

Earlier this week, I believe it was last Thursday, maybe Friday—this week is honestly kind of running together to me—Mr. Speaker, you stood before this House and quoted a long history of Republican members who have voted for—

POINT OF ORDER

Mr. MORRIS. Mr. Speaker, I am sorry, I must repeat my point of order.

The SPEAKER. If the gentleman from Allegheny persists in removing his interrogation so far afield that it cannot be contained within the parameters of the question, the Chair will rule the gentleman out of order.

The Chair has now admonished the gentleman twice and will not do it the third time.

Mr. POTT. Thank you, Mr. Speaker.

I did not realize that I had even stated a question. I just thought I had asked to—

I would like to state a question to the majority leader.

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

Mr. POTT. The majority leader stood before this House and gave earlier this week numerous examples of members of this House before, and I would like to ask the majority leader if, in his recollection, a complete bill has even been gutted as we are doing under the Doyle amendment, an amendment to the Sterling Act to gut the 1971 Tax Reform Act?

In his long membership in this House of Representatives which he so eloquently verbalized the other evening recollecting the votes of Mr. Fisher, Mr. Parker, Mr. Butera, Mr. Ryan, does he recollect ever having changed a complete bill as is the intended purpose of the Doyle amendment?

Mr. MANDERINO. That question, Mr. Speaker, is properly a question that another member of this House, Mr. Seltzer, could answer, I am sure.

I think if he were answering the question, he would say, many times.

CONSTITUTIONALITY OF DOYLE AMENDMENT
CHALLENGED

Mr. POTT. Mr. Speaker, I would like to challenge the constitutionality of the Doyle amendment.

The Doyle amendment is to the Sterling Act. HB 1062 is to the 1971 Tax Reform Code, and I so move this House rule on the constitutionality.

The SPEAKER. It is moved by the gentleman from Allegheny, Mr. Pott, that the amendment offered by the gentleman, Mr. Doyle, is unconstitutional.

The Chair will place the motion in the affirmative. The question is: Is the Doyle amendment offered to HB 1062, PN 1238, constitutional?

Those who believe it is constitutional will vote "aye." Those who believe it is unconstitutional will vote "no."

The Chair recognizes the gentleman, Mr. Doyle, on the question of constitutionality.

Mr. DOYLE. I believe the problem of the gentleman from Allegheny can be answered by a case in 1948. It was to the effect that a bill may be amended, and I am quoting now from the case: ". . . even to the extent of striking out everything following the enacting clause and substituting therefor a bill of the [amending House] own creation." The case is Mikell v. Philadelphia School District, 359 Pa. 113, and it is a 1948 case. It answers the gentleman's question specifically and exactly, and the procedure is constitutional.

Thank you, Mr. Speaker.

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

Mr. MORRIS. Mr. Speaker, for the benefit of those members who were not here in the session of 1973-74, I remember very, very clearly an amendment offered by my friend on the other side, Mr. Zearfoss, which was on all fours with this amendment, and the similar questions were raised. The Speaker then, in those times, under our rules decided the constitutionality. The Speaker was Speaker Kenneth Lee. He ruled the amendment constitutional, and that went unquestioned.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, would the gentleman from Delaware, Mr. Doyle, stand for interrogation, please?

The SPEAKER. The gentleman from Delaware, Mr. Doyle, indicates that he will so stand. The gentleman from Schuylkill is in order and may proceed.

Mr. W. D. HUTCHINSON. Mr. Speaker, I realize the problem of hearing and perhaps my interrogation would not have been necessary had we had less buzzing in the House, but I honestly did not hear the gentleman's statements in full with respect to the case he cited from the Pennsylvania Supreme Court. My interrogation is directed towards that case. Mr. Speaker, what is the citation of that case?

Mr. DOYLE. It is 359 Pa. 113.

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker.

Now, Mr. Speaker, did I understand the gentleman to say that the holding of that case was that an amendment which

changed every—What was the holding of the case, Mr. Speaker?

Mr. DOYLE. ". . . to the effect that a bill may be amended 'even to the extent of striking out everything following the enacting clause and substituting therefor a bill of its [amending House] own creation.'"

It answers the question and the objection, I take it, of the gentleman from Allegheny County, Mr. Pott.

Mr. W. D. HUTCHINSON. Mr. Speaker, does the gentleman from Delaware know whether or not the bill in the case before the court had the title of the bill stricken?

Mr. DOYLE. Had what?

Mr. W. D. HUTCHINSON. Did the amendment strike the title to the bill?

Mr. DOYLE. I am not familiar with that.

Mr. W. D. HUTCHINSON. Well, is the answer that the gentleman does not know?

Mr. DOYLE. I do not know.

Mr. W. D. HUTCHINSON. But all the holding is, as the gentleman understands it, that it is possible to strike everything after the enacting clause?

Mr. DOYLE. Yes. And after the title, I suppose.

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker. Now, that concludes my interrogation, and I have a comment.

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

Mr. DOYLE. They gutted the whole bill, including the title.

Mr. W. D. HUTCHINSON. I am sorry, Mr. Speaker?

Mr. DOYLE. They gutted the whole bill, including the title.

Mr. W. D. HUTCHINSON. And that is the holding of the case?

Mr. DOYLE. That is what I believe it is, yes.

Mr. W. D. HUTCHINSON. Do you know that?

Mr. DOYLE. I am citing from the court decisions affecting legislative drafting. If you want a further answer, I suggest you read the case and ask the judge.

Mr. W. D. HUTCHINSON. Mr. Speaker, I have a comment on the basis of Mr. Doyle's response.

Mr. Speaker, as I understood the gentleman in his initial remarks—and I was not sure what he said and that is why I asked for the interrogation—that the case held that you could strike everything after the enacting clause.

Now, I would like the members of the House, if they would, to refer to HB 1062, PN 1238, which is in the standard form for all bills that are presented to this body or brought before this body. If they will look at that bill, they will see that lines 1 through 10 contain the title of the bill and lines 11 and 12 state "the General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows."

It is my understanding, Mr. Speaker, that the enacting clause is contained in this particular bill in lines 11 and 12 and, therefore, if the gentleman was correct the first and second times he spoke, what was stricken or changed in connection with the bill involved in the Supreme Court case was everything following the enacting clause, but not the title.

Now in connection further with that, I have this comment and it relates to the rules of this House. Rule 27 of this House states: "No bill shall be amended so as to change its original purpose. (Constitution, Article III, Section 1)."

Now, we are not here dealing, therefore, with the matter of germaneness, but a matter that is involved in the Constitution of the Commonwealth of Pennsylvania.

What the amendment that the gentleman from Delaware has presented does in this situation is not simply change the tenor of the bill analogous to what happened to HB 1394, for instance, over in the Senate, but it actually changes the title to the bill. It changes the act that is involved and the Constitution of the Commonwealth of Pennsylvania, it seems to me. And the rules of this House, which are based on the constitution, prohibit that kind of action.

Now, Mr. Speaker, the members may, of course, vote as they see fit with respect to the constitutionality of this bill. But let me suggest to you some of the problems that you create if you do that in this situation.

The Constitution of the Commonwealth of Pennsylvania also provides that every bill that is presented to us must go through three readings. Now you may say that this has been through three readings because it is on the calendar, I believe, on third consideration. But the bill which is on third consideration is entirely different, completely opposite, to that which we would have if we had the amendment. The bill that is on the calendar on third consideration is a bill which would amend the Tax Reform Act of 1971 with respect to dividends. The bill which would exist if we passed this amendment is a bill which would amend the Sterling Act, and they are entirely different, and, as I see it, if the gentleman from Delaware was correct in what he said, the case held there is no court authority that would indicate that this is a proper way to proceed in this House.

Secondly, if you are going to sit here and permit this kind of thing to happen, for whatever reason, you are going to destroy all that we have ever talked about here with respect to the committee system of this House. We will have just a completely and entirely different thing with no opportunity for the committees to consider it. We will be absolutely at the whim of whatever 102 people decide that they will do.

Now, therefore, Mr. Speaker, I would urge you to vote against the constitutionality of this bill—whichever the correct way to vote is on that, and I will ask the Speaker to state the question—because I think there is a serious issue here. This kind of thing can be done at any time. We finally get to the point where we really do not have any government of laws. We just have a government of arbitrary power. That is the whole problem throughout it, but this epitomizes it.

I think under rule 27 of the rules of this House, this bill had been amended so as to change its original purpose. It is, therefore, in violation of the Constitution of the Commonwealth. I think it is in violation of the Constitution of this Commonwealth, because this bill has not been presented on three readings, and I do not think the case the gentleman cited, which says that you can amend anything after the enacting clause, really applies.

I am not standing here to question the germaneness of the bill, because if it is just the simple matter of germaneness, I agree that that is a matter which is in the control of this House. But in this case the issue transcends that of germaneness and goes to the constitutional problem. I urge support for the po-

sition of the gentleman from Allegheny County, Mr. Pott.

Thank you.

PARLIAMENTARY INQUIRY

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

Mr. WILLIAMS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, my inquiry has to do with the limits of the constitutional question we are discussing. It has an additional constitutional impediment, in my view. I wonder whether the vote on the constitutionality at this time would cover that question once and for all, or should I raise my point also now so that the whole question of constitutionality can be debated and voted on once and for all?

The SPEAKER. Once the House has decided that an issue is constitutional, then it has been stated as constitutional, and the question may not recur. If the gentleman has additional arguments either pro or con on the question of constitutionality, the gentleman should state those arguments at this time.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I would be happy to state them at this time and I do want to reserve my position to debate on the bill.

For the purpose of the constitutional question, Mr. Speaker, I would like to ask Mr. Doyle if he would stand for interrogation.

The SPEAKER. The gentleman, Mr. Doyle, indicates that he will stand for interrogation, and the gentleman, Mr. Williams, may proceed.

Mr. WILLIAMS. Mr. Speaker, this amendment requires basically a different tax rate on wage earners who work in Philadelphia, the distinction being those who live there and those who are nonresidents.

My first question to you is, is it not true that this wage tax is one that is based on wages and not on the question of residency?

Mr. DOYLE. The amendment is on the classification of non-residency; the tax is on the basis of wages.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I could be wrong but we have had a history in this Commonwealth of an attempt to pass a graduated income tax. It was my understanding that the constitutional impediment to passing that was the fact that all income earners or all wage earners could not be treated differently under the constitutional provision which required an equal treatment of subjects in the same category. My question is, since this is a wage tax and your amendment seeks to discriminate in rates, how is it different from the constitutional impediment involved in the income tax?

Mr. DOYLE. The constitutional prohibition which you are referring to is the uniformity clause, which it is commonly called. It says that they must be uniform upon the same class. So long as the class of subjects is reasonable, then the legislation is reasonable. I would suggest that the same is reasonable, because a differential rate of tax has been enacted by every other large and major city that has a wage tax in the United States. As a matter of fact, certain credits, although I do not

know exactly how, as yet, are applied in the Pennsylvania income tax to the nonresidents of Pennsylvania and residents of other states. There is a credit provision. I do not know specifically and exactly how that works, but I know that there are credit provisions. Just recently I think the state of New Jersey and Pennsylvania worked out an agreement. That would be the application of the same principle here.

Mr. WILLIAMS. Mr. Speaker, do I understand that by your amendment and your concept, which basically call for a credit to those who work in Philadelphia and who also pay taxes elsewhere, that they should get credit for that?

Mr. DOYLE. No. This does not call for a credit.

I said it is the application of the same kind of principle — that it is a reasonable classification and therefore it is constitutional.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, on the point that I want to raise, the uniformity clause, the Speaker has stated very clearly that this wage tax is basically an income tax and a tax on wages and that group of people, that classification of people, are people who earn the income somehow attached to Philadelphia. It seems to me that to discriminate and to penalize those who live in Philadelphia for the same wages as against those who do not live there for the same wages is precisely the same kind of discrimination that the court said was prohibited in the income tax in this state.

This is an income or a wage tax on wages for income. The Pennsylvania attempt to discriminate on income tax based on how much you made was held to be in violation of the Uniformity Clause of the Constitution. This amendment seeks to discriminate on the basis of residency and the tax is on income.

Mr. Speaker, that additional reason, in my mind, is an additional constitutional impediment to this amendment, and I would also oppose its constitutionality, support its unconstitutionality, however the issue is framed by the Speaker.

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

Mr. COHEN. Mr. Speaker, thank you.

Mr. Speaker, I think if this passes, the remarks of Mr. Hutchinson and Mr. Williams and Mr. Pott have indicated that we are going to have a lawyers' field day, discussing whether or not this is constitutional in the courts of Pennsylvania and perhaps in the Federal courts.

I think Mr. Hutchinson has a very good position on the non-constitutionality of it. I think that it would tend to lead to an erosion of constitutional safeguards in the bill-drafting process. I think Mr. Williams' contention is very sound also.

In addition, we have the first differential of a tax on income in the State of Pennsylvania. This is not quite a graduated income tax in the sense that the question is not income but residents. We still have the two-tiered tax system of 4⁵/₁₆ percent and 5 percent under this.

I would think that it would be arguable that if this is constitutional, the graduated income tax in Pennsylvania is constitutional. I think that in addition there are differences in the racial and ethnic composition of the people who would be paying different tax rates. And I would think that a court might

hold that would violate the 15th amendment to the United States Constitution.

For all these reasons, I would urge a vote in support of the position that this is nonconstitutional.

The SPEAKER. The question is, is the amendment constitutional? Those believing it to be constitutional will vote "aye"; those believing it to be unconstitutional will vote "no." The members will proceed to vote.

On the question,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—110

Abraham	Gallagher	Lynch	Schmitt
Arthurs	Gamble	Manderino	Schweder
Bellomini	Garzia	Manmiller	Scirica
Bennett	Gatski	McCall	Shuman
Berlin	Geisler	McLane	Shupnik
Bittinger	George, C.	Meluskey	Spitz
Brown	George, M.	Milanovich	Stapleton
Brunner	Giammarco	Milliron	Stewart
Burns	Gillette	Miscevich	Stuban
Butera	Gleeson	Morris	Sweet
Caltagirone	Goodman	Mrkonic	Taylor, F.
Caputo	Greenleaf	Mullen, M. M.	Tenaglio
Cassidy	Hayes, S. E.	Musto	Trelo
Cimini	Hoeffel	Novak	Valicenti
Cole	Hopkins	O'Brien, B.	Wagner
Cowell	Hutchinson, A.	O'Donnell	Wansacz
DeMedio	Itkin	O'Keefe	Wargo
DeWeese	Johnson	Parker	Wiggins
DiCarlo	Jones	Petrarca	Wilson
Dombrowski	Kelly	Pratt	Wise
Doyle	Kernick	Prendergast	Wright, D.
Duffy	Kolter	Ravenstahl	Yahner
Englehart	Kowalyszyn	Reed	Zearfoss
Fee	Laughlin	Renwick	Zitterman
Fischer, R. R.	Letterman	Rhodes	Zwilk
Flaherty	Lincoln	Ritter	
Freind	Livengood	Ruggiero	Irvis,
Fryer	Logue	Ryan	Speaker

NAYS—80

Anderson	Foster, W.	McClatchy	Scheaffer
Armstrong	Gallen	McGinnis	Seltzer
Barber	Geesey	Mcbus	Sirianni
Beloff	Goebel	Miller	Smith, E.
Berson	Gray	Moehlmann	Smith, L.
Bittle	Greenfield	Mowery	Spencer
Borski	Grieco	Noye	Stairs
Brandt	Halverson	O'Brien, D.	Taddonio
Burd	Hamilton	O'Connell	Taylor, E.
Cessar	Harper	Oliver	Vroon
Cianciulli	Haskell	Pancoast	Wass
Cohen	Hayes, D. S.	Piccola	Weidner
Davies	Helfrick	Pievsky	Wenger
DeVerter	Honaman	Pitts	White
Dietz	Hutchinson, W.	Polite	Williams
Dininni	Klingaman	Pott	Wilt
Dorr	Lehr	Pyles	Wright, J. L.
Dumas	Levi	Richardson	Yohn
Fisher, D. M.	Mackowski	Salvatore	Zeller
Foster, A.	Madigan	Scanlon	Zord

NOT VOTING—10

Donatucci	Knepper	Rappaport	Shelton
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Hasay
Katz

McIntyre
Mullen, M. P.

Rieger

Thomas

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendments was sustained.

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

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Greenfield, on the amendment.

Mr. GREENFIELD. Mr. Speaker, I oppose this amendment. I oppose it not only as a Philadelphian who believes that it threatens the well-being of my city, I also oppose it as a Pennsylvanian who believes it will damage the economic pace of all of southeastern Pennsylvania and ultimately of the entire Commonwealth.

In addition, I oppose this amendment because it is an attempt to deal with a very complex economic issue under extraordinary pressures of time and political duress.

Mr. Speaker, if we are to deal in this session with the issue of whether the Philadelphia wage tax should be capped, let us do it after we have solved the budget crisis. Let us begin consideration of this issue within our committee system which is equipped to deal with such matters. Let us not attempt to solve the matter on the floor of this House at this time, a problem about which most members of this House know very little.

We have addressed the issue of a legislative cap on the wage tax before, and each time we have rejected such a cap as unwise. Now we are asked to reverse in a few minutes decisions that were reached years ago and that have been consistently reaffirmed in this chamber, and we are asked to do so in the midst of a crisis that has no relationship to this issue.

Mr. Speaker, we are also asked to fly in the face of findings and recommendations made by a subcommittee of this House only a year ago, a subcommittee that did study the issue thoroughly and reached its conclusions after 4 days of exhaustive public hearings and weeks of staff analyses.

On March 31, 1976, the House Urban Affairs Subcommittee on First Class Cities released a report of its investigations into the fiscal woes of Philadelphia. That report was based on testimony from more than 60 witnesses, including the city controller, city finance director, economists, leading business executives, bankers, leaders of public employers' unions, representatives of civic organizations and several of the most highly respected financial experts in the nation. The conclusion was that a legislative cap on the wage tax paid by nonresidents would have a disastrous effect on the economic base of the city of Philadelphia and, in the long run, would ruin its suburban neighbors of the metropolitan region.

Mr. Speaker, for these reasons, I rise to oppose this amendment at this time.

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

Mr. WILLIAMS. Mr. Speaker, I would like to request interrogation of Mr. Doyle on the merits of the amendment.

The SPEAKER. The gentleman, Mr. Doyle, indicates that he will stand for interrogation. The gentleman, Mr. Williams, is in order and may proceed.

Mr. WILLIAMS. Mr. Speaker, have you analyzed the amount of money that the city of Philadelphia would lose by putting a cap on the taxes as far as nonresidents are concerned? Have you analyzed any amounts of money that the city would lose?

Mr. DOYLE. Yes, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, it is a very important issue, at least for those of us who come from Philadelphia. Did you hear my question, Mr. Speaker.

The SPEAKER. No, the Speaker could not hear the question.

Mr. WILLIAMS. The question, Mr. Speaker, is: Have you analyzed the loss in revenues in terms of amounts that the city of Philadelphia would lose over, say, a period of 1 year or 2 years? On any basis whatsoever have you analyzed that?

Mr. DOYLE. Yes.

Mr. WILLIAMS. Could you give us an estimate?

Mr. DOYLE. Yes. It would lose nothing unless you yourselves raise the tax, and then you will only lose the loss of the revenue—

Mr. WILLIAMS. Mr. Speaker, let me make the question as precise and clear as I can. Realizing the statement with regard specifically to Philadelphia and local tax efforts for schools and the like, my question is: If the city of Philadelphia at anytime in the effort to support itself needed to raise taxes to take away — Mr. Speaker, let me ask the question this way: Have you made any analysis whatsoever as to what amounts of revenues the city of Philadelphia would lose if it enacted an increase in the wage tax of any sort by either reducing or not permitting nonresidents to be taxed? Have you made any study whatsoever as to any moneys the city would lose if it had to raise taxes based on this kind of an amendment?

Mr. DOYLE. The only way that I can answer you, Mr. Speaker, is that if the city does not increase its wage tax it will not lose a blessed cent.

Mr. WILLIAMS. Assuming that it would raise the wage tax, have you made a study on any basis?

