

Legislative Journal

MONDAY, AUGUST 15, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 78

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

THE HONORABLE THOMAS S. McCORMACK, parliamentarian and guest chaplain, offered the following prayer:

Heavenly Father, we pause at the beginning of this session to invoke Thy blessing upon this assemblage. We pray that Thou wilt grant to these stewards of Thine the power of Thy divine presence, so that they may act in accord with Thy will and way. We beseech Thee to strengthen them with the truth of Thy word, so that they may move with concerted action to accomplish that which is pleasing to Thee. We gratefully pray that Thou wilt grant to these workmen of Thine that peace which passeth human understanding, so that they may find that blessed rest in Thee. Amen.

JOURNAL APPROVAL POSTPONED

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

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take today's master roll. Only those members physically present are permitted on the master roll, and the Chair specifically admonishes the members that this particular master roll is of great importance and must be accurate.

The members will take their seats, vote on the master roll so that we may be certain that those people voted on the master roll are actually present.

The clerk will open the master roll.

Have all the members present voted on the master roll?

The following roll call was recorded:

YEAS—193

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

Bittle	Gleeson	Miscevich	Spitz
Borski	Goebel	Moehlmann	Stairs
Brandt	Goodman	Morris	Stapleton
Brown	Gray	Mowery	Stewart
Brunner	Greenfield	Mrkonic	Stuban
Burd	Greenleaf	Mullen, M. P.	Sweet
Burns	Grieco	Mullen, M. M.	Taddonio
Butera	Halverson	Musto	Taylor, E.
Caltagirone	Hamilton	Novak	Taylor, F.
Caputo	Harper	Noye	Tenaglio
Cassidy	Haskell	O'Brien, B.	Trello
Cessar	Hayes, D. S.	O'Brien, D.	Valicenti
Cianciulli	Hayes, S. E.	O'Connell	Vroon
Cimini	Helfrick	O'Donnell	Wagner
Cohen	Hoeffel	O'Keefe	Wansacz
Cole	Honaman	Oliver	Wargo
Cowell	Hopkins	Pancoast	Wass
Davies	Hutchinson, A.	Petrarca	Weidner
DeMedio	Hutchinson, W.	Piccola	Wenger
DeVerter	Itkin	Pievsky	White
DeWeese	Johnson	Pitts	Wiggins
DiCarlo	Jones	Polite	Williams
Dietz	Katz	Pott	Wilson
Dininni	Kelly	Pratt	Wilt
Dombrowski	Kernick	Prendergast	Wise
Donatucci	Klingaman	Pyles	Wright, D.
Dorr	Kolter	Rappaport	Wright, J. L.
Doyle	Kowalyshyn	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	Zwilk
Flaherty	Logue	Ruggiero	
Foster, A.	Lynch	Ryan	Irvis,
Foster, W.	Mackowski	Salvatore	Speaker
Freind	Madigan	Scanlon	

NAYS—0

NOT VOTING—7

George, M.	Knepper	Parker	Thomas
Hasay	McGinnis	Spencer	

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

ANNOUNCEMENT

The SPEAKER. For the information of those members who are within the sound of the Speaker's voice and who are not on the floor of the House, at 3 o'clock the master roll will be reopened so that they may be added to the master roll.

LEAVES OF ABSENCE REQUESTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. GREENFIELD. Mr. Speaker, I request leave of absence for Mrs. MARGARET GEORGE for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leave of absence for the gentleman from Snyder and Union, Mr. THOMAS, for today's and tomorrow's session due to medical reasons.

COMMITTEE CHAIRMEN REPORTS PRESENTED

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

ROLL CALL

Senate Bill 250 as amended

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

YEAS—26
 NAYS—0
 NOT VOTING—4

Signed
 MAX PIEVSKY
 H. JACK SELTZER

Attendance Report

August 12, 1977.

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

Signed
 FRED J. SHUPNIK
 Secretary

Prior Printer's No. 252 Printer's No. 673
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
 No. 250 Session of 1977

INTRODUCED BY CIANFRANI, FEBRUARY 7, 1977.