Mr. DOYLE. There can be no study made of that sort because you could begin now and in the next hundred years you will still be figuring out how much money it would bring in because you could keep changing the wage tax from $3\frac{5}{16}$ to $3\frac{6}{16}$ to $3\frac{7}{16}$ and on up to 50.1 percent and 50.2 percent. It would all depend on how much the city itself levied upon itself.

Mr. WILLIAMS. I assume the answer is, no, you made no such study. Is that correct?

Mr. DOYLE. You cannot assume that to be the answer; you can assume that the answer is as I have stated it.

Mr. WILLIAMS. All right. Mr. Speaker, my second question is this: Have you made a study or do you have information about how many of those nonresident wage earners who work and make a livelihood in Philadelphia are affected by your amendment?

Mr. DOYLE. I do not have that yet—

Mr. WILLIAMS. A rough idea?

Mr. DOYLE. —immediately available to me. I believe that it is something like 30 percent.

Mr. WILLIAMS. Do you know about how much money they earn from that employment?

Mr. DOYLE. At the 4%—

Mr. WILLIAMS. Not the city tax but the amount of wages earned by that 30 percent?

Mr. DOYLE. No. I can only try and recollect the amount of taxes. I think, if I can recall correctly, a 1-percent differential would possibly be—I would hazard a guess at—\$10 million. Mr. Mullen is indicating by his hands that he does not know either.

Mr. WILLIAMS. You said that you thought about \$10 million?

Mr. DOYLE. Yes. But you see the information that you wish is solely available within the city of Philadelphia.

Mr. WILLIAMS. I accept that maybe you do not have that.

One additional piece of information. Do you know what percentage of those nonresident workers are non-Pennsylvania workers, for instance from New Jersey or the like or other states?

Mr. DOYLE. No, Mr. Speaker.

Mr. WILLIAMS. Your amendment, nevertheless, would apply to New Jersey residents who work in Philadelphia also, would it not? In other words, if you worked in Philadelphia and you lived in Jersey, you would only have to pay so much of the wage tax under your amendment. Is that correct?

Mr. DOYLE. Yes, that is correct.

Mr. WILLIAMS. Mr. Speaker, one final question: I assume that the thrust of your amendment is to neutralize or blunt the impact of taxes that nonresidents may pay in their own county and on wages and also what they might pay in Philadelphia. Is that basically correct?

Mr. DOYLE. Well, not exactly. This particular amendment would even out the value of services that nonresidents receive back from the city, number one. And two, because of the peculiar circumstances of Philadelphia and its ability to raise taxes, both for municipal purposes and for school purposes, the levying of the tax on the nonresidents would be a back-door approach of collecting taxes on nonresidents to support the school system rather than the municipal services that the nonresident workers receive.

I do not think Mr. Williams would suggest that it is fair and equitable to impose taxes on nonresidents to support the schools of Philadelphia when they support their schools at home as well.

The only thing that I can add to that is the fact that records and studies show that—and I do not know the rates and I do not know the amounts—the cities of New York, Detroit, Baltimore, Cleveland, St. Louis, Columbus, Flint, Grand Rapids, Louisville and Washington, D.C. all have wage taxes and all have a rate differential between nonresidents and residents. I have the figures.

Mr. WILLIAMS. Mr. Speaker, do I understand that the thrust of your amendment is to avoid nonresidents paying for the school system of Philadelphia because they do not have children in Philadelphia or they do not live in Philadelphia? Is that the thrust of your amendment?

Mr. DOYLE. Yes; that is part of it.

Mr. WILLIAMS. What is the other part of it?

Mr. DOYLE. As I stated, that the value of services back to the nonresidents should be at a tax differential.

Mr. WILLIAMS. Why?

Mr. DOYLE. Because they receive less services because they are in the city a lesser period of time. They do not get their garbage collected in Philadelphia.

Mr. WILLIAMS. Mr. Speaker, I do not assume that there was ever any differential for a person who may live in your county and who never had any children and still pays taxes that go for your school system, because the person in that situation—

Mr. DOYLE. Mr. Speaker, you said that; I did not.

Mr. WILLIAMS. Let me finish. From what I heard you say, because a person does not live there, therefore does not have children, it should not have those tax dollars go toward the school system?

Mr. DOYLE. No, you said that, Mr. Speaker.

Mr. WILLIAMS. You may have the same thing in your county.

Mr. DOYLE. No, you said that; I did not say that.

Mr. WILLIAMS. What did you say?

Mr. DOYLE. I said that they should not pay for the cost of education in Philadelphia because they cannot send their children to the schools of Philadelphia. They send their children to the schools of their own county and school districts.

Mr. WILLIAMS. Well, in your county, if a person had never had any children, I am asking you: Is there any law that allows them not to pay their taxes on that theory? Have you ever heard of a theory like that?

Mr. DOYLE. If they did have children, they would go to their own schools. They could not go, if they had children, to your schools.

Mr. WILLIAMS. If folks had a job in their own county, Philadelphians could get those jobs in Philadelphia, could they not?

Mr. DOYLE. Are you talking about schools or jobs?

Mr. WILLIAMS. We are talking about jobs.

Mr. DOYLE. You quit there all of a sudden.

The second reason is because they do not receive the same identical services as residents. They receive less of the services. They cannot have a card to the free library in Philadelphia because they are nonresidents and they cannot do a myriad of other things in Philadelphia because they are nonresidents.

Mr. WILLIAMS. They can get a job in Philadelphia. How many Philadelphians cannot get a job in Philadelphia or your county?

Mr. DOYLE. That is not the fault of the other counties, Mr. Speaker.

Mr. WILLIAMS. It is not our fault that they came to Philadelphia to work either.

I have no other questions, Mr. Speaker.

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

Mr. WILLIAMS. Mr. Speaker, with this amendment, Mr. Doyle is trying to create some equity because the people in his county or other counties may pay double taxes, and I can understand that. And I would join him in some kind of state delivery

to equalize our situations, to put in a credit of some kind. I agree with that. But how ridiculous is it for us to spend 3 months here talking about how Philadelphia should support its schools and all of that through its local tax efforts and by the very back door rape us of the ability when necessary to finance those schools and those services. It is almost like saying that the \$50 million we are talking about which we might get to roll over in subsidies on the one hand in this budget should be X'd out and neutralized by maybe even more than that from persons who are fortunate enough to have 30 percent of their jobs in Philadelphia and which figures way, way over \$10 million.

Now, Mr. Speaker, I do not think as someone said earlier, that we by any stretch should damage the economic viability of one of the most important centers of the State of Pennsylvania just because someone is inconvenienced who happens to be lucky enough to be working.

Now Mr. Doyle does not know that Philadelphia has one of the highest unemployment rates in this state and in this region, and in some areas of Philadelphia the unemployment rate is so ridiculous they do not even record it. And this measure seeks to take away the economic capacity of an already struggling city that does offer the arts, that does offer higher education, that does offer a large and sometimes effective police force, that does offer streets and all of those things. And in many, many cases the people who have to live in Philadelphia are worse served because they have to stay there 24 hours of every day. Those people from the suburbs we are talking about come in for the selective advantages of jobs, art, medical institutions, education, and they go home and they do not have to suffer the crime and all of those other things that we have to pay for and you have to pay for up here.

If we are talking about equalizing a burden, then let us do that. If it is unfair to any of our citizens in any county, let us have a fund that makes a credit for that. Let us not take one area that has basic problems already and take moneys in amounts so high we do not even know what they are.

I want to say to Mr. Doyle, who suggested that this money goes to support the school system, my knowledge is that the schools get no part of the wage tax. It only goes for services that those nonresidents, be they from Montgomery County, Delaware County or New Jersey or Cleveland, Ohio, or Aliquippa, get when they come to Philadelphia.

Mr. Speaker, this particular measure could have some merit under some circumstances, but I agree with the voices that have said that for a shotgun to be put at our heads at this point and at this hour on this measure is just wrong. The net effect of this idea is to neutralize and rip away from Philadelphia what, on the one hand, we might be given in the budget and saying that we should support ourselves while at the same time trying to take away that very tax base for money that you have given us in lower amounts. I seriously oppose the amendment.

MOTION TO MOVE PREVIOUS QUESTION

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

Mr. RITTER. Mr. Speaker, it is going to be a long evening.

We have got a budget to vote. I therefore move the previous question.

The SPEAKER. The move by the gentleman, Mr. Ritter—the previous question having been moved—requires the seconding of 20 members of the House. Only those members on their feet may be counted as seconds. Anyone else standing will be counted as second. If you do not wish to second the motion, be seated.

This motion is not debatable; it ends all debate.

The previous question, of course, is, will the House adopt the Doyle amendment? If the House adopts the previous question, that question immediately comes before the floor. It is not debatable.

MOTION SECONDED

The SPEAKER. The members will stand to be recognized: Messrs. Renwick, DeMedio, Sweet, Brunner, Prendergast, Trello, Morris, Kolter, Wansacz, Letterman, Beloff, Dumas, Barber, Shelton, Williams, Wiggins, Richardson, Borski, Meluskey, Ritter, White, Mrs. Wise, Mr. Oliver, Mrs. Harper, Messrs. O'Donnell, Brown, George, Valicenti, Bittinger, Milanovich, Livengood and Cassidy.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, I called to the attention of the Parliamentarian approximately 10 minutes ago the fact that I had been recognized earlier on this subject, that I had yielded, at the Speaker's request, to the majority whip, and that I was not recognized thereafter. I spoke to Bob, at your left, 10 minutes ago, I am going to guess, and he came down and said, oh, that happened a long while ago. You are on the list to be recognized following Mr. Morris and Mr. Ritter.

I am suggesting to the Chair that I have at least a moral right to speak on this subject inasmuch as I yielded and to question my not having been recognized. And then I quarrel with the tactic which is being imposed upon us now, moving the previous question, prior to my being recognized.

The SPEAKER. Will the gentleman yield?

The gentleman is trying to debate the issue and that is contrary to the rules.

Mr. RYAN. That was a point of order.

The SPEAKER. The question before the House is the motion—

Mr. RYAN. Mr. Speaker, my point of order.

The SPEAKER. —and that motion requires a simple majority.

Those in favor will vote "aye"—

Mr. RYAN. Mr. Speaker, I have a point of order, please. You have not answered it.

The SPEAKER. The gentleman will state the point of order.

Mr. RYAN. My point of order is, I still had the floor.

The SPEAKER. If the gentleman has yielded the floor and if the gentleman wishes to obtain the floor again, then the House will give it to him by its vote.

Mr. RYAN. Pardon me, sir?

The SPEAKER. If the gentleman has the floor and this House wishes him to have the floor again, it will give it back to him—

Mr. RYAN. I think, Mr. Speaker—and this is my point of order—that the speaker had an obligation to recognize me at the time Mr. Greenfield ceased his debate. I had yielded to him, and now I believe we are purposely being shut off from debating this issue.

The SPEAKER. The Chair informs the gentleman that the House will decide the question of previous order, and that is the only question before us.

For what reason does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. Is it in order to interrogate Mr. Doyle?

The SPEAKER. No, ma'am, it is not.

Miss SIRIANNI. Thank you.

The SPEAKER. There is no debate permitted on this.

Miss SIRIANNI. Mr. Speaker, I do not want to debate.

Mr. RYAN. Mr. Speaker, is it the ruling of the Chair that once a member yields to another member, he has no right to take the floor thereafter?

The SPEAKER. No; that is not the ruling of the Chair.

Mr. RYAN. That is the effect of what you are doing, Mr. Speaker, and I call this to the attention of the Parliamentarian.

The SPEAKER. Mr. Ryan, the Chair thanks you for your instructions but is not in need of them.

Members will proceed to vote on the previous question. Those voting "aye" accept the motion on the previous question; those voting "no" reject it. Members will proceed to vote.

Mr. RYAN. Why do we not shut the microphones off while we are at it?

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—89

Abraham	Geisler	Milliron	Shuman
Arthurs	George, C.	Miscevich	Shupnik
Barber	George, M.	Morris	Stapleton
Bellomini	Giammarco	Mrkonje	Stewart
Beloff	Gillette	Mullen, M. M.	Stuban
Bennett	Gleeson	Musto	Sweet
Berlin	Gray	Novak	Tenaglio
Bittinger	Harper	O'Brien, B.	Trelo
Borski	Hoeffel	O'Donnell	Valicenti
Brown	Hutchinson, A.	O'Keefe	Wansacz
Brunner	Johnson	Oliver	Wargo
Caputo	Jones	Petrarca	White
Cassidy	Kelly	Pratt	Wiggins
Cole	Kernick	Prendergast	Williams
Cowell	Kolter	Ravenstahl	Wise
DeMedio	Letterman	Ronwick	Wright, D.
DeWeese	Livengood	Richardson	Yahner
Dumas	Logue	Rieger	Zitterman
Englehart	McCall	Ritter	Zwikl
Fee	McIntyre	Ruggiero	
Gallagher	McLane	Schmitt	Irvis,
Gamble	Meluskey	Schweder	Speaker
Gatski	Milanovich	Shelton	

NAYS—105

Anderson	Flaherty	Lincoln	Salvatore
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Armstrong	Fryer	Lynch	Scanlon
Berson	Gallen	Mackowski	Scheaffer
Bittle	Garzia	Madigan	Scirica
Brandt	Geesey	Manderino	Seltzer
Burd	Goebel	Manmiller	Sirianni
Burns	Goodman	McClatchy	Smith, E.
Butera	Greenfield	Mebus	Smith, L.
Caltagirone	Greenleaf	Miller	Spencer
Cessar	Grieco	Moehlmann	Spitz
Cianciulli	Halverson	Mowery	Stairs
Cimini	Hamilton	Mullen, M. P.	Taddonio
Cohen	Hasay	Noye	Taylor, E.
Davis	Haskell	O'Brien, D.	Taylor, F.
DeVerter	Hayes, D. S.	O'Connell	Vroon
DiCarlo	Hayes, S. E.	Pancoast	Wagner
Dietz	Helfrick	Parker	Wass
Dininni	Honaman	Piccola	Weidner
Dombrowski	Hopkins	Pievsky	Wenger
Dorr	Hutchinson, W.	Pitts	Wilson
Doyle	Itkin	Polite	Wilt
Duffy	Klingaman	Pott	Wright, J. J.
Fischer, R. R.	Kowalyshyn	Pyles	Yohn
Fisher, D. M.	Laughlin	Reed	Zearfoss
Foster, A.	Lehr	Rhodes	Zeller
Foster, W.	Levi	Ryan	Zord
Freind			

NOT VOTING—6

Donatucci	Knepper	Rappaport	Thomas
Katz	McGinnis		

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 now returns the floor to the gentleman, Mr. Ryan, and the Chair trusts that his microphone is open.

Mr. RYAN. Pardon me, sir?

The SPEAKER. The Chair returns the floor to you, Mr. Ryan, and trusts that your microphone is open.

Mr. RYAN. I certainly hope so.

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

Mr. RYAN. Would the gentleman from Delaware, Mr. Doyle, consent to interrogation?

The SPEAKER. The gentleman from Delaware indicates that he will stand for interrogation. The gentleman from Delaware, Mr. Ryan, may proceed.

Mr. RYAN. Mr. Speaker, it has been reported in the news and it seems to be generally accepted throughout this House, the press box, the gallery, that five Democratic members from Delaware County and Mr. Hoeffel from Montgomery have managed to put a package together that is acceptable which consists of putting this cap on the Philadelphia wage tax. Is that accurate?

Mr. DOYLE. If you are saying, is the rumor accurate?, you would have to ask the people who are relaying the rumors. But I will answer for myself. I intend to—

Mr. RYAN. KYW. Mr. Speaker—

Mr. DOYLE. I will answer the question. I intend to vote for this budget on the basis that this amendment is adopted by this House—

Mr. RYAN. Thank you, Mr. Speaker.

Mr. DOYLE. —and I believe that the other members of the delegation are so inclined.

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

That generally is what the accepted rumor is, that in return for support for this amendment, you and your five colleagues — the other four from Dealware County and Mr. Hoeffel from Montgomery County—

The SPEAKER. Will the gentleman, Mr. Ryan, yield?

Mr. RYAN. I am afraid to yield again.

The SPEAKER. Let us try it again, Matt, and just see what we get this night.

Mr. RYAN. All right.

The SPEAKER. Are the microphones turned off down there?

All right. The microphones are turned off safely.

For what purpose does the gentleman, Mr. Milliron, rise?

Mr. MILLIRON. To suggest to the Chair, Mr. Speaker, that Mr. Ryan's interrogation and remarks are out of order.

The SPEAKER. The gentleman, Mr. Ryan, may proceed with his interrogation and will please keep the interrogation within the accepted parameters.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. GALLAGHER. Mr. Ryan's statement indicates that the rumor is that the members of the Delaware County delegation who voted against the budget put together this amendment to gain their efforts for what they wanted to do and in return to vote for the budget. But I think—

Mr. RYAN. Mr. Speaker, I have the floor.

Mr. GALLAGHER. Mr. Ryan, it is a matter of personal privilege. You are indicating that—

The SPEAKER. Would the gentleman state his matter of personal privilege?

Mr. GALLAGHER. The personal privilege, Mr. Speaker, is that there are other members from suburbia who voted for the budget who are very interested and have helped Mr. Doyle and his delegation to get to this point. So I think that there is a rumor and I do not think it is a proper thing to be brought before this House.

The SPEAKER. Would the gentleman, Mr. Ryan, continue his interrogation?

Mr. RYAN. I think that is terrific, and I am going to vote for the amendment. I think it is just wonderful that Mr. Doyle was able to put this together. It just seems to me strange, however, it strikes me as strange, that lip services paid by the members from Philadelphia to some extent—

The SPEAKER. Will the gentleman yield?

Has the gentleman stopped his interrogation?

Mr. RYAN. Yes. I am sorry.

The SPEAKER. The gentleman has stopped the interrogation.

Mr. DOYLE. Would Mr. Ryan consent to some interrogation?

Mr. RYAN. I wonder if I can finish my statement, and then I will be glad to answer interrogation.

The SPEAKER. The gentleman, Mr. Ryan, has the floor, and this time I would like him not to yield it so that he finishes his statement.

Mr. RYAN. Good. Thank you.

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

Mr. RYAN. Thank you, Mr. Speaker.

The thing that bothers me, although I intend to vote for this and I am urging my colleagues to vote for it because it is a theory that has long been coveted by those of us who represent suburban Philadelphia, and we have wanted for years and years to enact into law a cap on the Philadelphia wage tax, a reduction on the Philadelphia wage tax, some break for the suburban districts on the Philadelphia wage tax, and I do not think that requires a great deal of debate and I do not think it requires a great deal of verbal proof that we have for years, both sides of the aisle, tried and tried to do basically what Mr. Doyle and his colleagues on the Democratic side evidently are able to accomplish here tonight in some form, but what disturbs me about this amendment, however, is this: I am concerned that what we are here voting for maybe is not the gift horse that it would appear to be. For instance, what alarmed me a little bit in the course of debate here a moment ago is that when Mr. Williams asked Mr. Doyle, what will Philadelphia lose?, Mr. Doyle replied, it will lose nothing. Now what disturbs me from suburban Philadelphia is, if Philadelphia will lose nothing, what will we gain? I know what we lose. We lose six votes against a budget, and the effect of those six votes going on the board means a \$300-million tax-you-later budget will be passed here tonight—

Mr. DeMEDIO. Mr. Speaker, point of personal privilege or point of order.

Mr. RYAN. I am not going to yield the floor, according to your instructions, Mr. Speaker.

The SPEAKER. I do not blame you, Matt, but a point of personal privilege must be yielded to.

Mr. RYAN. All right.

The SPEAKER. Will the gentleman, Mr. DeMedio, state his—

Mr. DeMEDIO. Or a point of order.

POINT OF ORDER

Mr. DeMEDIO. Mr. Speaker, under the rules of the House, is a member permitted to reflect on the motives of another member? This is what is being done here.

The SPEAKER. A member is not permitted to reflect on the motivation of another member, and the Chair is certain that the gentleman from Delaware, Mr. Ryan, would never, under any circumstances, do that.

Mr. RYAN. Never, Mr. Speaker. I am quarreling—I am not quarreling; I am—

Mr. GREENFIELD. Mr. Speaker?

Mr. RYAN. Aw, come on. Let me have it for a little while here. You tried to give it to me a little while ago. Now let me have the mike.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the majority whip. For

what purpose does the gentleman rise?

Mr. GREENFIELD. Mr. Speaker, a matter of personal privilege.

The SPEAKER. We certainly are having a number of matters of personal privilege tonight.

Mr. GREENFIELD. Well, I have some privileges, too.

The SPEAKER. Will the gentleman state his matter of personal privilege?

Mr. GREENFIELD. Mr. Speaker, I take very great exception to the statement that Mr. Irvis is being supplied by the members of the Philadelphia delegation. We are fervently against this amendment, and you know it, Matt Ryan.

Mr. RYAN. Fine. May I continue?

The SPEAKER. The Chair thanks the gentleman and the Chair returns the floor to the gentleman, Mr. Ryan.

POINT OF ORDER

Mr. MORRIS. Mr. Speaker, I raise a point of order. I would be glad to have Mr. Ryan continue. I would just like to have him stick to the amendment.

The SPEAKER. The gentleman from Chester finished his objection before the Chair could recognize him.

Mr. MORRIS. Yes, Mr. Speaker, I did.

The SPEAKER. Does the gentleman from Allegheny, Mr. Valicenti, have a point of order to interrupt the debate?

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

I cannot bring this up. I do not have any more steam. You know, I have not been home for a couple of days.

The SPEAKER. It looks as if the gentleman has more of a mechanical difficulty—

Mr. VALICENTI. I will leave it at that. But seriously, Mr. Speaker, what are we doing here? I cannot understand it. I am serious. You know, I have been—

The SPEAKER. The question, Mr. Valicenti, before the House is, shall the House adopt the amendment offered by the gentleman, Mr. Doyle? The gentleman from Delaware, Mr. Ryan, is making a statement of his opinion as to the amendment and has said that he will be finished with the floor in just another few minutes.

Mr. RYAN. Yes, sir, Mr. Speaker. I would like to get this over with—

Mr. VALICENTI. Wait a minute, Matt. I did not say that you could talk yet. Just a moment.

What I am saying, Mr. Speaker, is let us get on with this thing. Let Mr. Matt Ryan, the hatchet man over there, do what he wants to do, and then let us vote. Let us get this budget. I think we have enough votes. Thank you.

The SPEAKER. Would you like to try again, Matt?

Mr. RYAN. One, two, three; here we go.

Mr. Speaker, Mr. Greenfield, the prominent leader of the delegation from Philadelphia, has properly pointed out that they are not paying lip service to their opposition to this amendment, and yet I guess 16 of them did not get the word on the question of constitutionality and they voted with Mr. Doyle. That makes me nervous. Why are Philadelphians helping us out? I will tell you why. Because without those six votes, this \$300-million tax package will not pass tonight and—I will get off that part right now.

The SPEAKER. All right. I am about to join you, Mr. Ryan.

Mr. RYAN. Thank you.

The effect—now I am dead serious, if I may be for a minute—of this amendment—

Mr. DeMEDIO. Mr. Speaker, I request the Speaker to order that those remarks be stricken from the record.

Mr. RYAN. They are a matter of record. Here it is.

The SPEAKER. Will the gentleman, Mr. DeMedio, hold his request until the Chair can hear the remarks? Then the Chair will—

The Chair thanks the gentleman, and you will notice that the gentleman did not need a microphone.

Would the gentleman, Mr. Ryan, care to continue his non-tumultuous and soothing debate on this amendment?

Mr. RYAN. Yes, Mr. Speaker.

Mr. Speaker, the effect of this amendment, according to the remarks of Mr. Doyle as I understood them, was that the city of Philadelphia will lose nothing as a result of this amendment being made part of HB 1062—and then that is on the assumption that it becomes law—at this time. In the event Philadelphia raises its wage tax at some later date, then there would be some benefit to the nonresident taxpayer in the city of Philadelphia.

What concerns me about this gift horse, Mr. Speaker, is Mr. Manderino saying earlier that three-tenths of 1 percent of the income tax would be necessary to finance this package. Now I have computed that in Delaware County, and it comes to Delaware Countians paying \$8,249,733. That is how much three-tenths of 1 percent is going to cost Delaware Countians. Now with this amendment, in addition to the present 4 $\frac{1}{2}$ percent wage tax that is imposed on the nonresident as well as the resident wage earners in Philadelphia, there will be an additional 2.3 percent imposed by the Commonwealth.

I really question whether the \$8,249,733 that Delaware Countians are going to be forced to pay is worth this amendment which is going to cost Philadelphia nothing and gain Delaware Countians nothing.

The principle is good. I approve of the principle. Mr. Doyle and the Democratic members who sponsored this amendment had the hammer, and Mr. Doyle was on KYW live today and in fact said—and I am paraphrasing this and I would not want to suggest that I am trying to quote it accurately—that they were going to use this leverage to get the cap put on. It just seems to me with the leverage that they have with this HB 1349 failing four times, the leverage that six members have could gain more for Delaware County, Montgomery and the other suburban areas represented and affected by this amendment than something that “will cost Philadelphia nothing,” and I say, conversely, will gain the suburban counties nothing. I am disappointed that with their muscle, when they sold out for the budget vote for this amendment, that they did not get more. And I assume that all six of them who are doing this are also going to not only vote for the budget but vote for the \$300 million in taxes that are required to fund that budget that they are passing.

There were 96 votes up here. That is the best you ever had on that board. And six of you are selling out now for this amendment, which brings you up to your 102. You had better be pre-

pared to put the votes up for that \$300 million.

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

Mr. DOYLE. Mr. Speaker, may I interrogate Mr. Ryan?

Mr. RYAN. Yes, sir, Mr. Speaker.

Mr. DOYLE. Since I answered a question as to the rumors going around the halls, Mr. Speaker, is it true, is there any truth to the rumor that you and the suburban Philadelphia members on that side of the aisle are going to vote for this amendment—

Mr. RYAN. That is no rumor; that is a fact.

Mr. DOYLE. Let me finish, Mr. Speaker. —but that in the background you and the others are asking your other colleagues on that side of the aisle not to vote for it—

Mr. RYAN. No, sir.

Mr. DOYLE. —so that it will not pass—

Mr. RYAN. No, sir.

Mr. DOYLE. Let me finish, Mr. Speaker. —to sabotage the effort that we are putting here—

Mr. RYAN. The rumors that I referred—

Mr. DOYLE. Let me finish, Mr. Speaker. Give me the same courtesy that you had.

The SPEAKER. The House will be in order.

Mr. RYAN. The rumors that I referred to were your words on KYW.

The SPEAKER. The gentleman will yield.

Mrs. TAYLOR. Mr. Speaker?

The SPEAKER. The lady will yield, and the House will be in order.

Mr. RYAN. To finish the inquiry, Mr. Speaker—

The SPEAKER. The Chair has not yet recognized the gentleman.

QUESTION OF INFORMATION

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

Mrs. TAYLOR. I rise to a question of information.

The SPEAKER. The lady will state it.

Mrs. TAYLOR. I would like to ask this of you: I wonder what gives Mr. Doyle the privilege to lump me into a statement that he just made to Mr. Ryan.

Mr. DOYLE. Same kind of rumor, Mr. Speaker.

Mrs. TAYLOR. Well, you had better check out the rumors first.

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

Mr. RYAN. I would like to complete my answer to Mr. Doyle's interrogation. No, there is no truth to such a thing that you just made up and labeled a rumor. What I called a rumor were your words on KYW. That was not a rumor; they were your words. Based on your words, Mr. Speaker, the word circulated through the hall of this House, down into the pressroom, across there to the pressroom, up into the gallery, that, lo and behold, the five enlightened Democrats from Delaware County, together with Mr. Hoeffel from Montgomery, had sold out. They were going to pass the budget tonight in return for a worthless—at the moment worthless—wage tax cap.

Mr. DOYLE. Then do not vote for it, Mr. Speaker. Do not vote for that worthless thing.

Mr. RYAN. No, no. I like the principle of it, but at this moment—

Mr. DOYLE. Oh, you do, huh?

Mr. RYAN. I have always said, Mr. Speaker, that in principle it is good. Right now your words are that it costs Philadelphia nothing, which means it gains Delaware County nothing, except an \$8-million bill for the income tax that is going to be needed, the raise in income tax that is going to be needed, to fund the budget that the six of you just sold out.

Mr. DOYLE. Mr. Speaker, you are concerned about a gift horse, and I am using your words.

Mr. RYAN. A what?

Mr. DOYLE. A gift horse. Those were your words.

Mr. RYAN. That or a tax-you-later bill such as the one you are going to pass.

Mr. DOYLE. They were your words. My concern is about a Trojan horse, that you have done everything possible that I have seen tonight to say that it is a good amendment and you will vote for it and at the same time try to condemn it simply because it was someone else other than yourself who proposed it. And we will get it through this House.

Mr. RYAN. Mr. Speaker—

Mr. DOYLE. I am not finished, Mr. Speaker. And we will see the truth of the rumor, Mr. Speaker, whether or not—

The SPEAKER. The gentleman, Mr. Doyle, has the floor and may continue.

Mr. DOYLE. And we will see what truth there is in a rumor—and my rumor, I submit, is as good as your rumor—or the proof of that rumor when we see the lights go up on the board on your side of the aisle.

I note with interest the vote on the issue of constitutionality, as anyone can read here if they have it in front of them, and how the votes are lined up. That is how we will see the proof of the rumor.

Thank you, Mr. Speaker.

Mr. RYAN. Mr. Speaker, the question that was raised—

The SPEAKER. Will the gentleman yield?

Under the rules of the House—

Mr. RYAN. I support the amendment, Mr. Speaker.

Thank you.

The SPEAKER. Under the rules of the House, no member may speak more than twice on any given issue. The gentleman, Mr. Ryan, has exceeded that rule.

Does the lady, Miss Sirianni, desire to be recognized prior to the gentleman from Chester, Mr. Morris, who is next on the list?

Miss SIRIANNI. Mr. Speaker, may I interrogate Mr. Ryan, please?

The SPEAKER. If the lady has no point of order, the lady will have to wait her turn, and the lady follows the gentleman, Mr. White.

Miss SIRIANNI. Please do not turn me off before I get my chance like Mr. Ryan.

The SPEAKER. I did not know the Speaker ever turned you on.

Miss SIRIANNI. Mr. Speaker?

The SPEAKER. Be very careful. My wife is watching public television.

The Chair recognizes the lady.

Miss SIRIANNI. I do not care if the whole world is watching.

Mr. Speaker, you really did turn me on until 10 o'clock, August 13, way beyond the date when a budget was supposed to be passed, and you started to bring up a phony deal for Delaware County that everybody knows the Senate is going to rip out.

Thank you very much.

The SPEAKER. No; the lady is really not out of order. She is just being a lady; she is going to get the last word.

Miss SIRIANNI. You are right.

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

Mr. MORRIS. Your honor, I was going to move for the removal of a juror at one point not long ago, but instead of doing that—

The SPEAKER. The Chair does not wish to interrupt the gentleman, but if that is an offer of promotion, the Chair is about ready to accept it in about 15 minutes.

The gentleman may proceed.

Mr. MORRIS. I just want to express to this House my support of this amendment and ask my colleagues throughout this House, and particularly my colleagues from Chester County, Delaware County, Montgomery County, and Bucks County, to support it, too. We need it. Not only them, of course, but I humbly ask for the support of the rest of the members from all over this state.

I would like the indulgence of this House to express my respect for these one, two, three, four, five, six gentlemen who put this amendment before us, which is something we need very badly.

Thank you very much, Mr. Speaker.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, on the merits instead of the politics of this issue, one of the fundamental issues of this legislative session and previous legislative sessions and undoubtedly future legislative sessions is who should pay for the poor and needy in our society.

The people who have no economic connection with Philadelphia do not like the idea of having state taxes raised to help pay for the needy of Philadelphia. The people who work in Philadelphia and, as a result, in many cases of their work in Philadelphia have earned enough money to leave Philadelphia for more desirable neighborhoods do not like the idea of paying for the needy of Philadelphia. Middle-class people within Philadelphia do not like the idea of paying for the needy of Philadelphia. Paying for the needy is an action that no particular person likes but the responsible people of humanity and decency in both political parties tend to accept.

Philadelphians pay more for police because they have more crime, almost a murder a day. Fires causing fatalities in Phila-

delphia have risen over 50 percent in the last 6 years, mandating a paid and extensive fire department. Our teachers teach students who come from houses where the only reading material is overdue bills and eviction notices.

Philadelphians are not the only ones who speak about the needs of Philadelphia. Religious radio programs here in central Pennsylvania, missionaries from central Pennsylvania regularly seek funds to save the souls and improve the lives of poor Philadelphians. People accept paying taxes for the needy for the same reason they go to church or synagogue instead of working during that time, for the same reason that they help out their neighbors in time of trouble, for the same reason that they give generously to charity.

Contrary to the models sketched by cynics and economists, men and women are not merely economic creatures, economic men, as they are called by economists, who live solely or primarily to maximize economic gain. I doubt very much if the members of this legislature believe that the worth of a man or woman is solely his or her material possessions. To understand humanity you just cannot buy a pocket calculator. Those who assume that man is merely an economic creature would say it is better to write pornography than to write poetry, more profitable to sell heroin than to sell groceries, more sensible to refer \$25,000 in bribes to \$10,000 in honest wages. Some people undoubtedly believe that helping the poor and disabled is merely being a sucker; that only the stupid should worry about the needy; that the intelligent person should merely look out for number one. Leaders of every religion and every community have repeatedly challenged such beliefs.

People naturally want the things in life that money can buy, but when they go to church or synagogue, they do not worship either economists, such as Karl Marx or John Maynard Keynes or Milton Friedman, or Madison Avenue men who bring us cars, clothes, and appliances. Although legislative dialogue is inherently full of dollar signs and statistics, although money and power are often the sole legislative question considered, I do not believe that the solus humanoid, portrayed in the model of economic man, accurately represents the deep desires most Pennsylvanians have for the future.

The person who eagerly seeks the privilege of paying taxes has not yet been born, but a nation or community which makes the avoidance of paying taxes to help the less fortunate the prime goal cannot long survive well. Moral considerations cannot be assumed to be limited only to those questions which have no economic consequences.

This amendment could save a suburban resident earning \$15,000 a year \$200 or so a year in the future, money which will be made up from a combination of Philadelphians earning far less than the average suburbanite and other taxpayers throughout Pennsylvania. This seems to be too high a price to pay for seeking budget votes, and I urge the defeat of this amendment.

Mr. BELOFF. Mr. Speaker, I appeal that everyone—

The SPEAKER. The Chair does not recognize the gentleman from Philadelphia at this moment.

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

Mr. BELOFF. Mr. Speaker, on a point of order.

The SPEAKER. If the gentleman can think of a point of order this quickly, go ahead.

Mr. BELOFF. The gentleman has enough trouble thinking as it is, and after tonight, Mr. Speaker, I make a motion to move the previous question again.

The SPEAKER. The Chair is informed by the Parliamentarian that the motion is not in order at this time.

Mr. BELOFF. I ask for a suspension of the rules.

The SPEAKER. I suspect that what the gentleman really is asking for is mercy on the part of the speakers, but if the gentleman will yield, we may get that mercy yet and we will get on with the job.

Mr. BELOFF. I will do as the Chair wishes.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GALLEN. Mr. Speaker, with regard to this amendment and to this deal, we have undergone a week filled with tribulation. Mr. Speaker, the passage of this budget has led to all kinds of bargains and deals from highways to office staff, and God knows what. But, Mr. Speaker, in those closed-door shenanigans, I was not and you were not asked to be a party. Now we are being asked to participate in another serious scheme, Mr. Speaker, and it makes me sick.

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. Apparently the gentleman is finished, Mr. Speaker. That takes care of the point of order.

The SPEAKER. The only thing that the gentleman, Mr. Gallen, said was he objected to not being included in those closed-door shenanigans.

The Chair recognizes the gentleman from Northampton, Mr. Kowalyshyn.

Mr. KOWALYSHYN. Mr. Speaker, I rise to speak against this Sterling Act amendment. I shall be very brief and to the point.

The serious mischief that this amendment would perpetrate is that the result would be that the taxing capacity of the city of Philadelphia would be substantially reduced, because there would be left less income that could be taxed by the city of Philadelphia to meet its needs. The taxing capacity of the city of Philadelphia would be crippled. The simple fact is that today, where the taxing capacity of the city of Philadelphia is unimpaired, the city of Philadelphia, like other great metropolitan cities in the United States, is having a difficult time raising necessary revenues for its municipal government and for its school system. One reason we are here tonight faced with a state financial crisis is because there is an existing Philadelphia financial crisis. Under the budget proposal before us this evening, some \$50 million of state tax dollars would be used to help solve the Philadelphia financial crisis. In addition, Philadelphia banks are being called upon to loan to Philadelphia something in excess of another \$42 million. Let me remind you, Mr.

Speaker, that the Philadelphia banks, before they approve these loans, will want to know whether or not Philadelphia's taxing capacity is impaired or not.

My objection, Mr. Speaker, is that this amendment will effectively cripple Philadelphia's taxing capacity. Even before solving Philadelphia's present financial problem, the legislature would be compounding Philadelphia's problem. The result may well be—and that is why I speak here as an upstater, not representing one of the counties immediately affected—I am afraid, that there will be greater and greater pressure to have Harrisburg send more and more state tax dollars to Philadelphia so that it can make ends meet.

The proponents of this Sterling Act amendment say that the Sterling Act is unfair. My answer to them is simple. It is the answer that John F. Kennedy once gave — life is unfair.

I urge a negative vote on this amendment.

PARLIAMENTARY INQUIRY

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

Mr. McLANE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McLANE. Mr. Speaker, in view of the fact that the hour is late and in view of the fact that there is a great deal of business to be done by this House this evening, I would like to know how I would present the question to the House to limit the time of debate for all members, except the majority and minority leaders, to 2 minutes on any given question.

The SPEAKER. The gentleman, Mr. McLane, has addressed a question to the Chair which may be of interest to the other members. The gentleman has inquired as to what methodology could be used to limit debate for the remainder of this session. The gentleman is advised that the House would first have to suspend the rule, rule 10, on debate, and then, with a vote of 102 members, institute a temporary rule reading, as the gentleman has stated, that for the remainder of this debate no member may speak for more than 2 minutes and no member may speak more than one time with the exception of the majority and minority leaders. Does that answer the gentleman's question?

Mr. McLANE. Mr. Speaker, then I so move.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. McLane.

Mr. McLANE. Mr. Speaker, I move to suspend the rules for the purpose of offering a temporary rule for this evening's session to limit each and every member of this House to 2 minutes' discussion on each issue, except for the majority and minority leaders.

The SPEAKER. It is moved by the gentleman, Mr. McLane, that the rules of this House be suspended insofar as they relate to unlimited debate for the purposes of instituting a temporary rule which on a separate vote of the House would read that debate on any issue coming before this House henceforward for the remainder of this session tonight will be limited to 2 min-

utes per member; that each member will be limited to speaking just one time with the exception of the majority leader and the minority leader.

On the question, the Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, the amendment that Mr. Doyle has offered which is the subject now of debate had been pretty well played out. Most of the members have spoken on it. I have no real strong objection at this time to holding down debate on this one because I think it has been pretty well exhausted. I would object, however, to a suspension of the rules that would prevent us from debating more than 2 minutes on HB 1349. Now, if the gentleman will limit that motion for suspension to this bill, fine. If not, I would oppose it.

The SPEAKER. On the motion, the gentleman from Lackawanna, Mr. McLane, is recognized. The Chair will return to the gentleman from Philadelphia, Mr. Richardson, following the gentleman, Mr. McLane.

Mr. McLANE. Mr. Speaker, my purpose in offering this motion is that each and every member of this House knows that there are a number of questions that we hope to consider tonight.

When we left here last evening, it was 1:45 a.m. Now, I do not think anyone in this House appreciates leaving here at 1:45 a.m. and I am sure that everyone in this House knows the crisis which faces the Commonwealth.

The only way to control this House, I feel at this point of time, is to enact this rule for each and every issue that faces us this evening, if we hope to resolve the crisis that we are trying to face this evening. Therefore, I would ask for an affirmative vote on the motion the way it was originally placed.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, before it gets too late, since it is 11 o'clock and I know that under the rules of the House there must be a suspension of the rules in order to continue this House, I thought that might take precedent over the argument.