SENATOR CIANFRANI, APPROPRIATIONS
 AS AMENDED, MARCH 29, 1977.

AN ACT

Providing for adoption of capital projects to be financed from current revenues of the General Fund, and making appropriations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Itemization and Authorization of Projects.—The 1976-1977 Capital Budget projects in the category of public improvement projects, to be financed from current revenues of the General Fund, are hereby itemized together with their

respective estimated costs, as follows:

I. Department of Agriculture	
(1) Improvements to Sewage Systems; Summerdale Laboratory	\$46,000
II. Department of Education	
(1) Emergency Lighting and Fire Alarm System; Scranton State School for the Deaf	98,000
(2) Emergency Lighting and Fire Alarm System; Thaddeus Stevens State School of Technology	70,000
III. Historical and Museum Commission	
(1) Security System; Pennsylvania Military Museum	43,000
IV. Department of Justice	
(1) Renovate Behavior Adjustment Unit; State Correctional Institution — Camp Hill	84,000
(2) Renovate Behavior Adjustment Unit; State Correctional Institution — Dallas	68,000
V. Department of Military Affairs	
(1) Greenhouse; Soldiers' and Sailors' Home — Erie	69,000
VI. Department of Public Welfare	
(1) Demolition of Old Laundry Building; Shamokin State General Hospital	35,000
(2) Supplemental Heat in Dayrooms; Mayview State Hospital	60,000
(3) Demolition of Building C-13; Philadelphia State Hospital	40,000
(4) Relocation of Substation; Somerset State Hospital	75,000
(5) Automatic Sprinkler System; C. Howard Marcy State Hospital	38,000
(6) Demolition of "U" Building No. 73; Pennhurst State School and Hospital	92,000
(7) Demolition of Girls' Mail Building; Western State School and Hospital	35,000

Section 2. Appropriations.—The following sums of money, or as much thereof as may be necessary, are hereby specifically appropriated for completion of the above itemized capital improvement projects:

- (1) The sum of \$46,000 to the Department of Agriculture.
- (2) The sum of \$168,000 to the Department of Education.
- (3) The sum of \$43,000 to the Historical and Museum Commission.
- (4) The sum of \$152,000 to the Department of Justice.
- (5) The sum of \$69,000 to the Department of Military Affairs.
- (6) The sum of \$375,000 to the Department of Public Welfare.

Section 3. Lapse of Funds.—Whatsoever of the amounts herein appropriated are unexpended or unencumbered as of June 30, 1978 shall lapse.

Section 4. Effective Date.—This act shall take immediately.

FISCAL NOTE

Senate Bill 250 as Amended

This bill would appropriate \$14,000,000 to P.H.E.A.A. for the purpose of distributing Institutional Assistance Grants to private colleges, and universities for the fiscal year 1977-78.

The \$14,000,000 represents an increase of \$2,000,000 over the 1976-77 fiscal year.

Prepared by: Richard Willey
House Committee on Appropriations
August 12, 1977

AMENDMENTS TO SENATE BILL NO. 250

Printer's No. 673

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

Making an appropriation to the Pennsylvania Higher Education Assistance Agency for the purpose of making institutional assistance grants.

Amend Bill, page 1, lines 6 through 19; page 2, lines 1

through 30; page 3, lines 1 through 14, by striking out all of said lines on said pages and inserting

Section 1. The sum of \$14,000,000 or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Higher Education Assistance Agency for the fiscal year July 1, 1977 to June 30, 1978 for the purpose of allotting institutional assistance grants for the academic year beginning on or about September 1, 1977, pursuant to the criterion contained in the act of July 18, 1974 (P. L. 483, No. 174), known as "The Institutional Assistance Grants Act."

Section 2. This act shall take effect immediately.

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

Attendance Report

Week of August 8, 1977.

No committee meetings held during this week.

Signed
C. L. SCHMITT
Secretary

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

August 15, 1977.

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

During the week of August 8, 1977, the Committee on Education did not conduct any meetings or hearings.

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

There were no meetings of the Finance Committee the week of August 8, 1977.

RONNY GOLDSMITH

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

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

The Committee on Game and Fisheries did not hold any meetings the week of August 8, 1977.

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

August 8, 1977.

SUBJECT: Weekly Committee Meeting Report

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

During the week of August 1, 1977, there were no meetings of the Committee on Health and Welfare.

ANITA P. KELLY
 Chairman
 Committee on Health and Welfare

August 15, 1977.

SUBJECT: Weekly Committee Meeting Report

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

During the week of August 8, 1977, there were no meetings of the Committee on Health and Welfare.

ANITA P. KELLY
 Chairman
 Committee on Health and Welfare

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

August 15, 1977.

SUBJECT: Committee Meeting Report

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

There were no meetings of the House Labor Relations Committee held during the week of August 8, 1977.

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

August 15, 1977.

SUBJECT: Judiciary Committee Meetings

TO: Office of the Speaker
 FROM: Norman S. Berson, Chairman

No meetings were scheduled by the House Judiciary Committee during the week of August 8, 1977.

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

August 12, 1977.

Honorable K. Leroy Irvis
 Speaker
 139 Main Capital
 Harrisburg, Pa. 17120

Dear Lee:

During the week of August 8, 1977, the Liquor Committee did not hold any meetings.

Thank you for your help and cooperation.

Sincerely yours,
 JAMES D. BARBER
 Chairman

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

August 15, 1977.

SUBJECT: Local Government Committee Meetings

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

Please be advised that there were no meetings of the Local Government Committee of the House of Representatives during the week of August 8.

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

August 15, 1977.

Mr. Speaker:

The House Professional Licensure Committee did not meet during the week of August 8, 1977.

HON. WILLIAM W. RIEGER
 Acting Chairman

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

August 15, 1977.

Mr. Speaker:

The House State Government Committee did not meet during the week of August 8, 1977.

HON. ROBERT A. GEISLER
 Chairman

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

August 15, 1977.

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

Dear Mr. Irvis:

This is to inform you that there were no meetings of the House Transportation Committee the week of August 8, 1977.

Respectfully submitted,

JOSEPH A. PETRARCA
Secretary

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

August 15, 1977.

SUBJECT: Report of Urban Affairs Committee
TO: Honorable K. Leroy Irvis
Speaker — House of Representatives
FROM: Charles N. Caputo, Chairman
Urban Affairs Committee

The Urban Affairs Committee met in Room 401 on August
11, 1977 and acted upon the following bills as indicated below:
House Bill No. 488, Printer's No. 527 — Tabled.
House Bill No. 1187, Printer's No. 1399 — Reported as Com-
mitted.
Senate Bill No. 524, Printer's No. 858 — Tabled.

Attendance Report

August 11, 1977.

MAJORITY MEMBERS	Present	Absent
MR. CHAIRMAN, Charles Caputo	X	
Robert A. Borski, Jr.	X	
Thomas R. Caltagirone	X	
Matthew J. Cianciulli, Jr.	X	
Thomas E. Flaherty	X	
Henry J. Giammarco	X	
Ruth B. Harper	X	
Joel J. Johnson	X	
James F. Jones, Jr.	X	
Michael M. Mullen	X	
Samuel Rappaport		X
William W. Rieger	X	
Agnes M. Scanlon	X	
Frank J. Zitterman		X
MINORITY MEMBERS		
Frank J. Lynch	X	
Stephen R. Freind		X
Alvin Katz	X	
James W. Knepper, Jr.		X
Stanford I. Lehr		X
Dennis O'Brien	X	
Lee C. Taddonio	X	
Peter R. Vroon	X	

Signed
HENRY J. GIAMMARCO
Secretary

ROLL CALL

Senate Bill No. 524, Printer's Number 858

MAJORITY MEMBERS	VOTE
MR. CHAIRMAN, Charles N. Caputo	yea
Robert A. Borski, Jr.	yea
Thomas R. Caltagirone	yea
Matthew J. Cianciulli, Jr.	yea

Thomas E. Flaherty	yea
Henry J. Giammarco	yea
Ruth B. Harper	yea
Joel J. Johnson	yea
James F. Jones, Jr.	yea
Michael M. Mullen	yea
Samuel Rappaport	absent
William W. Rieger	yea
Agnes M. Scanlon	yea
Frank J. Zitterman	absent