The SPEAKER. The Chair recognizes the passage of time, but the Chair is unable to answer the question as to whether that particular rule would take precedence over the motion already on the floor.

Will the gentleman, Mr. McLane, suspend his motion until the House can decide whether or not it wishes to suspend the rules on the 11 o'clock adjournment?

Mr. McLANE. I will, Mr. Speaker.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the rule which limits this House to 11 p.m. adjournment, rule 15, be suspended.

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

The following roll call was recorded:

YEAS—170

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

NAYS—19

Berson	Piccola	Stewart	Weidner
George, C.	Pitts	Taddonio	Williams
Goebel	Pott	Taylor, E.	Wilt
Halverson	Renwick	Vroon	Zord
Haskell	Smith, E.	Wagner	

NOT VOTING—11

Barber	Katz	McGinnis	Rhodes
Donatucci	Knepper	Noye	Thomas
Hasay	Laughlin	O'Brien, B.	

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

The SPEAKER. The question recurs on Mr. McLane's motion. On that motion, the Chair will restate the motion.

The gentleman, Mr. McLane, moves to suspend the rules so as to permit limited debate on any and all issues from this time forward on this day of this session and that debate will be limit-

ed to 2 minutes per member. No member would be permitted to speak more than once, the exception being made of the majority and minority leaders.

Those in favor of that motion will vote "aye"; those opposed will vote "no."

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, just briefly: I realize the gentleman's frustration and all of our frustrations, but I just do not think, unless we have very unusual circumstances where we have had a bill for many, many weeks or months and there is dilatory action taking place, that we should ever restrict debate on the floor of this House. It should be a very, very last resort.

I am guilty as anybody, I think, for hogging the microphone. And in my talk tonight I will try to be as brief as possible. I think we all should inhibit ourselves. I just do not think that we should ever set these precedents such as trying to gag people, unless it is obviously dilatory. I really am serious about this. We should not set these precedents except under the rarest of circumstances, and I do not think that this is it.

I wish that we were not debating this bill tonight because it is irrelevant to the issue, but we are faced with it. Let us try to restrict ourselves and not ever have to vote to shut people off.

PARLIAMENTARY INQUIRY

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

Mr. GALLEN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLEN. Mr. Speaker, I think that this proposed rule is rather a moot thing, and you can answer this question, what is to prevent, if someone wants to speak longer, another member from being recognized and yield to the same person who had already had his 2 minutes? I mean—I am being serious, Mr. Speaker—is it not a moot thing and should we not get on with the business?

The SPEAKER. The Chair would hope that the House would take the question seriously and the intent of the motion seriously.

The gentleman is quite correct. As always, human beings can find some way around any law and that would be a method around it, but if the Chair reads the House correctly, it wishes to make a decision as to the limiting of debate as it has made a decision on the previous question. There it rejected that motion. The House may reject this, but the Chair suggests that we place it before the House and that the House make that decision.

Those in favor of suspension—

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

Mr. McLANE. Mr. Speaker, just so everyone here knows, I had no intent, in offering this amendment, to gag anyone.

If the minority leader does not know what the issue is and if he thinks that everybody in the hall of this House does not know what the issue is, I think he is wrong.

The issue is here before us tonight and the hour is very late, and tomorrow is Sunday, and I do not know how many of you

think we should come in on Sunday or not. I do not even know my own feelings on it at this point. I will make that decision later.

At this point in time, with 203 members present, I think it is a reasonable thing to ask. Everyone in this chamber knows what the issue is, and it is about time that we got around to addressing it. Thank you.

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

Mr. ITKIN. Mr. Speaker, could you rephrase the issue before the House?

The SPEAKER. The simple issue before the House now is the motion to suspend the rules. The purpose of that motion is what is being debated, really. The purpose of that motion is so that a temporary rule could be inserted which would limit debate on any issue to one appearance by each member for 2 minutes each, with the exception of the minority and majority leaders.

Mr. ITKIN. How long will that temporary rule be in effect?

The SPEAKER. For the duration of this day's session, which the Chair would construe as existing from the point of adoption until the point of adjournment.

Mr. ITKIN. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. VROON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VROON. Mr. Speaker, all right. Just cool it fellows. This is very important and a very important question.

Do I understand you correctly to be saying that for the rest of this night's question, including all of the debate and discussion on the budget that may come hereafter, we are going to be thus limited?

The SPEAKER. If the House adopts the suspension of the rules, then a motion on a temporary rule would have to be made and then if the House by 102 votes adopted such a temporary rule, the answer is yes.

Mr. VROON. Yes. Well, then, Mr. Speaker, I would strongly urge a "no" vote here because I think that that budgetary debate is all important and I just cannot conceive of being limited to 2 minutes on such an important matter.

The SPEAKER. The question is on the motion of suspension. Those in favor will vote "aye"; those opposed "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—110

Abraham	Flaherty	Livengood	Rhodes
Anderson	Fryer	Logue	Richardson
Arthurs	Gallagher	Manderino	Rieger
Barber	Gamble	McCall	Ritter
Bellomini	Garzia	McIntyre	Ruggiero
Beloff	Gatski	McLane	Scanlon
Berlin	Geisler	Mebus	Schmitt

Bittinger	George, C.	Meluskey	Schweder
Borski	George, M.	Milanovich	Shelton
Brown	Giammarco	Miscevich	Stapleton
Brunner	Gleeson	Morris	Stewart
Burns	Goodman	Mrkonic	Sweet
Caltagirone	Gray	Mullen, M. M.	Taddonio
Caputo	Greenfield	Musto	Tenaglio
Cianciulli	Grieco	Novak	Trello
Cimini	Harper	O'Connell	Valicenti
Cole	Haskell	O'Donnell	White
Cowell	Hoeffel	O'Keefe	Wiggins
DeMedio	Hutchinson, A.	Oliver	Wilt
DeWeese	Johnson	Parker	Wise
DiCarlo	Jones	Petrarca	Wright, D.
Dombrowski	Kelly	Pievsky	Yahner
Doyle	Kolter	Pratt	Zitterman
Duffy	Kowalyszyn	Prendergast	Zord
Dumas	Laughlin	Rappaport	Zwinkl
Englehart	Lehr	Ravenstahl	
Fee	Letterman	Reed	Irvis,
Fischer, R. R.	Lincoln	Renwick	Speaker

NAYS--82

Armstrong	Gillette	Milliron	Smith, E.
Bennett	Goebel	Moehlmann	Smith, L.
Berson	Greenleaf	Mowery	Spencer
Bittle	Halverson	Mullen, M. P.	Spitz
Brandt	Hamilton	Noye	Stairs
Burd	Hayes, D. S.	O'Brien, D.	Taylor, F.
Butera	Hayes, S. E.	Pancoast	Taylor, F.
Cassidy	Helfrick	Piccola	Vroon
Cessar	Honaman	Pitts	Wagner
Cohen	Hopkins	Polite	Wansacz
Davies	Hutchinson, W.	Pott	Wargo
DeVerter	Itkin	Pyles	Wass
Dietz	Kernick	Ryan	Weidner
Dininni	Klingaman	Salvatore	Wenger
Dorr	Levi	Scheaffer	Williams
Fisher, D. M.	Lynch	Scirica	Wilson
Foster, A.	Mackowski	Seltzer	Wright, J. L.
Foster, W.	Madigan	Shuman	Yohn
Freind	Manmiller	Shupnik	Zearfoss
Gallen	McClatchy	Sirianni	Zeller
Geesey	Miller		

NOT VOTING—8

Donatucci	Katz	McGinnis	Stuban
Hasay	Knepper	O'Brien, B.	Thomas

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

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. McLane.

Mr. McLANE. Mr. Speaker, I move that from the duration of this day's session, which is defined by the Chair as being from the date of the time of adoption of the new rule until this House does adjourn for the day, debate on each and every separate, several issue shall be made by the members by one appearance on the floor for a total of no more than 2 minutes, with the exception of the majority leader and the minority leader. That motion would require, because it is an adoption of a temporary rule, 102 votes.

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

Mr. ZEARFOSS. Mr. Speaker, as I recall, the last time we had

this temporary rule, the offer of an amendment was permitted two times on the question. I would like to move to amend the motion of Mr. McLane to permit the offerer of any amendment or the prime sponsor of any bill that may be considered to also have, not unlimited debate, but two bites of the apple.

The SPEAKER. The gentleman, Mr. Zearfoss, has moved to amend the motion.

The gentleman is in order. The gentleman may amend the motion. The gentleman has offered an amendment to the basic motion which would have the motion read that the appearance on the floor would be limited to two times per member, with the exception of the majority and minority leader, for a period of 2 minutes each time?

Mr. McLANE. Not each member, Mr. Speaker, just the prime mover of an amendment or the prime sponsor of any bill that is considered would have two times.

The SPEAKER. In other words, you wish to amend the exceptions? The Chair apologizes to the gentleman.

The gentleman, Mr. Zearfoss, wishes to amend the original motion so that it would add to the exceptions. Exception number one would be an unlimited appearance for the majority leader and minority leader and a limited appearance of two times for 2 minutes each for the sponsor of the particular question before the House whether it be an amendment or otherwise.

Does the gentleman, Mr. McLane, agree to the amendment?

Mr. McLANE. Mr. Speaker, I agree to the amendment and sense that those bills that I consider of importance tonight, as I understand it, are on concurrence in Senate amendments and, therefore, cannot be amended. Am I correct?

The SPEAKER. That is correct.

Mr. McLANE. Then I accept Mr. Zearfoss's amendment.

PARLIAMENTARY INQUIRY

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

Mr. VROON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VROON. Mr. Speaker, just a very fast point of inquiry. Does this include interrogation?

The SPEAKER. The Chair ruled earlier that the interrogator was using up his time but the person being interrogated would not be using up his.

On the question.

Will the House agree to the motion?

The following roll call was recorded:

YEAS—112

Abraham	Fee	Lehr	Rhodes
Anderson	Fischer, R. R.	Livengood	Rieger
Arthurs	Flaherty	Manderino	Ritter
Barber	Foster, W.	McCall	Ruggiero
Bellomini	Fryer	McIntyre	Scanlon
Bennett	Gallagher	McLane	Schmitt
Berlin	Gamble	Meluskey	Schweder
Bittinger	Garzia	Milliron	Shelton
Borski	Gatsky	Miscevich	Shuman
Brown	Geesey	Morris	Stapleton

Brunner	Geisler	Mrkovic	Stewart
Burns	George, C.	Mulleh, M. P.	Stuban
Caltagirone	George, M.	Musto	Sweet
Caputo	Giammarco	Novak	Taddonio
Cessar	Gleeson	O'Brien, B.	Tenaglio
Cianciulli	Goodman	O'Donnell	Trello
Cimini	Gray	O'Keefe	White
Cohen	Greenfield	Oliver	Wiggins
Cole	Grieco	Parker	Wilt
Cowell	Harper	Petrarca	Wise
Davies	Haskell	Pievsky	Wright, D.
DeMedio	Hoeffel	Pott	Yahner
DeWeese	Hutchinson, A.	Pratt	Zitterman
Dombrowski	Johnson	Prendergast	Zord
Donatucci	Jones	Rappaport	Zwinkl
Doyle	Kelly	Ravenstahl	
Duffy	Kolter	Reed	Irvis,
Dumas	Kowalshyn	Renwick	Speaker
Englehart	Laughlin		

NAYS—82

Armstrong	Hamilton	Moehlmann	Smith, L.
Beloff	Hayes, D. S.	Mowery	Spencer
Berson	Hayes, S. E.	Mullen, M. M.	Spitz
Bittle	Helfrick	Noye	Stairs
Brandt	Honaman	O'Brien, D.	Taylor, E.
Burd	Hopkins	O'Connell	Taylor, F.
Butera	Hutchinson, W.	Pancoast	Valicenti
Cassidy	Itkin	Piccola	Vroon
DeVerter	Kernick	Pitts	Wagner
DiCarlo	Klingaman	Polite	Wansacz
Dietz	Letterman	Pyles	Wargo
Dininni	Levi	Richardson	Wass
Dorr	Lincoln	Ryan	Weidner
Fisher, D. M.	Logue	Salvatore	Wenger
Foster, A.	Lynch	Scheaffer	Williams
Freind	Mackowski	Scirica	Wilson
Gallen	Madigan	Seltzer	Wright, J. L.
Gillette	Manmiller	Shupnik	Yohn
Goebel	McClatchy	Sirianni	Zearfoss
Greenleaf	Milanovich	Smith, E.	Zeller
Halverson	Miller		

NOT VOTING—6

Hasay	Knepper	Mebus	Thomas
Katz	McGinnis		

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

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

The SPEAKER. The House has adopted a temporary rule.

The question recurs, will the House adopt the amendment offered by the gentleman, Mr. Doyle, to HB 1062, PN 1238?

On the question, the Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. All right. Mr. Speaker, I was interrupted before, as you know, by this motion.

I just want to say very quickly—and I am not going to take up my 2 minutes—my colleague, Mr. Morris, from Chester County said, we need this very badly, let us do it. I just wonder who could want it more badly than I do. In Chester County where I live, I live in the most commuter-intensive district of all, Mr. Speaker. I am saying, if I go to my commuters and I tell them the price that I am going to pay for this and they are not

getting anything in hand, I am going to look pretty darn foolish.

I am saying to you, Mr. Speaker, do we need this? Yes, we do need this and we need a lot more, but at what price? How much more are we going to have to deal for to give a nebulous benefit? Let us come up with a real benefit at a later time.

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

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

I rise in opposition to this amendment. I do not know from the answers which Mr. Doyle gave and I am not sure how much his amendment is going to mean to the city of Philadelphia, but I am pretty sure of one thing: The money that the city of Philadelphia loses is most likely going to have to be made up by the taxpayers from the rest of the state. That means something to the people whom I represent and to the people outside of the five suburban counties who will benefit by this amendment.

There is no question in my mind that this is so, but to fortify my belief in this position, I just picked up off my desk another amendment to be offered, I suppose, later if this amendment is adopted by Mr. Williams, in which he asks that additional language be inserted so that any loss of revenue—which Mr. Doyle said could mean as much as about \$10 million on a difference of 1 percent—must be made up by the state, must be made up by the state. I caution you, for these reasons let us vote down this amendment.

Thank you.

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

Mr. ZELLER. Mr. Speaker, what I am going to talk about is not going to be the political end of it as far as why anyone is shifting their votes. I care less. But that is not the problem tonight as far as I am concerned. The problem that I am talking about is something that we in Pennsylvania in a governmental council have been dealing with in a study as to why the cities are dying. I know we criticize the cities very severely and mismanagement and all the political end of it and we go through this whole thing, and then it comes time for the budget whereby we want to fund them some moneys for deficiencies and then the very people whom Mr. Fisher is talking about and some others say, well, those people outside the city do not like what is going on; they do not want to pay the so-called tax to the cities for working there. Those very same people are forgetting some of the things that have happened.

Let me remind you, I know that I probably will lose some, I should say, help or what-have-you or support from some of the people whom I respect very highly, and I know that Ted and the boys are trying to do what is right for their people, and God bless them. I have always respected them for it, but the problem is that the cities are dying.

There was a decree handed down in 1968 by the Federal Government in regards to following the "burn-baby-burn" period that 19 percent of help in all industry has to be the unfortunate. What has happened to these industries in the big cities? They are moving out of Chicago, Baltimore, Newark, Philadelphia. They move out because even some of those industries that

claim that they want to help people are looking at the bottom line, period. They have to meet competition. They have to meet all kinds of problems and therefore they say they are going into areas where they can get production, they claim. They are moving out of the areas.

The SPEAKER. The gentleman will yield. His time is up.

The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker.

Philadelphia does not lose anything, and the suburbs do not gain anything this year, but there is a principle. I do not know, but something seems to me to say that if Philadelphia does not lose anything and if the suburbs do not gain anything, there is something funny about this, and I am not sure where my people stand. So tonight I think that if I am going to adopt a Mebus approach for a fear of what may happen to my people. As Mr. Fisher said, I am going to vote "no." I think since none of us really knows what is going to happen under this bill, that that would be the appropriate thing.

Thank you.

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Thank you, Mr. Speaker.

I am supporting this amendment tonight not because of any deals, because the only deal that I ever made in my life—and it happened to be the best one—was on August 9, 1942, and my husband is still waiting to wish me happy anniversary.

I am supporting this amendment because I think the whole concept of taxing people who live outside the taxing jurisdiction and have no voice in how that money is spent is unconscionable and un-American, and that is what this country was founded on. I urge everybody in this House to vote "yes" for this amendment.

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

Mr. DOYLE. I will be mercifully brief. I really will. I just had to take this floor once more when I heard Mr. Hutchinson say he will adopt the Mebus plan. Mr. Mebus is not here to vote and six other suburban Philadelphia members of the Republican side are not here to vote.

Also, three members of the Republican side of the aisle, who had taken the floor tonight to speak against it, voted for the very same thing on March 24, 1976. Why did they change their minds?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I guess we will never stop the same old game of, on that side, all Democrats are good and all Republicans are bad.

Mr. Speaker, I think if you had told us that you were going to cut your deal, everybody would have been here and would have watched you vote for the taxes.

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

The following roll call was recorded:

YEAS—92

Abraham	Garzia	Meluskey	Schmitt
Arthurs	Gatski	Milanovich	Schweder
Bellomini	Geisler	Milliron	Scirica
Bennett	George, C.	Miscevich	Shupnik
Berlin	George, M.	Morris	Smith, E.
Bittinger	Gillette	Mrkonic	Spencer
Brown	Gleeson	Mullen, M. M.	Spitz
Brunner	Goodman	Musto	Stapleton
Butera	Greenleaf	Novak	Stewart
Caltagirone	Hoeffel	O'Brien, B.	Stuban
Caputo	Hutchinson, A.	O'Connell	Sweet
Cassidy	Itkin	O'Keefe	Tenaglio
Cole	Kernick	Parker	Trello
Cowell	Kolter	Petrarca	Valicenti
DeMedio	Laughlin	Polite	Wise
DeWeese	Letterman	Pratt	Wright, J. L.
DiCarlo	Lincoln	Prendergast	Yahner
Dombrowski	Livengood	Ravenstahl	Zearfoss
Doyle	Logue	Reed	Zitterman
Englehart	Lynch	Renwick	Zwinkl
Fee	Manderino	Rhodes	
Freind	Manmiller	Ritter	Irvis,
Fryer	McCall	Ryan	Speaker
Gallagher	McClatchy		

NAYS—88

Anderson	Foster, A.	Lehr	Scheaffer
Armstrong	Foster, W.	Levi	Shelton
Barber	Gallen	Mackowski	Shuman
Beloff	Gamble	Madigan	Sirianni
Berson	Goebel	Miller	Smith, L.
Bittle	Gray	Moehlmann	Stairs
Borski	Greenfield	Mowery	Taddonio
Brandt	Grieco	Mullen, M. P.	Taylor, E.
Burd	Halverson	Noye	Taylor, F.
Cessar	Hamilton	O'Brien, D.	Vroon
Cianciulli	Harper	O'Donnell	Wagner
Cimini	Hayes, D. S.	Oliver	Wansacz
Cohen	Hayes, S. E.	Pancoast	Wass
Davies	Helfrick	Piccola	Weidner
Dietz	Honaman	Pievsky	Wenger
Dininni	Hopkins	Pitts	White
Dorr	Hutchinson, W.	Pott	Wiggins
Duffy	Johnson	Rappaport	Williams
Dumas	Jones	Richardson	Wilt
Fischer, R. R.	Kelly	Ruggiero	Wright, D.
Fisher, D. M.	Klingaman	Salvatore	Zeller
Flaherty	Kowalyszyn	Scanlon	Zord

NOT VOTING—20

Burns	Hasay	McIntyre	Seltzer
DeVerter	Haskell	McLane	Thomas
Donatucci	Katz	Mebus	Wargo
Geesey	Knepper	Rieger	Wilson
Giammarco	McGinnis	Pyles	Yohn

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. DeVERTER. Mr. Speaker, I do not know what has happened but it has happened a few times before, that when I went

to push my switch it was locked. No, not woken up. I am awake. It has happened before and there is an awful fast touch somewhere. I would appreciate being voted in the negative on the Doyle amendment to HB 1062.

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

The Chair recognizes the gentleman from York, Mr. Geesey.

Mr. GEESEY. Mr. Speaker, I do not have the problem the previous Speaker had because I did push my switch. I pushed it in the negative, and when the man clicked the switch locking the switches, it threw it in neutral. I have never in my life sat in my seat and not voted. I was voted in the negative.

The SPEAKER. The Chair will order the taking of a second vote.

On the question recurring,

Will the House agree to the amendments?

The following second roll call was recorded:

YEAS—94

Abraham	Gatski	Milanovich	Scirica
Arthurs	Geisler	Milliron	Shupnik
Bellomini	George, C.	Miscevich	Spitz
Bennett	George, M.	Morris	Stapleton
Berlin	Gillette	Mrkonic	Stewart
Bittinger	Gleeson	Mullen, M. M.	Stuban
Brown	Goodman	Musto	Sweet
Brunner	Greenleaf	Novak	Taylor, F.
Butera	Hoeffel	O'Brien, B.	Tenaglio
Caltagirone	Hutchinson, A.	O'Keefe	Trello
Caputo	Itkin	Parker	Valicenti
Cassidy	Kernick	Petrarca	Wansacz
Cole	Kolter	Polite	Wargo
DeMedio	Laughlin	Pratt	Wise
DeWeese	Letterman	Prendergast	Wright, D.
DiCarlo	Lincoln	Pyles	Wright, J. L.
Dombrowski	Livengood	Ravenstahl	Yahner
Doyle	Logue	Reed	Yohn
Englehart	Lynch	Renwick	Zearfoss
Fee	Manderino	Rhodes	Zitterman
Freind	McCall	Ritter	Zwilk
Fryer	McClatchy	Ryan	
Gallagher	McLane	Schmitt	Irvis,
Garzia	Meluskey	Schweder	Speaker

NAYS—91

Anderson	Foster, W.	Mackowski	Scheaffer
Armstrong	Gallen	Madigan	Seltzer
Beloff	Gamble	Manmiller	Shelton
Berson	Geesey	McIntyre	Shuman
Bittle	Goebel	Miller	Sirianni
Borski	Gray	Moehlmann	Smith, E.
Brandt	Greenfield	Mowery	Smith, L.
Burd	Grieco	Mullen, M. P.	Spencer
Cessar	Halverson	Noye	Stairs
Cianciulli	Hamilton	O'Brien, D.	Taddonio
Cimini	Harper	O'Connell	Taylor, E.
Cohen	Haskell	O'Donnell	Vroon
Cowell	Hayes, D. S.	Oliver	Wagner
Davies	Hayes, S. E.	Pancoast	Wass
DeVertter	Helfrick	Piccola	Weidner
Dietz	Honaman	Pievsky	Wenger
Dininni	Hopkins	Pitts	White
Dorr	Hutchinson, W.	Pott	Wiggins
Duffy	Kelly	Rappaport	Williams
Fischer, R. R.	Klingaman	Richardson	Wilt
Fisher, D. M.	Kowalyszyn	Ruggiero	Zeller

Flaherty	Lehr	Salvatore	Zord
Foster, A.	Levi	Scanlon	

NOT VOTING—15

Barber	Giammarco	Katz	Rieger
Burns	Hasay	Knepper	Thomas
Donatucci	Johnson	McGinnis	Wilson
Dumas	Jones	Mebus	

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

HB 1062 AND AMENDMENT TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1062 and the amendment be placed upon the table.

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

Mr. WILLIAMS. Mr. Speaker, on the motion to place on the table, I have an amendment to that bill. What would the posture be of this amendment if the bill is tabled?

The SPEAKER. The question is the motion to place upon the table. Those in favor of the motion—

Mr. WILLIAMS. Mr. Speaker—

The SPEAKER. Is the gentleman objecting to the motion to table?

Mr. WILLIAMS. Mr. Speaker, my question is, I have an amendment to the bill and what would be the posture of this amendment if the bill is tabled? Does that mean that when it comes off the table the amendment can be offered at that time?

The SPEAKER. The bill would still be on third consideration. The bill would not be reprinted. It would have the same printer's number, and the gentleman's amendment could be offered to the bill at that time.

Mr. WILLIAMS. Thank you, Mr. Speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—167

Abraham	Foster, W.	Lincoln	Rieger
Anderson	Freind	Livengood	Ritter
Armstrong	Fryer	Logue	Ruggiero
Arthurs	Gallagher	Mackowski	Ryan
Barber	Gamble	Madigan	Scanlon
Bellomini	Garzia	Manderino	Schmitt
Beloff	Gatski	Manmiller	Schweder
Bennett	Geesey	McCall	Scirica
Berlin	Geisler	McIntyre	Seltzer
Berson	George, C.	McLane	Shelton
Bittinger	George, M.	Meluskey	Shuman
Borski	Giammarco	Milanovich	Shupnik
Brandt	Gillette	Miller	Smith, L.
Brown	Gleeson	Milliron	Spencer
Brunner	Goodman	Miscevich	Stapleton
Burd	Gray	Moehlmann	Stewart
Burns	Greenfield	Morris	Stuban
Butera	Greenleaf	Mowery	Sweet
Caltagirone	Grieco	Mrkonic	Taylor, E.
Caputo	Halverson	Mullen, M. P.	Taylor, F.
Cassidy	Harper	Mullen, M. M.	Tenaglio

Cessar	Haskell	Musto	Trello
Cianciulli	Hayes, D. S.	Novak	Valicenti
Cimini	Hayes, S. E.	Noye	Wagner
Cohen	Helfrick	O'Brien, B.	Wansacz
Cole	Hoeffel	O'Connell	Wargo
Cowell	Honaman	O'Donnell	Wass
Davies	Hopkins	O'Keefe	Wenger
DeMedio	Hutchinson, A.	Oliver	White
DeVerter	Hutchinson, W.	Pancoast	Wiggins
DeWeese	Itkin	Parker	Williams
DiCarlo	Johnson	Petrarca	Wilson
Dombrowski	Jones	Pievsky	Wilt
Donatucci	Kelly	Polite	Wise
Doyle	Kernick	Pratt	Wright, D.
Duffy	Klingaman	Prendergast	Yahner
Dumas	Kolter	Rappaport	Zeller
Englehart	Kowalshyn	Ravenstahl	Zitterman
Fee	Laughlin	Reed	Zwinkl
Fischer, R. R.	Lehr	Rhodes	Irvis.
Fisher, D. M.	Letterman	Rhodes	Speaker
Flaherty	Levi	Richardson	
Foster, A.			

NAYS—27

Bittle	Lynch	Salvatore	Vroon
Dietz	McClatchy	Schaeffer	Weidner
Dininni	O'Brien, D.	Sirianni	Wright, J. L.
Dorr	Piccola	Smith, E.	Yohn
Gallen	Pitts	Spitz	Zearfoss
Goebel	Pott	Stairs	Zord
Hamilton	Pyles	Taddonio	

NOT VOTING—6

Hasay	Knepper	Mehus	Thomas
Katz	McGinnis		

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

SUPPLEMENTAL CALENDAR

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned HOUSE BILL NO. 1349, with the information that the Senate has passed the same with the following amendments in which concurrence of the House of Representatives is requested:

Amend Title, page 1, lines 1 through 9, by striking out all of said lines and inserting in lieu thereof the following:

To provide for the expenses of the executive, legislative and judicial departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1977 to June 30, 1978, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1977.

Amend Bill, page 1, lines 18 through 24, by striking out all of said lines.

Amend Bill, page 2, lines 1 through 30, by striking out all of said lines.

Amend Bill, page 3, lines 1 through 8, by striking out all of said lines and inserting immediately thereafter the following:

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:

Administration of the Office of the Governor	2,100,000
For the Governor's share of the expenses of the Commonwealth Compensation Commission	25,000
For allocation by the Governor for providing disaster relief and assistance for victims of the great flood of July, 1977	10,000,000
For the administration and operation of the Office for Human Resources: provided, that no allocation may be made from this appropriation for the Nursing Home Ombudsman Project	224,000
For the administration and operation of the Office of Administration	3,821,000
For the development and implementation of a statewide emergency telephone system	100,000
For the administration and operation of the Office of State Planning and Development	600,000
For the administration and operation of the Office of the Budget	1,690,000
For the salaries, wages and all necessary expenses for the proper administration and operation of the Human Relations Commission	3,710,000
For the conduct of the work of the Pennsylvania Council on the Arts, requisitions to be signed by the Governor	2,000,000
For the administration and operation of the Pennsylvania Commission for Women	154,000
For the salaries, wages and all necessary expenses for the proper administration and operation of the Governor's Energy Council	291,000
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 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	8,903,000
Auditing appropriations for or relating to public assistance including any federal sums supplementing such appropriations	2,394,000
Administration of the Board of Arbitra-	

tion of Claims	230,000	Redemption Fund to meet principal and interest requirements on bonds issued and bonds to be issued	5,496,000
To the Treasury Department		For payment into the Nursing Home Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued	2,293,000
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:		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 the administration of the Treasury Department	4,400,000	For payment of law enforcement officers' death benefits	400,000
For the administrative expenses in disbursing appropriations for or relating to public assistance including any federal sums supplementing such appropriations	2,302,000	To the Department of Agriculture	
For the administration of the Board of Finance and Revenue	519,000	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	14,152,000
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 payment of reimbursement to legally constituted law enforcement agencies for kennel construction	50,000
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 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 like expenditures of county funds	20,000
For the support of the Great Lakes Commission to be paid on requisition of the commissioners who shall file an accounting with the Auditor General	20,000	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 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 the National Conference of State Legislatures	66,000	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 the payment of replacement checks issued in lieu of outstanding checks when presented and to adjust errors	35,000	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 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 planning and staging ten annual 4-H club horse and pony shows and one statewide show to be held in the fall as preliminary to the Keystone International	
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	90,000		
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	5,400,000		
All money in the Project 70 Land Acquisition Fund shall be transferred into the sinking fund to meet debt service requirements.			
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	28,058,000		
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	105,071,000		
All moneys in the Vietnam Veterans' Compensation Fund not needed to pay claims presently on hand shall be transferred to the Vietnam Veterans' Compensation Sinking Fund in an amount sufficient to meet all debt service requirements during the 1977-1978 fiscal year.			
For payment into the Disaster Relief			

Livestock show	30,000	For the Pennsylvania Industrial Development Authority	3,000,000
For payment of compensation to owners of animals destroyed in disease eradication programs	370,000	To the Department of Community Affairs	
For payment into the State Farm Products Show fund to partly pay for that portion of the farm show and maintenance to farm show building that is not paid from farm show revenues	800,000	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	5,900,000
To the State Council of Civil Defense		For administration of the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act	110,000
For the salaries, wages and all necessary expenses for the proper administration of the State Council of Civil Defense, including emergency disaster assistance	554,000	For transfer to the Volunteer Companies Loan Fund	500,000
To the State Civil Service Commission		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
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	For the payments of grants to counties, cities, boroughs, townships, town or regions for planning assistance	100,000
To the Department of Commerce		For planning and administration of a statewide Manpower Employment Assistance and Training Program	1,500,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the following: Tourism and travel development, industrial development, scientific and technological development and international trade	4,759,000	To the Council on Drug and Alcohol Abuse	
The moneys herein appropriated shall not be used to pay for the staffing or expenses of any office outside the boundaries of the Commonwealth.		For the salaries, wages and all necessary expenses for the proper conduct of the Council on Drug and Alcohol	2,250,000
For the administration and operation of the Navigation Commission for the Delaware River	77,000	For grants to counties and to private facilities to finance Drug and Alcohol Abuse Treatment and Prevention Programs	18,000,000
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	The Council shall submit to the House and Senate Appropriations Committees the following program data for all programs or facilities receiving funds through the appropriation entitled "Assistance to Drug and Alcohol Programs."	
For site development	1,000,000	(1) Readmission rates for substance abuse clients who have successfully completed a treatment program. This data should reflect the number of months between the recidivist's successful completion of a treatment program and his/her entry into the same or another treatment program and the classification of his/her substance abuse (alcohol, opiates, non-opiates).	
For the payment of grants to Appalachian local development districts	100,000	(2) Readmission rates for substance abuse clients who leave a treatment program against a therapist's advice. The data should reflect the number of months between the recidivist's unapproved termination of a treatment program and his/her recidivism into the same or another treatment program and the classification of his/her substance abuse (alcohol, opiates, non-opiates).	
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	(3) Readmission rates for substance abuse clients who leave treatment as a result of mutual agreement with the therapist. The data should reflect the number of months between the recidivist's approved termination of a treatment program and his/her recidivism into the same or another treatment program and the classification of his/her substance abuse (alcohol, opiates, non-opiates).	
For payment of ceremonies in recognition of the Distinguished Daughters of Pennsylvania	3,000	(4) Readmission data shall be provided in a pure statistical manner not revealing the identity of any involved individual.	
For transfer to the minority business development fund	1,500,000	To the Department of Education	
For technical assistance for minority businesses	250,000	For the salaries, wages and all necessary expenses for the proper administration of the 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	14,295,000
For tourist promotion assistance	2,000,000	No funds appropriated herein shall be used in any way relating to state colleges and university distinguished faculty awards.	
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	75,000	For the operation and maintenance of the	
For the Community Facilities Program pursuant to the Act of December 22, 1959 (P. L. 1978, No. 728)	1,000,000		

Vocational Education Fire School	205,000
For the District Justice Education Program	200,000
To provide additional complement for the Department of Education to carry out programmatic and fiscal programs	163,000
For the operation of the State Library, providing reference services and administering aid to public libraries	1,493,000
For the purchase of books for the State Library	125,000
For payment of rental changes to the General State Authority for capital improvements at state-aided educational institutions	4,300,000
Operation, maintenance and administration of the state colleges and state-owned university including the McKeever Environmental Center	172,700,000
Expenses of the McKeever Environmental Center shall be paid by the state colleges and state-owned university in amounts proportionate to the use of the center by the colleges and university.	
A report shall be submitted by each state college and state-owned university to the Governor and the Appropriations and Education Committees of the Senate and House of Representatives and shall include data for all programs of the state college or state-owned university. Each such report, to be submitted prior to November 1, 1978, shall cover the 12-month period beginning September 1, 1977 and shall include for each term during the period:	
(1) The following counts and distributions:	
(I) The definitions and numbers of full-time faculty members, of part-time faculty members, of full-time students enrolled in graduate courses, of full-time students enrolled in undergraduate courses, of part-time students enrolled in graduate courses, and of part-time students enrolled in undergraduate courses.	
(II) A distribution of part-time faculty members by the percentage of full-time employment.	
(III) Total numbers of undergraduate student credit hours, divided into lower division and upper division levels, and of graduate student credit hours divided into three levels—Master's, First Professional and Doctoral.	
(IV) Number of different courses scheduled by level of instruction, distributed by the number of sections scheduled in each course and the sections distributed by the number of students enrolled in each section.	
(V) Number of terms scheduled and the dates thereof.	
(2) A classification of faculty members or other professional employees by title including: Professor, Associate Professor, Assistant Professor, Instructor, Lecturer, Research Associate, Librarian, and Academic Administrator: faculty members or other professional employees under each title to be subdivided by type of assignment: undergraduate courses only, graduate courses only, or both graduate and undergraduate courses; and each such set of faculty members or other professional employees to be further subdivided by type of employment: full-time or part-time; and the following aggregates for each such subdivided classification:	
(I) The number.	
(II) The sum of credits assigned to undergraduate courses and the sum of credits assigned to graduate courses taught, divided into lower division, upper division, master's, first professional and doctoral levels.	
(III) The sum of undergraduate student credit hours and the sum of graduate student credit hours generated: divided into lower division, upper division, master's, first professional and doctoral levels.	
(IV) Total salary paid.	
(V) Total salary paid from college or university funds.	
(VI) Total salary paid from federal funds.	
(VII) Total salary paid from other funds.	
(3) For each term of the period covered for each full-time faculty member identified by school, department and title:	
(I) An analysis of the average hours per week spent in college	

or university-related activities, stating specifically hours spent in undergraduate classroom contact and graduate classroom contact, hours spent in preparation, hours spent in research and hours spent in public service.	
(II) The total salary paid and the salary paid from college or university funds.	
In addition to the above requirements relative to this appropriation, each report covering the 12-month period beginning September 1, 1977, shall include for all programs of the state college or state-owned university:	
(1) Minimum number of credits required for a baccalaureate degree, and for a master's degree.	
(2) Number of bachelor's degrees, master's degrees, first professional degrees, and doctoral degrees awarded in 1975, 1976, 1977 and estimated 1978.	
The state colleges and state-owned university shall report their revenues and expenditures and present their financial statements required under the provisions of this act in accordance with higher education finance manual (1975).	
The funds appropriated herein for the operation, maintenance, and administration of the state colleges and university are not sufficient to provide for any negotiated compensation increases after the effective date of this act, therefore no funds appropriated herein shall be used for such negotiated compensation increases.	
No funds appropriated herein shall be deposited in the Pennsylvania State College Educational Services Trust Fund.	
No funds received from any other source by the state colleges and university shall be used for negotiated compensation increases nor deposited in the Pennsylvania State College Educational Services Trust Fund.	
For the operation, maintenance and administration of the Scranton State School for the Deaf	1,695,000
For the operation, maintenance and administration of Scotland School for Veterans' Children	3,867,000
For the operation, maintenance and administration of the Thaddeus Stevens State School of Technology	1,800,000
For payments of subsidies to school districts on account of basic instructional and vocational education costs including money due to school districts for claims prior to 1973 pursuant to Section 2605 of the Act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," said moneys being obligated but unpaid due to fund deficiencies as to liabilities: 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 advance payments to enable the school districts to keep their public schools open: And, provided, that the Secretary of Education shall forgive for the 1977-1978 year only, the amount of \$30,000,000 owed by the school districts or intermediate units of the first class to the Commonwealth on account of advance payments made for vocational education during the 1976-1977 fiscal year, contingent upon a written agreement by the school district that the school district shall repay the \$30,000,000 at the rate of \$3,000,000 each year beginning with the 1978-1979 fiscal year and each year thereafter until the full \$30,000,000 has been repaid.	1,297,822,000
For increase in the basic instructional and vocational education costs	100,000,000
For payments to school districts on account of annual rental or sinking fund charges on school buildings	147,000,000

For payments to school districts and intermediate units on account of pupil transportation	78,000,000	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	898,000
For payments to school districts and intermediate units on account of special education of exceptional children in public schools	98,528,000	For acquiring, producing, recording and distributing, by the Department of Education, educational programming that will be used for classroom broadcast	430,000
For payments to school districts on account of homebound instruction	500,000	For development, administration and coordination of educational and training programs at the state-owned adult correctional institutions	2,199,000
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 payment of approved operating and capital expenses of community colleges and technical institutes	46,651,000
For payments to intermediate units for maintenance of summer schools for school age children of migrant laborers	100,000	Commonwealth allocations to the community colleges from the funds appropriated herein shall be separately calculated for community and public services including noncredit continuing education as defined by the higher education finance manual and the higher education general information survey.	
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	No funds appropriated herein shall be allocated for the reimbursement of operating or capital expenses for which federal funds have been received.	
For special education — approved private schools	29,760,000	An independent audit report for the preceding fiscal year, which is consistent with the higher education finance manual shall be submitted by each community college to the Department of Education not later than 120 days after the close of the preceding fiscal year. The Department of Education may withhold whatever funds appropriated herein it feels necessary to ensure that such audit reports are submitted in the prescribed fashion.	
For annual payments not to exceed \$500 per student to institutions of higher learning for defraying the expenses of deaf or blind students	100,000	For Higher Education Equal Opportunity Program grants	3,895,000
For payment of the Commonwealth's share of the approved operating costs and lease payments of intermediate units	7,452,000	For the operation of the Ethnic Heritage 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	8,450,000	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	67,000,000	For payment of all scholarships and educational 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	160,760,000	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 \$2,000,000 for continued repayment of past underfunding of the Commonwealth's obligations. This repayment will reduce the original deficit of \$90,000,000 to \$59,000,000.		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	3,916,000
For payment of required contribution into the former teachers' account of the Public School Employee's Retirement Fund	6,000	To the Department of Environmental Resources	
For operation and administration of programs of education and training at Youth Development Centers	3,149,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources	14,000,000
For operation and administration of programs of education and training at state schools and hospitals	10,177,000	For topographic and geologic survey	1,500,000
For services to nonpublic schools	22,758,000	For soil survey work	100,000
For textbooks for nonpublic schools	8,218,000	For deep mine safety	2,300,000
For student supplies for nonpublic schools	2,843,000	For occupational health	650,000
For grants to public libraries for the development and improvement of a state-wide 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	2,180,000
To provide aid to the free library of Philadelphia and the Carnegie Library of Pittsburgh, to meet the costs incurred in serving		For land protection	2,409,000
		For water quality management	5,884,000
		For air quality and noise control	2,980,000
		For community environmental control	6,235,000
		For radiological health	712,000
		For state forestry operations	10,300,000
		For gypsy moth spraying operations	500,000
		For the gypsy moth laboratory and research	406,000
		For insect spraying operations	350,000
		For state parks	19,894,000