MINORITY MEMBERS

Frank J. Lynch	yea
Stephen R. Freind	absent
Alvin Katz	yea
James W. Knepper, Jr.	absent
Stanford I. Lehr	absent
Dennis O'Brien	yea
Lee C. Taddonio	yea
Peter R. Vroon	yea

YEAS—17
NAYS—0

Signed
HENRY J. GIAMMARCO
Secretary

ROLL CALL

House Bill No. 488, Printer's Number 527

MAJORITY MEMBERS	VOTE
MR. CHAIRMAN, Charles N. Caputo	yea
Robert A. Borski, Jr.	yea
Thomas R. Caltagirone	yea
Matthew J. Cianciulli, Jr.	yea
Thomas E. Flaherty	yea
Henry J. Giammarco	yea
Ruth B. Harper	yea
Joel J. Johnson	yea
James F. Jones, Jr.	yea
Michael M. Mullen	yea
Samuel Rappaport	absent
William W. Rieger	yea
Agnes M. Scanlon	yea
Frank J. Zitterman	absent
MINORITY MEMBERS	
Frank J. Lynch	yea
Stephen R. Freind	absent
Alvin Katz	yea
James W. Knepper, Jr.	absent
Stanford I. Lehr	absent
Dennis O'Brien	yea
Lee C. Taddonio	yea
Peter R. Vroon	yea

YEAS—17
NAYS—0

Signed
HENRY J. GIAMMARCO
Secretary

ROLL CALL

House Bill No. 1187, Printer's Number 1399

MAJORITY MEMBERS

MR. CHAIRMAN, Charles N. Caputo
 Robert A. Borski, Jr.
 Thomas R. Caltagirone
 Matthew J. Cianciulli, Jr.
 Thomas E. Flaherty
 Henry J. Giammarco
 Ruth B. Harper
 Joel J. Johnson
 James F. Jones, Jr.
 Michael M. Mullen
 Samuel Rappaport
 William W. Rieger
 Agnes M. Scanlon
 Frank J. Zitterman

VOTE

yea
 yea
 yea
 yea
 yea
 yea
 yea
 yea
 yea
 absent
 yea
 yea
 absent

MINORITY MEMBERS

Frank J. Lynch
 Stephen R. Freind
 Alvin Katz
 James W. Knepper, Jr.
 Stanford I. Lehr
 Dennis O'Brien
 Lee C. Taddonio
 Peter R. Vroon

yea
 absent
 yea
 absent
 absent
 yea
 yea
 yea

YEAS—17

NAYS—0

Signed
 HENRY J. GIAMMARCO
 Secretary

ANNOUNCEMENT
 RECESS

The SPEAKER. The House is going to be declared in recess until 3 p.m. I see there is a pessimist among us. At 3 p.m. we expect to be able to give you the schedule, the accurate schedule, for today for those of you who have been wondering about all the rumors. There are some members on the Democratic side and, I assume, there are some on the Republican side who have not yet reached Harrisburg. On the vote as important as the budget vote, we cannot go forward until all the members who are going to be in attendance are actually here.

The House will stand in recess until 3 p.m. The Chair would urge you to return to the floor at 3 p.m. There may be no actual activity at that point in time, but it would be better for you to be here than for us to have to go out and search for you.

The House stands in recess until 3 p.m.

AFTER RECESS

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

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

The SPEAKER pro tempore. The Chair recognizes the minority leader. For what purpose does the gentleman rise?

Mr. BUTERA. Mr. Speaker, I do not want you to announce a recess without at least our finding out what is going on.

ANNOUNCEMENTS
 DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair has an announcement to make which he would hope, possibly, may answer the question that Mr. Butera raises.

The Chair announces a continuation of the recess until 5 o'clock. At 4 o'clock there will be a Democratic caucus. All members will report for that Democratic caucus at 4 o'clock, and the House will stand in recess until the hour of 5 o'clock.