For stream improvement projects	450,000	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 the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires	150,000	For Appalachian Trail preservation	500,000
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	To the Pennsylvania Fish Commission	
For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems	300,000	For the support of the Atlantic States Marine Fisheries Commission	3,000
For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act	800,000	To the Department of General Services	
For the support of the Ohio River Valley Water Sanitation Commission, requisitions to be signed by the Secretary of Environmental Resources	55,000	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	22,677,000
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	No more than \$13,521,000 in general obligation bonds may be used to augment this appropriation.	
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	Utility cost	4,200,000
For the support of the Susquehanna River Basin Commission, requisitions to be signed by the Secretary of Environmental Resources	200,000	For replacement of vehicles	784,000
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 payment of rental charges to the General State Authority	54,900,000
For grants to counties, municipalities and authorities to assist them in preparing official plans for solid waste disposal systems	150,000	To the Department of Health	
For payment of Pennsylvania's share of the expenses of the River Master for the Delaware River	29,000	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 prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance	12,500,000
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	Donolow Memorial Health Center	150,000
For payment by the State Conservation Commission to local sponsors for support of small watershed projects	100,000	Matilda Theiss Health Center	35,000
For payments to conservation districts for employment of executive assistants on a 50% cost-sharing basis, not to exceed \$5,000 per district for the state's share	100,000	Central Penn Oncology Group	100,000
For payment of Pennsylvania's share of the cost of the Interstate Mining Commission	10,000	For the operation of a program for the inspection of public and private nursing facilities	1,000,000
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 operation of Bureau of Vital Statistics	3,113,000
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 operation of the state laboratory	
For payment of annual fixed charges in lieu of taxes to counties, school districts and townships on forest lands	399,000	For the operation of state health care centers, including the district offices of the Department of Health	9,400,000
For the Commonwealth's share of sewage treatment facilities serving:		For emergency health services	2,200,000
Scotland School for Veteran's Children	205,000	For maternal and child health	607,000
Shippensburg State College	250,000	For the purpose of developing, operating and purchasing hemophilia services	1,256,000
To provide grants for rat control programs including, but not limited to, extermination measures, improvement of		For the purpose of developing, operating and purchasing sickle cell anemia services	550,000
		For the purpose of developing, operating and purchasing Cooley's anemia services	120,000
		For the purpose of developing, operating and purchasing renal disease services	3,633,000
		For the purpose of operating and purchasing coal workers pneumoconiosis services	707,000
		No part of the appropriation shall be used for research and development.	
		For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth	3,356,000
		A report on Elizabethtown Hospital for Children and Youth shall be submitted on or before January 31, 1978 by the Department of Health to the Governor and the Appropriations and Health and Welfare Committees of the Senate and House of Representatives. This report shall be a comprehensive utilization review of the hospital including, but not limited to pro-	

gram and fiscal audits of the facility. The report shall also review the need for continued operation of the hospital taking into account other facilities in the Commonwealth providing similar services and future capital investment and operating expenses. In addition, the report shall contain a professional, medical and health analysis of the services to physically disabled children provided at the institution, comparing the quality of diagnosis, treatment, rehabilitation, and restoration with like institutions and professionally acceptable practices. The report shall be prepared under the direction of a committee appointed by the Secretary of Health whose membership shall consist of non-Commonwealth employees capable of providing the necessary and independent professional expertise and judgment required to prepare a comprehensive and unbiased report. The Secretary shall provide to the Committee whatever assistance it shall need in the performance of its duties. For this purpose, the Secretary may use funds from either or both of the Appropriations provided in this act to the Department for General Government Operations or Elizabethtown Hospital.

For reimbursement to school districts on account of health services 11,810,000

For providing aid to counties in the establishment of maintenance of local health departments 12,325,000

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

For payment to the Wistar Institute of Philadelphia, Pennsylvania for research in the field of cellular biology 200,000

For payment to the Inglis House of Philadelphia for the detection and diagnosis of neurological diseases 30,000

Emergency care research institute. 800,000

For the following research programs:
Lankenau Hospital — Research 75,000

Cardio-vascular Studies — University of Pennsylvania 60,000

Cardio-vascular Studies — St. Francis Hospital, Pittsburgh 60,000

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

For outpatient-inpatient treatment:
Cerebral Palsy — St. Christophers Hospital 75,000

Cerebral Dysfunction — Children's Hospital, Pittsburgh 25,000

Pittsburgh Cleft Palate 30,000

For payment to the Burn Foundation of Greater Delaware Valley 155,000

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

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

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

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 opera-

tions, and development and preservation of historical sites and properties 5,427,000

For administration of the Valley Forge Park Commission and for costs associated with the closeout of Commonwealth funded activities at Valley Forge State Park 200,000

For administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park 592,000

For administration of the Brandywine Battlefield Park Commission and operation and maintenance of Brandywine Battlefield Park 118,000

For administration of the Anthracite Museum Complex 325,000

For administration of Allentown Art Museum 50,000

For administration of the Somerset Historical Center 50,000

To the Department of Insurance

For the salaries, wages and all necessary expenses for the proper administration of the Department of Insurance including policyholder services and protection, regulation of rates and policies, liquidation of companies and regulation of companies 5,347,000

To the Department of Justice

For General Government Operations:

Attorney General 464,000

Comptroller 301,000

Regional Offices 1,386,000

Community Advocate 373,000

Management Services 691,000

Criminal Law 176,000

Investigations 575,000

Governor's Justice Commission 510,000

Civil Law 1,793,000

Consumer Protection 1,185,000

Consumer Protection Office — Allentown 150,000

Board of Pardons 151,000

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 salaries, wages and all necessary expenses of the Bureau of Drug Control; provided that funds expended from this appropriation are approved by the Drug Law Enforcement Coordinating Council 3,225,000

For the operation and administration of the Pennsylvania Crime Commission 1,249,000

For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission 249,000

For salaries, wages and all necessary expenses of the crime victims compensation board 250,000

For salaries, wages and all necessary expenses of the Office of Consumer Advocate 100,000

The funds appropriated for the Office of Consumer Advocate are for the fiscal period July 1, 1977 to September 1, 1977 and so much of the funds as are unexpended or unencumbered on September 1, 1977 shall lapse. After September 1, 1977 and when funds are available from the Pennsylvania Public Utility Commission for expenses of the office, the Office of the Consumer Advocate shall reimburse the General Fund for any funds used from this appropriation.

For the operation, maintenance and administration of the state correctional institutions 71,540,000

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

For the operation, maintenance and administration of the community service

<p>centers. 2,100,000</p> <p>No funds from this appropriation are to be used to establish or operate community service centers beyond the 15 currently existing centers.</p> <p>For payments of grants to political subdivisions to assist in the improvement of juvenile probation services 1,452,000</p> <p>For aid for local law enforcement 1,091,000</p> <p>For payment of awards made by the Crime Victims Compensation Board. 750,000</p> <p style="padding-left: 2em;">To the Department of Labor and Industry</p> <p>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. 12,100,000</p> <p>For occupational disease payments 23,500,000</p> <p>For the payment to the Vocational Rehabilitation Fund for work of the state board of vocational rehabilitation. 9,230,000</p> <p>To carry out provisions of section 306(H) of The Pennsylvania Workmen's Compensation Act 2,060,000</p> <p style="padding-left: 2em;">To the Department of Military Affairs</p> <p>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 7,800,000</p> <p>For the operation and maintenance of the Hollidaysburg Veterans' Home 917,000</p> <p>For the operation and maintenance of the Soldiers' and Sailors' Home at Erie 738,000</p> <p>For payment of helicopter liability insurance. 200,000</p> <p>For payment of gratuities for the education of children of certain veterans. 70,000</p> <p>For assistance to veterans who are ill or disabled and without means of support. 650,000</p> <p>For pensions for veterans blinded through service-connected injuries or disease 80,000</p> <p>For payment of pensions to dependents of soldiers of the Pennsylvania National Guard killed in the line of duty 10,000</p> <p style="padding-left: 2em;">To the Milk Marketing Board</p> <p>For payment into the Milk Marketing Fund in the State Treasury for the purpose for which such fund is appropriated 717,000</p> <p style="padding-left: 2em;">To the Pennsylvania Board of Probation and Parole</p> <p>For the salaries, wages and all necessary expenses for the proper administration of the Board of Probation and Parole Reintegration of Offenders. 9,839,000</p> <p>Payments for Grants-In-Aid to counties for providing improved adult probation services 1,763,000</p> <p style="padding-left: 2em;">To the Department of Public Welfare</p> <p>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 18,500,000</p> <p>For an internal audit and investigation unit 450,000</p> <p>For the provision of security programs and facilities for youth offenders including two hundred security beds 4,498,000</p> <p>For the provision of community based</p>	<p>programs and facilities for youth offenders 1,812,000</p> <p>For the provision of basic institutional programs and facilities and to provide general support services for security programs and facilities and community based programs and facilities for youth offenders 18,823,000</p> <p>The appropriation structure herein specified for the above three appropriations in no way constrains or attempts to define the cost allocations necessary to implement the cost and billing procedures required by Act. No. 148 of 1976.</p> <p>In addition to any other information requested by the House of Representatives and Senate Appropriations Committees of the General Assembly, the Department of Public Welfare shall provide for each succeeding fiscal year, the following program information for the above three appropriations:</p> <p>(1) An unduplicated count of the number of youth offenders served by each program or facility.</p> <p>(2) A per diem cost for each program or facility.</p> <p>(3) The number of youth offenders recidivating into the same or any other program or facility for youth offenders funded from the above three appropriations.</p> <p>(4) The number of previous commitments of recidivists to a program or facility funded from the above three appropriations.</p> <p>Recidivism data shall be provided in a pure statistical manner not revealing the identity of any involved individual.</p> <p>For the operation, maintenance and administration of the state restoration centers 7,572,000</p> <p>For the operation, maintenance and administration of the state medical and surgical hospitals 6,500,000</p> <p>For the operation, maintenance and administration of the state institutions for the mentally ill and the mentally retarded 347,102,000</p> <p>Emergency gas main replacement; C. Howard Marcy Rehabilitation Center. 61,000</p> <p>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. 99,456,000</p> <p>This appropriation shall be utilized solely for existing county mental health programs.</p> <p>For grants to counties to purchase community based residential care, treatment and training for the mentally retarded 22,022,000</p> <p>For the mentally disabled advocacy project. 240,000</p> <p>For the Provisions of Services to the Blind at:</p> <p style="padding-left: 2em;">Center for the Blind — Delaware County 25,000</p> <p style="padding-left: 2em;">Beacon Lodge Camp. 25,000</p> <p style="padding-left: 2em;">Center for the Blind — Philadelphia 25,000</p> <p style="padding-left: 2em;">Pittsburgh Association for the Blind 25,000</p> <p>For the office for the visually handicapped as a supplemental appropriation for the exclusive purpose of extending blind radio reading services to listener applicants not eligible under Title XX 50,000</p> <p>This appropriation would be applicable to the purchase of special receivers for non-Title XX eligibles and as an alternative funding resource for operational overhead directly attributable to non-Title XX eligible applicants.</p> <p>For assistance payments and county administration of the public assistance programs and medical assistance programs:</p> <p style="padding-left: 2em;">Cash assistance 494,180,000</p> <p style="padding-left: 2em;">County administration. 22,362,000</p> <p style="padding-left: 2em;">Claims settlement 2,314,000</p> <p style="padding-left: 2em;">Medical assistance 326,061,000</p> <p>Subject to federal law and regulations, the fee for out-patient hospital visits shall be \$12 per visit for those hospitals qualified to participate under Title XIX of the Federal Social Security Act and meet the special criteria for clinic participation es-</p>
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established by the Department of Medical Assistance regulation 9412.11.

Private nursing homes 54,776,000
 For payment to private nursing homes for skilled nursing care and intermediate care for persons eligible for medical assistance services provided after June 30, 1977. No money shall be disbursed from this appropriation for services provided in long-term care units of acute care hospitals. Regional group ceilings for reimbursement of private facilities shall be established in accordance with the amount appropriated by the general assembly based upon standard metropolitan statistical areas (SMSA) as designated in departmental regulations.

Public nursing homes 21,000,000
 Supplemental grants — aged, blind and disabled 56,360,000

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 payment of grants and for the purpose of developing, operating and purchasing services for the aged and other adults, including but not limited to model projects, demonstration projects, home-making services, community care services, foster care services, protective care services and counseling services 8,300,000

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

For subsidy payments for services for the blind 940,000

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 70,000,000

For the purpose of developing, operating and purchasing day-care services for children from state approved facilities 18,500,000

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

For continuation of the youth service system 167,000

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 440,000

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 880,000

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 purpose of developing, operating and purchasing social services 2,533,000

Arsenal Family and Children's Center 100,000
 For Rudolph Residence for Blind 66,000

To the Department of Revenue
 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 49,310,000

For the distribution of public utility reality tax 28,500,000

To the Pennsylvania Securities Commission
 For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Securities Commission 900,000

To the Department of State
 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 5,831,000

For publication of proposed constitutional amendments 40,000

For costs incurred resulting from the operation of the voter registration by mail program 525,000

For costs related to absentee voting by persons in military services 20,000

To the State Employees' Retirement System
 For payment of medical/hospital insurance costs for Commonwealth annuitants who have elected such coverage 11,140,000

To the Pennsylvania State Police
 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 and including \$640,000 which shall be used for a cadet class to begin in the 1977-1978 fiscal year 59,135,000

For salaries, wages and all necessary expenses for the proper administration of the municipal Police Officers Education and Training Commission 1,000,000

For the payment of nonservice connected death benefits pursuant to the Greshenfeld Awards 80,000

To the State Tax Equalization Board
 For the salaries, wages and all necessary expenses for the proper administration of the State Tax Equalization Board 823,000

To the Department of Transportation
 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 1,089,000

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 79,000,000

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 1,625,000

For payment to the City of Philadelphia for the maintenance, repair, improvement and administration of the Port of Philadelphia 1,000,000

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 services in connection

with the functions of the Civil Air Patrol . . . 35,000
 To the Pennsylvania Public Television Network Commission
 For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Public Television Network Commission including network station grants 4,473,000
 No allocations may be made from this appropriation for the support of instructional television by either the commission or its member stations.
 For programming services 2,000,000
 No allocations may be made from this appropriation for the support of instructional television by either the commission or its member stations.

II. Legislative Department
 To the Senate

For the salaries, wages and all necessary expenses for the following purposes:
 Salaries for 50 senators and extra compensation to the president pro tempore of the Senate 1,425,000
 Salaries and wages for per diem and session officers and employees, including returning officers 797,000
 Salaries of employees of the president of the Senate 85,000
 Salaries of salaried employees of the Senate 3,650,000
 Salaries for employees of the chief clerk 500,000
 Mileage:
 Fifty senators, officers and employees . . . 120,000
 Postage:
 Chief clerk and legislative journal 104,000
 Lieutenant Governor 9,000
 Librarian 9,000
 Contingent Expenses:
 Secretary 85,000
 Librarian 18,000
 President 28,000
 President pro tempore 20,000
 Chief Clerk 40,000
 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 the majority Policy Committee 2,000
 Chairman of the 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 220,000
 Expenses, senators: in addition to annual reimbursement for expenses heretofore authorized by law for each member of the Senate, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for

lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1977-78 375,000
 Legislative printing and expenses 1,642,000
 Attending National Legislative Conference 15,000
 Attending meetings of the Council of State Governments 6,000

The above appropriation for incidental expenses shall be paid to the Chief Clerk of the Senate, the appropriations for legislative printing and expenses and attending National Legislative Conference shall be paid to the Secretary of the Senate and the appropriation for attending meetings of the Council of State Governments shall be paid to the President pro tempore 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 Senate 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 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 cooperation 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 costs and other fiscal data and information for the use of said committee and the Senate during 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 appropriation 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 laws 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 when-

ever 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 Senate designated by a majority vote of the minority party Senate 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 Senate during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The sum appropriated shall be paid on warrant by the State Treasurer in favor of the member so designated by the majority vote of the minority party Senate 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 Senate of his expenses since the filing of the prior account

360,000

For the payment to the special leadership account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the majority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. 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

850,000

For the payment to the special leadership account (R) for payment of salaries, wages and all other incidental expenses incurred

in hiring personnel and staff for services which in the opinion of the minority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. 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

850,000

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 Senate 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 Senate and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the Senate 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

1,870,000

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 Senate 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 Senate and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the Senate 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

1,530,000

For the Commonwealth Emergency Medical System

50,000

For the President pro tempore's share of the expenses of the Commonwealth Compensation Commission

25,000

To the House of Representatives

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

Salaries of representatives and extra compensation to the Speaker of the House of Representatives

5,350,000

Salaries and wages for per diem and ses-

sion officers and employees, including returning officers	2,500,000
Salaries of salaried employees of the House of Representatives	3,000,000
Salaries of employees of the Chief Clerk	625,000
Security officers.	38,000
Mileage:	
Representatives, officers and employees	675,000
Postage:	
Chief Clerk and Legislative Journal	225,000
Contingent expenses:	
Speaker	20,000
Chief Clerk.	200,000
Secretary	65,000
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	1,000,000
Expenses, representatives: in addition to annual reimbursement for expenses heretofore authorized by law for each member of the House of Representatives, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1977-1978	1,523,000
Legislative printing and expenses	2,850,000
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 administra-

tion 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

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 assis-

360,000

tance, 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 the special leadership account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the majority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. 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 950,000

For the payment to the special leadership account (R) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the minority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. 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 950,000

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 1,800,000

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 1,800,000

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 1,208,000

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 paid 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

For special legal fees 65,000
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	317,000
To the Legislative Data Processing Committee	
For the operation of the Legislative Data Processing Center	925,000
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	990,000
To the Local Government Commission	
For the salaries, wages and all expenses necessary for the work of the Local Government Commission	192,000
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	125,000
Any officer, commission, agency or committee of the Legislative Department having received an advance appropriation hereunder shall:	

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

(2) 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

To the Legislative Audit Advisory Commission

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

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	2,675,000
Court administrator, including the expenses of the Judicial Council of Pennsylvania and the District Justice Administrator created by the Act of July 15, 1976 (P. L. 1014, No. 204).	1,198,000

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.

Commonwealth Court

For the salaries and expenses of judges and employees.

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 associated judges

No allocation shall be made from this appropriation for the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties.

For the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties

Community Courts — District Justices of the Peace

For the salaries of Community Court judges and district Justices of the Peace

Philadelphia Traffic Court

For the salaries and expenses of judges

Philadelphia Municipal Court

For the salaries and expenses of judges

For law clerks, one for each judge, excluding the president judge.