REPUBLICAN CAUCUS

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

Mr. BUTERA. Yes, thank you.

Mr. Speaker, I would like to announce a Republican caucus immediately upon the adoption of the continuation of the recess. I would like to announce—I suppose that this is in the form of an announcement—that at 5 o'clock we will be on this floor to do business. What I do not want to have happen is what happened on Saturday when I was finally recognized at 5 minutes before 12, 5 minutes before midnight, when we started our session at 11 o'clock in the morning. The reason for that is very simple, that people's nerves become a bit shattered at that hour and I think that we have serious business that we ought to undertake at normal times, if possible, so that if there is any need for any continuation at 5 o'clock, which I fully understand, I first want to have some kind of a session because there is at least one thing which we would like to do at that time, and that is, to offer an amendment to SB 250 which will fully fund the welfare program for the full year, which can be on the Governor's desk in 1 hour once it leaves this House.

I think that we ought to alert your caucus to that, and we want to do business at 5 o'clock. We do not want to be delayed until the wee hours of the morning when people cannot think straight.

The SPEAKER pro tempore. The Chair thanks the gentleman, and he would be the first to state that the gentleman did refer to an abnormal day.

This House now stands in recess—

For what purpose does the gentleman from Lehigh, Mr. Zeller, rise?

Mr. ZELLER. Mr. Speaker, before you do, I wish, for a couple of very important reasons, to address the Speaker as to a problem that I think is occurring. I smelled the odor of gasoline and I just wish that the people in charge here would investigate the area because it smells to me—and I have a pretty good nose, I think—like gasoline naphtha. I do not want something that is going on in here that would not be too well.

The SPEAKER *pro tempore*. Mr. Zeller, the Chair will bring it to the attention of the proper people and the Chair thanks the gentleman for calling it to the attention of the Chair.

Mr. ZELLER. Another point, Mr. Speaker, is that I did not get a chance to get the notice to you but I would like to announce that I have people up there in the galleries, Mr. and Mrs. Raymond Mohr from Zionsville. I would like to have it go on the record as guests.

RECESS

The SPEAKER *pro tempore*. Will the gentleman cease? The gentleman can make the proper introductions when we go into session at 5 o'clock.

A reminder to the Democratic members once again: There is a caucus at the hour of 4 o'clock. This House now stands in recess until the hour of 5 o'clock.

DURING RECESS

The SPEAKER *pro tempore*. Attention, all members, the Democratic caucus is still going on and the recess will continue until 6:30 p.m. It is, therefore, not necessary that any member report to the floor of the House at this time. The recess will be continued until 6:30 p.m.

AFTER RECESS

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

HOUSE BILL INTRODUCED AND REFERRED TO COMMITTEE

No. 1612 By Messrs. PRATT and Bennett

An Act providing for mandatory disclosure of the location of manufacture or production of goods sold in the Commonwealth of Pennsylvania in certain circumstances.

Referred to Committee on Business and Commerce.

NO PHOTOS TO BE TAKEN

The SPEAKER. No permission has been granted now for photography at this time. The House has been called to order.

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

Mr. SELTZER. Mr. Speaker, for the last few weeks we have been in very trying circumstances. I would like to call to the attention of the members of the House that a distinguished member of the press is back from his 3-week vacation with an answer to our fiscal problem, by the name of John Scotzin. Welcome home, John.

The SPEAKER. As long as John has three votes in his pocket, I welcome him.

CALENDAR

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 250, printer's No. 1271, entitled:

An Act making an appropriation to the Pennsylvania Higher Education Assistance Agency for the purpose of making institutional assistance grants.

On the question,

Will the House agree to the bill on third consideration?

Mr. PICCOLA offered the following amendments:

Amend Title, page 1, lines 4 through 6 by striking out all of said lines and inserting

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 July 31, 1977 and September 15, 1977, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1977 and making appropriations to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the fiscal year beginning July 1, 1977 and for the payment of cash grants and medical assistance and county administration accrued or incurred prior to and remaining unpaid on June 30, 1977.