Miscellaneous

For the payment to the counties in reimbursement of the direct costs incurred by the counties in the administration and operation of all courts and for offices of justices and judges of the Supreme, Superior and Commonwealth Courts in the county of their residence. Costs incurred by the counties in the administration and operation of all courts means costs as reported to the Department of Community Affairs in the county's annual financial report forms under the heading (A) "Judicial," but confined to the subheading: (160) Courts, excluding capital outlay. If a city coterminous with a county does not report on the Department of Community Affairs' form, its figures from the same subheading, set forth in the department forms, shall be used: provided, that such payments shall be made to the county treasurer and in cities of the first class coterminous with counties of the first class to the city treasurer: and, provided further, that in the event the amount herein appropriated is not sufficient to reimburse all such costs, payments shall be made to the counties in the propor-

16,845,000

500,000

12,340,000

170,000

1,092,000

133,000

tion which the costs of each county bears to the total costs of all counties during the most recently completed fiscal year; and, provided further, that in making allocations and payments hereunder, the Court Administrator of Pennsylvania shall, except for county offices of justices and judges of the Supreme, Superior and Commonwealth Courts, exclude all costs which are not properly reportable under the heading herein above specified 24,000,000

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 or 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. All amounts paid by the State Treasurer in accordance with the Act of June 30, 1977 (No. 4-A), entitled "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," shall be charged against the appropriations made for the salaries and wages of the officers and employees and other ordinary and general expenses of the State Government in this Act.

Section 10. (a) Except as provided in subsection (c), 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) It is the intent of the General Assembly that moneys made available to the Legislative Department remaining unspent and unencumbered from appropriations made for fiscal year 1975-1976 shall lapse into the General Fund.

(c) The appropriations to the Legislative Department shall be continuing appropriations.

Section 11. This Act shall take effect immediately.

On the question,

Will the House concur in the Senate amendments?

Mr. PIEVSKY. Mr. Speaker, I request that the House do concur in the Senate amendments.

On the question recurring,

Will the House concur in the Senate amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, this is the third day we have had this bill before us. It seems like a lot longer than that, but it is the third day. On the first day I took this microphone under unusual circumstances and attempted to place on the table an alternative suggestion which I think makes sense. On the second day, last night, I again attempted to better articulate what my thoughts were. I have been asked, Mr. Speaker, to go one step further tonight and I will attempt to do so.

The reason I have handed out this outline is, first, to attempt to keep my remarks short and to the subject and also to give you a chance to follow along with me. These are my thoughts. They are not fixed in concrete.

Very frankly, Mr. Speaker, having been a student of the legislative process for many years and I think understanding it as well as anybody, I am very cognizant of the fact that most controversial legislation passes once a coalition is formed which crosses different kinds of lines, be they geographical or political. In this instance it was my feeling that any coalition which is ultimately formed in this House, much like that which was formed in the Senate for a while, must emanate with the majority for the very simple reason that for members of a majority party to leave the reservation, so to speak, and to deviate from

a plan requires that they lead whatever coalition is formed. I tried to make it clear, both on the first day we had the bill as well as the second day, that it was that kind of a coalition that I was looking for and that I would be available to meet with any members of the majority who wanted to look for a different solution. But I knew full well that if I provided every detail of the solution, it would be automatically rejected because there is a natural reluctance among majority members to permit minority members to lead a situation like this.

So my thoughts are not fixed in concrete, but they are very serious. Should we continue to remain deadlocked, Mr. Speaker, beyond this the third day, I would hope that someone or group on the other side would approach me with their own version of an alternative plan somewhat along these lines, and I would be happy to sit and discuss it.

Now, the first point on the outline merely sets forth what I consider to be our actual deficit pouring over from last year, and that is \$156 million.

Mr. Speaker, the final alleged no-tax version of a budget offered in the Senate was known as the Nolan-Hager plan and it was put forth as an amendment. That plan contained in it—and this is the second item on the outline—a \$400-million unappropriated balance. The major items of that bill, which I think we are becoming very familiar with here, were the \$105-million school subsidy question which was not included. The \$30-million Philadelphia School District rollover proposal was not included. The \$10 million for the Johnstown flood was included, as was the \$12-million institutional assistance grants to the private colleges. The \$24-million additional amount for court costs was not included. The \$30 million for the state police paid from the general fund rather than the highway fund was not included. An additional \$6 million for child welfare was not included.

The major items in that plan with dollar reduction totals, from what is in HB 1349, mental health-mental retardation is \$1½ million under HB 1349. Cash grants and public assistance is \$25 million under HB 1349. Medical assistance is \$2 million under HB 1349, and mass transit is \$1 million under.

In general government, I put a statement that every general government item is reduced by various amounts and I think that is accurate.

Now if we were to use, for terms of negotiations only, that most recent proposal in the Senate for which we have a print-out—the work has been done—there would be—and this is in item three on the outline—additional funding available for the appropriation over the amendment of some \$205 million. That is arrived at by the device which would permit us to fund the revenue deficit of \$156 million and the unappropriated balance in that amendment of \$49 million.

Now, if you would turn the sheets over to item number four, a method, one of probably tens that we could come up with, to fund the revenue deficit would go as follows: Generally, what I think we should do is to pay for the revenue deficit from additional revenues which are expected to be received under current tax rates in the two subsequent years following this fiscal year.

You will note that the Governor's Budget Document on page 76, volume 1, predicts the following new revenue in this year

and the next 2 years as follows: This year, there is a projected new revenue receipt of \$420 million. Your outline just says \$420. Everything is in millions.

In 1978-79 that same \$420 million would result, plus an additional \$408 million, for a total of \$828 million over the 1976-77 levels. In the 1979-80 year, we expect the \$420 million from this year, the \$408 million from next year, plus \$376 million new dollars for a total of \$1.204 billion.

Now, I point that out, Mr. Speaker, to alert the members of this House that we can expect substantial new revenue on the current tax structure without increasing rates by the mere growth or inflation of the yield. The more people who are working, the more taxes which are paid. The more money they are making, the more taxes which are paid.

I suggest that we take \$78 million out of next year's increased yield and \$78 million out of the following year's increased yield to fund the proposal which would take care of this year's revenue deficit.

Mr. Speaker, the vehicle for the revenue deficit elimination would be a piece of legislation which I have had drafted twice, entitled "The Deficit Elimination Trust Fund." I briefly explained this before. I do not know that I need do it again tonight. But very briefly, I suggest a board of seven people, one from each caucus and three cabinet members — the budget secretary the revenue secretary and the commerce secretary — to form a board to receive whatever funds are borrowed and to receive whatever source of revenue that would ultimately be agreed upon to pay off the borrowed amounts during the next two fiscal years.

So far the only argument which I have received to this plan has not gone to its substance, necessarily, but rather that it is too late and that being too late somehow makes it wrong.

Well, I suggest to you that we have only had this bill for 3 days. On each day I attempted to make this point. Frankly, I thought about this plan some 3 or 4 weeks ago as I was watching the Senate appear to be deadlocked forever. I anticipated the same thing happening in the House and began thinking of what alternatives might here be.

As the Senate debate went on, it became clear to me, although I was wrong, that some kind of a no-tax version budget would pass. I think that most of us thought that at one time or another. Should that have passed, I think it would have gone through this House very easily given the momentum which would have been generated by the Senate.

I would not have been able to have made this kind of an alternative to match up against that kind of a bill. However, when the Senate passed a tax version of a budget of some \$300 million, I took the first opportunity which I had to offer some kind of a constructive alternative.

The real significance and the difference between the approach which I would like to see and the approach which has been taken thus far by the majority is not so much in numbers of dollars in this year's budget, but rather the number of dollars which would be available for next year's budget.

If we fund this year's budget with a \$300-million tax increase, that money will be available for spending next year and it will be spent. If we do not increase the permanent tax fund-

ing of the Commonwealth in the attempt which is presently being made, that money would be denied us from spending next year and the following year and the year after that.

The problem with a permanent tax increase to fund a temporary deficit is that it builds upon itself each year; it recurs; it rolls over. However you want to look at it, it raises the level of every successive budget, unless there is a tax cut some time. They are very rare.

Mr. Speaker, what I think we are going to have to have ultimately on this question is a cooperative coalition of Republicans and Democrats rather than the division which has beset us.

Be it on this subject matter or the one which follows it, I repeat what I said last night: There are not sufficient votes to pass a large tax increase on a permanent basis in this House or in the other chamber. I think we know that. Ultimately, we are going to have to join forces to the extent that we have been unable to do that, and to the extent that that has been my fault, I apologize. I do not think I have done anything in the last 3 days to have caused it. But, if I have, please tell me and I will recant.

I suggest that if this bill does not pass and if we continue to be deadlocked, that we immediately eliminate the human misery and get about something which is fiscally very sound which is a constructive solution. I have, once again, no pride of authorship nor are my thoughts fixed in concrete. They are subject to change. I am willing to talk.

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

Mr. M. P. MULLEN. Mr. Speaker, I am only going to be brief because I hate to see what happened here tonight. I mean all this baloney that went on. It should not be, but I am not going to talk about that. But getting back to the minority leader's proposal, the only trouble with that is, Mr. Speaker, you fail to face the realities of the situation. First of all, nearly every man and every woman in the House or at least 75 percent of them really want to have a subsidy change. All the lobbyists for the schools, the Parent Teacher Associations, the PSEA, everyone wants that.

Now the problem we face there is that the Governor has made it emphatically clear to us that unless we fund the legislative, the judicial and the total governmental operations somewhere in the neighborhood of the figures he suggested, that he would not, unless a tax package was passed, sign the bill which is necessary for the increased subsidy.

Now that is important to all of us. We have to take into consideration the viewpoint of the Senate. We have to take into consideration the viewpoint of the Governor and we have to take into consideration our own particular viewpoint.

Now the trouble with this piece of paper, and I have not had a chance to digest it, but just to give you a few ideas which I see are wrong with it: You completely ignore the existing subsidy, for example, in the schools. If we had no tax increase, if we did nothing further, the existing subsidy itself calls for \$88 million. Now if you take a budget of \$5.400 billion and you multiply that by 6 percent—

The SPEAKER. The Chair regrets, but the gentleman has

used up the 2-minute period.

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think I know what the gentleman was driving at and perhaps I did not make that clear, Mr. Speaker. I think the realities of the situation are that there are not sufficient tax votes to do all the things we would all like to do. I think you are right on one part of the realities but not on the other part.

The one thing that I may not have made clear: On item two I listed a number of items which total about \$250 million-plus for general government which are not funded under the Nolan-Hager plan.

On item three I showed how there would be \$205 million with which to satisfy most of these needs. I listed school subsidies first, because I think he is right. I think school subsidies are going to have to be funded and I want to fund them.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I tried very, very hard to understand this two-page outline that Mr. Butera has given us at 5 minutes to 12 on Saturday night, 43 days now after this Commonwealth should have adopted a budget, and I wish that I fully understood it but I frankly must say that I do not.

I do understand that Mr. Butera is talking about the \$156-million deficit as a one-shot item that will not reoccur and therefore we should not enact or look forward to revenues that will reoccur each year because that was a one-shot loss. Now I think I understand that much of it.

I, however, think that Mr. Butera has missed the point: That the \$156 million which was a revenue shortfall was spent on programs for this Commonwealth that are reoccurring, that will reoccur, and that will need additional revenues each year. And if you look at the rate of growth of the expected revenues in this Commonwealth and if you look at the expected rate of growth for most of our mandated programs and if we would assume that all of those programs will grow at the same rate that they are growing now, Mr. Butera, I think, would have to admit that his plan could not and would not work. And I have to make those assumptions because I do not have anything else to go by.

What Mr. Butera has on the first page is easy for all of us to understand. He is suggesting that we start with the Nolan-Hager budget in the Senate, which did not contain \$105 million in school subsidies, did not contain aid for Philadelphia, did not contain aid for the Johnstown flood, had no moneys in it for institutional assistance grants, had no county aid program, did not have the \$30 million in to take over state police to allow the motor license fund to have maintenance money, bridge repair money, of \$30 million that they will not have unless we pass an additional gasoline tax.

Cash grants in HB 1349, from all who have looked at figures put in there for cash grants have said, are estimated in such a fashion that we would hope there would be no deficit, but we know we are estimating very closely. We may well end up with a deficit. The Nolan-Hager budget simply cuts that very close figure by \$25 million, which will assure us, in my opinion, that kind of a deficit in just that one program in the next fiscal year.

In addition to cash grants, he indicates that the mental health-mental retardation program would be cut. There are other cuts in the Nolan-Hager budget, which I think are significant, which are not listed. The Nolan-Hager budget, which he talks about, cuts \$5 million from programs for the mentally ill and mentally retarded. There are \$2 million slashed in that budget for public nursing homes, such as Kane Hospital in Pittsburgh, Allegheny County, that need the additional moneys to shift the burden from local taxes. Mass transit is cut. The volunteer fire company loan fund is cut by \$540,000 in the budget that he wants to start from; \$2 million in drug and alcohol programs are cut from that budget; \$500,000 from local libraries are cut from that budget to buy books for the state library; \$7 million is cut from that starting budget in payments to school districts to educate exceptional children. There is money cut from the child nutrition program of about \$2 million which is going to have to be made up from local taxes. So we are starting from a budget that I do not think is an adequate budget. I think a majority of the members of this House do not think it is an adequate budget. I do not think the members on that side of the aisle think it was an adequate budget. It was a budget that took a tack in general government operations in this Commonwealth of cutting across the board in general government operations not 5 percent, but at least 10 percent in each and every general government operations.

I am sure that none of the members in this House on either side of the aisle think that this Commonwealth can survive with those kinds of cuts. Frankly, those kinds of cuts are what were in that budget. Now, with all these things cut out, what Mr. Butera is suggesting is that there is a deficit of \$156 million and he says unappropriated revenues of \$49 million, or \$205 million that we are going to put into all of those programs.

He has not told us where he is going to put them in those programs. He has not indicated to us by taking the budget document—and there have been any number of printouts that he could have started from—and just went down line by line and told us where he is going to put \$205 million. And there is a reason he did not take it line by line. He could have, if he thought of this 3 weeks ago.

I have gone down that budget and changed the figures with the conference committee line by line overnight. It takes a lot of work, 10 or 12 hours work, but I am sure with the competent staff on the other side that could have been done. He could have shown us exactly where he was going to put back the \$205 million that he was talking about. I submit to you that the reason that he did not show us where it could go back line by line is that there is no place you could put it line by line and still come out with anything that is a respectable and adequate budget that even the other side of aisle could buy. That is the only reason, I submit to you, that it was not done.

My counterpart may say that he did not have the time, and maybe he did not have the time. We are all busy. But to show an outline at the eleventh hour as we have seen here when we all know what programs this Commonwealth has—they are listed in the budget document item by item of what we spent our money on last year and the year before. They are all there—and

all he would have had to do was take that \$205 million and show how much was going to go to the state police, how much to school subsidies, how much to cash grants, how much to all of the programs that are in that budget until he has spent the \$205 million, and then I would believe that he was making a creditable proposal. But I cannot believe that he is serious about this because I have tried to spend in a no-tax budget, in a budget that spent \$300 million, and I know the devastation that you must cause by cutting any deeper into state services and providing less moneys than we provide in the budget that we put forth before you tonight.

The budget that we put forth tonight gives less to every group that has participated in this budget process in asking for revenues for their programs, and I outlined that for you last night. I showed how the Governor who had demanded \$277 million in all of the programs of state government was getting about \$89 million.

Certainly if we fund all of the programs that you and I know we want to fund, and we have voted in favor of, such as the \$105 million school subsidy, you know that there is going to be no money left for the programs that were left out in the Nolan budget, or you are going to cut into general government operations another \$89 million from the Governor's request, and we have already cut him \$188 million.

It is just impossible to take the revenue that they are talking about and fit it into a budget and make it look respectable, and that is the reason they have not done it, and that is the reason we have this kind of a proposal at this late hour.

I ask all members of this House to give this proposal the reception that it deserves by voting in favor of HB 1349 and sending it to the Governor.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I am sorry about the hour, but I did not cause it. I would much prefer to have debated this bill during the daylight hours when I think we are all much better equipped to do it.

The reason why you make any kind of proposal like this, which I made on the first day, the second day and the third day, is in the spirit of compromise.

I simply do not think that there are sufficient votes in this legislature to pass a \$300-million budget. That tells me—and it does not take much intelligence to deduce this—that we must compromise from \$300 million downward. The basic difference in the proposal which I put forth and which is before us is \$150 million less spending. The major difference is that we are not building in any kind of a windfall next year into what is already a very large expectancy in new revenue. That is the difference.

The whole definition of compromise means that you have got to be flexible. That is what I am trying to do even though it may not be understood by the majority leader.

I think it will be much more painless, particularly on your side where the burden is the greatest, to fund a decent budget at something less than you are presently trying to do and still fund the very needs the gentleman outlined. It can be done if we wish to do it.

The point I am making, Mr. Speaker, is that we are entering

an era of tight budgeting and we had better face up to it. We cannot expect a budget to grow at the same rate that it has grown in the last 6 years, from \$2.4 billion to \$5.4 billion. In 5 years or 6 years we would be approaching \$12 billion. The money is not there. Let us own up to it now and do what we must do to prevent it, by holding down the level and thus making it easier for the taxpayers and, incidentally, for those who receive tax dollars, so that we do not overpromise and that we do not disappoint people sometime in the future. That is the point that I am trying to make. When we get together we can accomplish this. If you try to go it yourselves, we cannot accomplish it.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Dininni.

Mr. DININNI. Mr. Speaker, I only have a few short words and my words are directed to the majority leader. You had your opportunity to discuss this with the minority. You did not do it. All I have to say is that I am predicting that you are going to be one vote shy tonight, and sooner or later you are going to have to speak to the minority leader in behalf of the minority caucus. What you have done in the past has been wrong, and I am predicting that tonight will prove it.

Mr. Speaker, you are not paying any attention, but I am certainly speaking to you. Sooner or later you are going to have to come to the minority leader and, if you think I am wrong, roll the bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, since he made specific references, I do not want anyone on either side of the aisle to be under the illusion that the majority and the minority leader have never spoken on the budget. We have had a number of discussions on the budget — private, public, on the floor, in the offices and on the telephone.

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

Mr. FREIND. Mr. Speaker, this is a tax budget and I oppose it for three reasons.

First, to vote for a tax increase would be to condone the waste and mismanagement and corruption which continues to riddle this Commonwealth.

Secondly, without any tax increase whatsoever, the Commonwealth will receive in the new fiscal year \$450 million in additional revenue. That is almost a 10-percent increase over last year's budget, and I suggest, Mr. Speaker, that this Commonwealth cannot function adequately on that type of an increase; something is seriously wrong with the management of its fiscal affairs.

The third reason is a lot more basic, Mr. Speaker. We have heard a lot of talk about the devastation that will occur to different groups, such as welfare recipients and state workers if we do not pass this budget. Well, if we do pass this budget, there will be devastation that occurs to another group. The largest group in this state and the backbone of our society, the middle-income taxpayer, who scratches, who works, who worries, who pays up until May 15 of every year all of his money to the government in the form of taxes, he is worried right now.

He does not know how he is going to be able to afford to send his children to college. He does not know how he is going to pay his bills. And all he asks for is a little bit of happiness and a little bit of money to spend on himself and his family.

We are strangling these types of people, Mr. Speaker. And it is time for once that we speak out to the largest group in this Commonwealth and in this nation, the middle-income taxpayer. He cannot afford anymore taxes, and I am certainly not going to vote for one.

Thank you.

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

Mr. GREENFIELD. Mr. Speaker, the last speaker spoke very eloquently in favor of the middle-class taxpayer, and I am inclined to agree with him. However, if you recall, yesterday the majority leader spelled out the costs that this bill would eventually, and this program would eventually, cost to the individuals. I recall him saying that on a \$10,000 income, it would cost a family \$35. To a family earning \$15,000, it would cost them \$45, and proportionally therefor and upward.

Mr. Speaker, I do not think that that is a grand sum to expect for the additional services. I do not think that that is a great imposition on the middle-class family. I think that you are just spinning wheels and trying to make an issue that is not there. It is a miniscule tax that we are asking for, Mr. Speaker. It is a very small amount to consider and to retain the services that this Commonwealth has been giving its citizens. And to avoid the layoffs of so many middle-class, yes, middle-class individuals, hard-working individuals. Mr. Speaker, we are talking about \$35 and \$45 and if you think that that is a large amount of money over a year to be spending, then you and I have differences of opinions of this inflated economy. Many of the products and merchandise are going up at much more than that.