Amend Bill, page 3, lines 17 through 25 by striking out all of said lines and inserting

Section 1. The sum of \$240,024,000, or as much thereof as may be necessary, is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries and wages of the officers and employees and other ordinary and general expenses of the State government in the interim between July 31, 1977 and September 15, 1977, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1977. The funds provided by this act may be used for all preferred appropriations of 1976-1977 but shall not be used for payment of cash grants or medical assistance, or for payment of appropriations to charitable or educational institutions not under the absolute control of the Commonwealth.

Section 2. The sum of \$956,000,000, or as much thereof as may be necessary, is hereby specifically appropriated to the Department of Public Welfare for the payment of cash grants and medical assistance and administrative expenses for the fiscal year beginning July 1, 1977 and for the payment of cash grants and medical assistance and administrative expenses incurred prior to and remaining unpaid June 30, 1977. In addition to this amount all moneys received from any other source and the Federal Government as provided in section 8 as contributions for this program, shall be paid into the General Fund and credited to this appropriation. The Department of Public Welfare shall allocate funds from time to time for administrative expenses of the several county boards of assistance, for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorney's fees and court costs necessary for the proper conduct of the public assistance and medical assistance programs: Provided, That no rule or regulation shall be adopted by the Secretary of Public Welfare during the fiscal year 1977-1978 which adds to the cost of any public assistance program.

Section 3. Payments out of the appropriation set forth in section 1 shall be made by the State Treasurer upon requisitions by the several departments, boards, commissions or officers in the same manner as payments are ordinarily made.

Section 4. All amounts paid by the State Treasurer in accordance with section 1 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 the General Appropriation Act and other appropriation acts of 1976 and 1977.

Section 5. The funds appropriated in section 1 shall be used solely for providing for the programs in existence during the fiscal year 1976-1977, which programs shall be funded at no more than one-eighth of the total appropriations for fiscal year 1976-1977, except that funding shall be provided to the De-

partment of Justice for the operation and administration of the Pennsylvania Crime Commission in an amount equal to one-eighth of the total State and Federal funds appropriated to the Department of Justice for the operation and administration of the Pennsylvania Crime Commission during the fiscal year commencing July 1, 1976.

Section 6. In addition to the amount appropriated by this act, all moneys received from any other source, and from the Federal Government as provided in section 7, as contributions to or payments for the programs provided herein shall be paid into the General Fund to the appropriation for the purposes and programs intended.

Section 7. The sum of \$60,000,000, or as much thereof as may be necessary, is appropriated from the Federal Augmentation Funds to the Executive and Judicial Departments of the Commonwealth for the expenses of implementing, continuing and carrying out the programs, except the Federal funds for cash grants and medical assistance, stated in the Federal Augmentation Appropriation Act of 1976 and the Supplemental Appropriation Act of 1976 and the amendments or supplements to said acts for the interim between July 31, 1977 and September 15, 1977.

Section 8. The sum of \$900,000,000, or as much thereof as may be necessary, is appropriated to the Department of Public Welfare from the Federal Augmentation Funds for the public assistance and medical assistance programs as stated and allocated in the Federal Augmentation Act of 1976 and the Supplemental Appropriation Act of 1976 and the amendments or supplements to said acts.

Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. The gentleman from Dauphin will be advised that the Chair has been told that the majority leader may wish to make a motion. That is the reason the Chair has not let him proceed at this moment.

The House will be at ease. The gentleman, Mr. Piccola, will come to the desk.

The House will come to order. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

For the benefit of the members, this is amendment A2128 which was distributed as Mr. Seltzer's amendment. This is an amendment which is a stopgap appropriation which would fully fund welfare appropriations for the entire fiscal year, including federal contributions to that fund and general governmental operations for 6 weeks from August 1.

The purpose for this amendment, Mr. Speaker, I believe is obvious. We have reached the point in this House in which we cannot make a resolution of the budgetary problem.

I am a freshman member and the thing that is most discouraging to me, philosophies in politics aside, is using people and their welfare and their livelihood as tools in getting certain things done or not getting certain things done.