The SPEAKER. The Chair thanks the gentleman, and the time period has expired.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I am somewhat familiar with the provisions of HB 1349. Undoubtedly there are a number of programs in there that I would have preferred not to fund, and there are programs in there that do not have as much money in them as I would like to see. However, this bill is probably the best that we can get under the present circumstances. I know that in essence it requires more taxes and I would hope that we will be ready to vote for them. It is not easy to vote for taxes. The last time we did it was in 1971. It was tough then and it is tough now. And I have tremendous sympathy for those throughout the state, including my own district, who find it very difficult to pay additional taxes.

Since the energy crisis in 1973, we have all suffered from a cut in our standard of living, government as well as everybody else. And government is just starting to adjust to it.

I might say that, as many of us before, this bill does not provide funding for the Foreign Trade Office in Brussels, which is essential to this Commonwealth. And I would hope that we will make up that deficiency.

But this is an honest bill. It provides enough money, we hope, for direct welfare. There are no planned deficiencies in this bill, as some other proposals that I have seen, including the Governor's original budget. This is a decent, workable bill, and I would hope that the membership would support it.

Thank you, Mr. Speaker.

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

Mr. ENGLEHART. Mr. Speaker, I would certainly hope that at long last, at 20 minutes after 12 on a Saturday night and 20 minutes into Sunday morning, that sanity will be restored to the Commonwealth of Pennsylvania. It has not been a very proud scene since July 1 that this Commonwealth does not have a budget. And you can say that it is our fault as Democrats because we have not agreed and we can say that it is your fault as Republicans because you have not agreed with us, but the plain and simple facts are, we have not agreed with each other or anybody else and we have brought this state to the brink of chaos and to the brink of ruination.

Nobody likes to vote for taxes no matter how much it is. I do not like to, although I am going to; nobody else here does either, but they are going to, eventually.

The minority leader says that this is an era of tight budgeting and that we should tighten our belts and that we are not tight budgeting. This is certainly a long way from being a loose budget, even though the other side says it is not a tight one. But a tight one came for reasons beyond our control. The minority leader accuses the Governor of this state, in one breath, of underestimating revenues for this budget so that he will get a tax and, in another breath, for overestimating last year's revenues to create a deficit. The plain fact that remains is that this state in December and January and February had the most devastating winter we have had since 1936 and the economy suffered from it and revenues fell. And another plain fact is that on July 20, the western part of this state suffered the most devastating floods that it has ever suffered.

The SPEAKER. The gentleman will yield. The time period is up.

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

Mr. CAPUTO. Thank you, Mr. Speaker.

Mr. Speaker, I hold in my hand a telegram sent by the two Democratic county commissioners of Allegheny County to each member of the Allegheny County delegation. This telegram indicates that the county commissioners have examined the budget which is before us tonight, HB 1349, and that they also examined, among other things, SB 770 and the Nolan so-called "no-tax budget."

I know that at least 11 of my colleagues from Allegheny County are going to join with me, and I hope that when it comes time to push the switch, that all 19 of my colleagues will join with me. Those who do join with me are voting, and many of them who have no desire to vote for increased taxes are voting with me, out of a strong desire to end the fiscal crisis that is causing or has caused hardships to tens of thousands of Pennsylvanians.

We believe that this budget holds state spending below the rate of inflation.

The SPEAKER. Will the gentleman yield? The time period is up.

Mr. CAPUTO. That is a fast clock, Mr. Speaker.

The SPEAKER. Would that rule not be something in a courtroom?

REMARKS PRESENTED FOR THE RECORD

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

Mr. DiCARLO. Mr. Speaker, because the hour is late, I would just like to submit my remarks for the record, please.

The SPEAKER. The gentleman will send his remarks to the desk.

Mr. DiCARLO presented the following remarks for the Legislative Journal:

Mr. Speaker, we now have after several weeks of waiting, a budget proposal in our possession. It took many weeks of political wheeling and dealing, arm-twisting, and finally promises of favors to certain Senators to get HB 1349 passed. Now, I do not object to this, in fact, I realize that this is the way the game is played, and maybe that is what is wrong — we have been playing a game. We have sat in this large playpen trying to set up strategy, trying to outdo the opposition, trying to maneuver ourselves into a favorable position with our constituents and with the news media. Unfortunately, our leaders on both sides of the aisle involved in this battle have maneuvered us all into a position we cannot escape from. This budget battle has lacked the sophistication of a fourth-grade checker game. I have read HB 1349 and I believe it is a phony budget. It is no more realistic than the other one-half dozen conference committee reports we have reviewed.

In Health and Welfare, I can tell you cash assistance is underestimated by \$90 million; medical assistance by \$35 million; elimination of the management information system which is three-fourths completed, computered, reduction in claims settlements which return \$6 for every dollar invested, and the items go on and on.

We have been harassed, badgered, threatened, picketed by special interests and other groups. We have had our names distributed by our leaders as holdouts who need "convincing."

Even the Speaker of the House, whom I respect, this past weekend made some statements in the Washington Post about how, in a democracy, one of its weaknesses is incompetence in some of its elected representatives. Now this may be true, but I would like to add that the true purpose of democracy is to protect free speech and dissent and the rights of the minority no matter how distasteful or unpopular those views may be.

I say to those people who held out yesterday, yes, you are right, and I wish I had the strength to hold out too. If it was just I who had to go without payless paydays and do without services, I would, but I do not have the mental capability as our leaders have done, both Republican and Democratic, to use welfare recipients, Philadelphia school children and state employees to prove a point. Perhaps to be a good leader you must lack compassion. I do not.

The only way we can solve the present crisis is to pass HB 1349. It is obvious that leaders on both sides of the aisle are going to play partisan politics on this issue. Yesterday, the minority leader made a brilliant PR move and made some suggestions to get his support. One of them was to have all state employees earning over \$25,000 take a 5-percent salary cut. He said he would even do this. Well, I say this is nothing more than gubernatorial rhetoric. I do not see him giving up his law practice or taking a cut in his outside interests to serve in this legislature like many new members have done. In fact, with his personal wealth, I would think that it would be great campaign gimmickry if he would serve as governor without pay if elected.

Under interrogation yesterday, he stated that a no-tax budget would be difficult to pass without jeopardizing services. He also stated that he could not support a tax budget. I also asked if he had a budget proposal that we could review. Again the answer was "no."

As phony as it may be, HB 1349 will give us some breathing room. I say to Ron Cowell, do not sell your vote. We do not have to in order to pass HB 1349. But somewhere down the line a tax will have to be considered. Remember we were the ones who finally engineered a secret ballot for leadership. We were the ones who opened up the reporting of contingencies and other reforms by the House rules early this session. We were the ones who have pushed election reform through the House. When the time comes, then we can support our convictions without hurting innocent people. At that time we will be able to deal for that ethics bill we were promised in February; we will be able to deal for adequate staffing and resources that Mark Cohen and Steve Reed have been advocating; we will be able to deal for that legislative oversight that John Milliron has been talking about; we will be able to put some teeth into accountability of our state college system that Mike Schweder has been advocating for 3 years. Hopefully, I will be able to get through a comprehensive health-care bill this year. Perhaps, we will be able to pass zero-based budgeting and Sunset Legislation. All these measures conceivably could save taxpayers millions of dollars. Hopefully, maybe even enough to reduce taxes during an election year rather than more unfounded tax increases.

Mr. Speaker, I came down here very young and very idealistic. Today I am somewhat older and more pragmatic, but I still have enough idealism left to believe that these things can be done.

Next year, we will have a new governor and a new legislature and maybe, just maybe, the whisper of the rank-and-file point of view may be the groundswell for a new way to do things in the future in this House of Representatives.

Mr. Speaker, I am supporting the passage of HB 1349 and urge my colleagues on both sides of the aisle to do so.

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

Mr. LINCOLN. Mr. Speaker, I read Mr. DiCarlo's remarks and I thank him for submitting them for the record.

On the question recurring,
Will the House concur in the Senate amendments?

(Members proceeded to vote)

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

Mr. LINCOLN. Mr. Speaker, I have a few questions about HB 1349 that I would like to have someone answer. Would the majority leader submit to a brief interrogation and would you strike the vote?

The SPEAKER. The House will be at ease.

Would the gentleman, Mr. Lincoln, come here with the majority leader before the Chair announces the roll?

On the question recurring,
Will the House concur in the Senate amendments?

Agreeable to the provisions of the Constitution, the following roll call was recorded:

YEAS—97

Arthurs	Garzia	McLane	Scanlon
Barber	Gatski	Milanovich	Schmitt
Bellomini	Geisler	Milliron	Schweder
Beloff	George, C.	Miscevich	Shelton
Bennett	Giammarco	Morris	Shupnik
Berlin	Gleeson	Mullen, M. P.	Stapleton
Berson	Goodman	Mullen, M. M.	Stewart
Bittinger	Gray	Musto	Stuban
Borski	Greenfield	Novak	Tenaglio
Brown	Harper	O'Brien, B.	Trello
Brunner	Hoeffel	O'Donnell	Valicenti
Caputo	Hutchinson, A.	O'Keefe	Wansacz
Cianciulli	Itkin	Oliver	Wargo
Cohen	Johnson	Petrarca	White
Cole	Jones	Pievsky	Wiggins
DeMedio	Kelly	Pratt	Williams
DiCarlo	Kowalyshyn	Prendergast	Wise
Dombrowski	Laughlin	Rappaport	Wright, D.
Donatucci	Letterman	Ravenstahl	Yahner
Doyle	Lincoln	Reed	Zitterman
Dumas	Livengood	Renwick	Zwilk
Englehart	Logue	Rhodes	
Fee	Manderino	Richardson	Irvis,
Fryer	McCall	Rieger	Speaker
Gallagher	McIntyre	Ritter	

NAYS—97

Abraham	Freind	Mackowski	Seltzer
Anderson	Gallen	Madigan	Shuman
Armstrong	Gamble	Mannmiller	Sirianni
Bittle	Geesey	McClatchy	Smith, E.
Brandt	George, M.	Meluskey	Smith, L.
Burd	Gillette	Miller	Spencer
Burns	Goebel	Moehlmann	Spitz
Butera	Greenleaf	Mowery	Stairs
Caltagirone	Grieco	Mrkonic	Sweet
Cassidy	Halverson	Noye	Taddonio
Cessar	Hamilton	O'Brien, D.	Taylor, E.
Cimini	Haskell	O'Connell	Taylor, F.
Cowell	Hayes, D. S.	Pancoast	Vroon
Davies	Hayes, S. E.	Parker	Wagner
DeVerter	Helfrick	Piccola	Wass
DeWeese	Honaman	Pitts	Weidner
Dietz	Hopkins	Polite	Wenger
Diminni	Hutchinson, W.	Pott	Wilson
Dorr	Kernick	Pyles	Wilt
Duffy	Klingaman	Ruggiero	Wright, J. L.
Fischer, R. R.	Kolter	Ryan	Yohn
Fisher, D. M.	Lehr	Salvatore	Zearfoss
Flaherty	Levi	Scheaffer	Zeller
Foster, A.	Lynch	Scirica	Zord
Foster, W.			

NOT VOTING—6

Hasay	Knepper	Mebus	Thomas
Katz	McGinnis		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered. That the clerk inform the Senate accordingly.

The SPEAKER. The Chair wishes the gentleman from Dauphin, Mr. Piccola, would defer. The majority leader has requested that the House be placed at ease. The Chair recognizes what the gentleman, Mr. Piccola, intends and will give him the opportunity, unless the majority leader has a motion to offer before the House.

The House will be at ease.

The SPEAKER. For the information of the gentleman, Mr. Piccola, the majority leader desires to make a motion.

RECONSIDERATION OF VOTE

ON CONCURRENCE IN SENATE AMENDMENTS
TO HB 1349

Mr. PIEVSKY moved that the vote by which the House failed to concur in Senate amendments to HB 1349, PN 1890, on this day be reconsidered.

Mr. GREENFIELD seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—117

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

NAYS—76

Anderson	George, M.	Madigan	Shuman
Armstrong	Goebel	McClatchy	Sirianni
Bittle	Greenleaf	Miller	Smith, E.
Brandt	Grieco	Moehlmann	Spencer
Burd	Halverson	Mowery	Spitz
Burns	Hamilton	Noye	Stairs
Butera	Haskell	O'Brien, D.	Taddonio
Cessar	Hayes, D. S.	Pancoast	Taylor, E.
Cimini	Hayes, S. E.	Parker	Vroon
Davies	Helfrick	Pitts	Wagner
DeVerter	Honaman	Polite	Weidner
Dietz	Hopkins	Pott	Wenger
Dorr	Hutchinson, W.	Pyles	Wilson
Fischer, R. R.	Kernick	Ruggiero	Wilt
Fisher, D. M.	Klingaman	Ryan	Wright, J. L.
Foster, A.	Lehr	Salvatore	Yohn
Foster, W.	Levi	Scheaffer	Zearfoss
Freind	Lynch	Seirica	Zeller
Gallen	Mackowski	Seltzer	Zord

NOT VOTING—7

Hasay	Knepper	Mebus	Valicenti
Katz	McGinnis	Thomas	

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

ANNOUNCEMENTS

RECESS AND DEMOCRATIC CAUCUS

The SPEAKER. The Chair announces a recess of this House until 1:15 and an immediate call of the caucus on the part of the Democratic Party.

REPUBLICAN CAUCUS

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

Mr. S. E. HAYES. Mr. Speaker, there will be a Republican caucus immediately.

The SPEAKER. The gentleman, Mr. Hayes, has announced a Republican caucus immediately.

For what purpose does the gentleman from Berks, Mr. Gallen, rise?

Mr. GALLEN. Mr. Speaker, immediately upon our return, will Mr. Piccola be recognized?

The SPEAKER. I cannot answer that. I suspect that the reason for the Democratic caucus is to try and round up three votes.

Mr. GALLEN. Mr. Speaker, he had the floor and you asked him to yield.

The SPEAKER. No, I did not recognize the gentleman. I told him that I would recognize him. I understand the purpose of his standing; he has explained it to me. But I asked him to defer for the pleasure of the majority leader, and the gentleman was courteous enough to do so.

RECESS

The SPEAKER. This House stands in recess until 1:15 for the purposes of a Democratic caucus and a Republican caucus, immediately.

AFTER RECESS

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

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

WELCOMES

The SPEAKER. The Chair has the privilege of introducing to the House, the wife, the daughter and son of Representative Fred Trello from Allegheny County — Mrs. Betty Trello; daughter Lilly Beth and son Fred, Junior.

This is the ninth birthday of Fred, Junior. I am quite sure, having planned to be elsewhere enjoying his birthday, he will remember his ninth birthday. Whether or not he remembers it with fondness, we will not know.

The Chair is delighted to welcome to the hall of the House to witness the husband, the brother-in-law and the father, writhing in the general agony with the rest of us, Arlene Dininni, the wife of Representative Dininni; his son Randy Dininni, and his sister-in-law, Elaine Carol.

The Chair at this time is pleased to welcome to the hall of the House as a guest of Representative Scheaffer, his wife, Mrs. Lil Scheaffer, and his daughter Janice Scheaffer, who is from South Carolina.

MOTION TO ADJOURN

The SPEAKER. The Chair recognizes, for the purposes of placing an adjournment motion, the lady from Centre, Mrs. Wise.

Mrs. WISE. Mr. Speaker, I move that this House do now adjourn until Monday, August 15, 1977, at 1 p.m.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. I yield my 2 minutes to Mr. Piccola.

The SPEAKER. The minority leader yields his 2 minutes to Mr. Piccola as his designee, who rises to speak in opposition to the adjournment motion, giving reasons therefor.

The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

This House this evening, Mr. Speaker, I believe is divided. We have differences which we cannot resolve on the floor of this House. I believe we have tried to get a budget out here today and I believe we have an obligation to the people who are being used in this conflict. It strikes me as the most immoral part of this whole battle when we have differences where people, who are not parties to these differences, are not getting paid for an honest day's work, Mr. Speaker.

I have held off in my attempts to offer these amendments for the last 3 days and I request this House to vote down this adjournment motion.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Mullen, as the designee for the majority

leader so he may speak on the adjournment motion for 2 minutes.

Mr. M. P. MULLEN. Mr. Speaker, I am even going to be shorter than 2 minutes.

This is the Lord's day. We need help and guidance. We have go to go to church. Let us go out of here and go to church and come back Monday and solve the problem.

The SPEAKER. It is moved by the lady from Centre County, Mrs. Wise, that this House do now adjourn until Monday, August 15, 1977, at 1 p.m. Those in favor of the motion will vote "aye"; those opposed—

The gentleman, Mr. Wiggins, is advised that an adjournment motion may not be debated by anyone except the majority and the minority leaders or their designees, and those designees have already debated the motion.

Mr. WIGGINS. Mr. Speaker, I do not wish to debate the issue. I wish to ask for a personal privilege or unanimous consent from the House to address them.

The SPEAKER. The Chair regrets to inform the gentleman that, under the rules, an adjournment motion may not be interrupted. The only thing before the House is the adjournment motion; the only thing is the adjournment motion.

Mr. WIGGINS, Mr. Speaker, may I ask that the rules be waived?

Mr. Speaker, I will withdraw my motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—96

Arthurs	Fryer	McCall	Scanlon
Barber	Gallagher	McIntyre	Schmitt
Bellomini	Gamble	McLane	Schweder
Beloff	Garzia	Meluskey	Shelton
Bennett	Gatski	Milanovich	Shupnik
Berlin	Geisler	Miscevich	Stewart
Berson	George, C.	Morris	Stuban
Bittinger	Gleeson	Mrkonic	Sweet
Borski	Goodman	Mullen, M. P.	Taylor, F.
Brown	Gray	Mullen, M. M.	Tenaglio
Brunner	Greenfield	Musto	Trello
Caputo	Harper	O'Brien, B.	Wansacz
Cianciulli	Hoefel	O'Keefe	Wargo
Cohen	Hutchinson, A.	Oliver	White
Cole	Johnson	Petrarca	Wiggins
DeMedio	Jones	Pievsky	Williams
DeWeese	Kelly	Pratt	Wise
DiCarlo	Kolter	Prendergast	Wright, D.
Dombrowski	Kowalshyn	Rappaport	Zeller
Donatucci	Laughlin	Ravenstahl	Zitterman
Doyle	Letterman	Renwick	Zwikl
Duffy	Lincoln	Rieger	
Dumas	Livengood	Ritter	Irvis,
Englehart	Logue	Ruggiero	Speaker
Fee	Manderino		

NAYS—92

Abraham	Gallen	Madigan	Scirica
Anderson	Geesey	Manmiller	Seltzer
Armstrong	George, M.	McClatchy	Shuman
Brandt	Giammarco	Miller	Sirianni
Burd	Gillette	Milliron	Smith, E.

Burns	Goebel	Moehlmann	Smith, L.
Butera	Greenleaf	Mowery	Spitz
Caltagirone	Grieco	Novak	Stairs
Cassidy	Halverson	Noye	Taddonio
Cessar	Haskell	O'Connell	Taylor, E.
Cimini	Hayes, D. S.	Pancoast	Valicenti
Cowell	Hayes, S. E.	Parker	Vroon
Davies	Helfrick	Piccola	Wagner
DeVerter	Honaman	Pitts	Wass
Dietz	Hopkins	Polite	Weidner
Dininni	Hutchinson, W.	Pott	Wenger
Dorr	Itkin	Pyles	Wilson
Fischer, R. R.	Kernick	Reed	Wilt
Fisher, D. M.	Klingaman	Rhodes	Wright, J. L.
Flaherty	Lehr	Richardson	Yahner
Foster, A.	Levi	Ryan	Yohn
Foster, W.	Lynch	Salvatore	Zearfoss
Freind	Mackowski	Scheaffer	Zord

NOT VOTING—12

Bittle	Katz	Mebus	Spencer
Hamilton	Knepper	O'Brien, D.	Stapleton
Hasay	McGinnis	O'Donnell	Thomas

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. STAPLETON. Mr. Speaker, I was locked out on the vote on the motion to adjourn and I would like to be recorded in the affirmative.

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

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

Mr. ZELLER. I just mentioned before and I thought it would be nice if we complimented the folks in the gallery who waited so patiently. I think they did a wonderful job and they were very kind and we owe them applause.

ADJOURNMENT

Mr. SPEAKER. This House now stands adjourned until Monday, August 15, 1977, at 1 p.m., and (at 3:02 a.m., e.d.t.) the House adjourned.