I believe that this amendment, if passed and adopted into this bill and ultimately passed by the Senate and signed by the Governor, would give us approximately 1 month to sit down and talk. I might add, Mr. Speaker, I think that it gives us time to listen to one another which I think that there has been a serious lack of since this matter has been in the House of Representatives.

The figures that are contained in this amendment are the Governor's figures, and I think that it is important to note to the people of Pennsylvania that the money that this appropria-

tions bill would spend is there. In fact, I believe that the checks have already been written and are just being held to be sent out when we pass this appropriation or a budget appropriation.

I urge each and every one of you, regardless of your party or position on the budget, to seriously consider this proposal. I really believe that this is the right way to proceed on this matter.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, would the gentleman, Mr. Piccola, consent to an interrogation?

The SPEAKER. The gentleman, Mr. Piccola, indicates that he will stand for interrogation. The gentleman from Lehigh, Mr. Ritter, may proceed.

Mr. RITTER. Mr. Speaker, on the last page, page 3 of the amendment, section 8, first let me ask you this: Did you say that if we pass this stopgap appropriation that we will completely fund the Department of Public Welfare with both state and federal moneys?

Mr. PICCOLA. No, Mr. Speaker, this is only the cash grants for public assistance and not the entire Department of Welfare.

Mr. RITTER. Mr. Speaker, what part of the—

PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, would a motion to recommit HB 250 or SB 250, whatever it is, back to the Appropriations Committee take precedence over this debate?

The SPEAKER. The gentleman has delayed too long.

Mr. LINCOLN. Why?

The SPEAKER. No member may be interrupted on the floor of the House in the midst of his debate except for a point of personal privilege and not for a motion. The motion is too late now.

Mr. LINCOLN. Mr. Speaker, I ask to be recognized after Mr. Ritter then for a motion to recommit to the Appropriations Committee.

Mr. RITTER. May I yield to the gentleman, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Ritter, has the right to yield the floor. The gentleman has yielded the floor to the gentleman, Mr. Lincoln.

MOTION TO RECOMMIT

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

Mr. LINCOLN. Mr. Speaker, I move that SB 250, PN 1271, be recommitted to the Committee on Appropriations.

The SPEAKER. The House will be at ease.

The Chair recognizes the majority leader. Does the majority leader desire recognition?

Mr. MANDERINO. Mr. Speaker, I urge all members to vote in the affirmative on the motion to send SB 250 to the Appropriations Committee, to recommit it.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I urge you to vote against this motion for recommitment. First of all, this bill needs no further study. A vote to recommit this bill at this particular juncture will continue to tie this Commonwealth in knots and continue to hold state employes and welfare recipients hostages to the whims of politicians in Pennsylvania. I urge you to vote against this motion. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Seltzer, on the motion. For what purpose does the gentleman rise?

Mr. SELTZER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SELTZER. Mr. Speaker, it is my understanding that before this motion could even be made that we must decide the question before us, which is the adoption or rejection of the amendment that was offered by the gentleman from Dauphin. Therefore, Mr. Speaker, I would hope that this House would dispose of the question which is before us.

The SPEAKER. Before the Chair recognizes anyone else, there has been a question addressed to the Chair from the gentleman, Mr. Seltzer.

The gentleman, Mr. Ritter, had the floor, yielded the floor to the gentleman, Mr. Lincoln, which is perfectly in order. The gentleman, Mr. Lincoln, then made a privileged motion, a motion to recommit. That is always in order, and the motion takes with it, if it succeeds, both the bill and the amendment. The question is on the motion.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I simply urge that we vote in the negative on the motion to recommit. SB 250 is before us. It provides an opportunity for the members of this legislature, Republican and Democratic, rank-and-file as well as leaders, to take action that will end the use of the employes of this state and other people in this state. This particular piece of legislation provides a vehicle by which we can end the use of employes of this state and those other individuals throughout the Commonwealth, who depend upon checks from this state, as pawns in the debate over the total budget for the Commonwealth for the new fiscal year.

A number of people, many people, particularly the rank-and-file members of this legislature, have asked for 2 and 3 weeks for the opportunity to take up the question of stopgaps, but they have been asked not to. They have been asked to delay from day to day, over weekends, sometimes for a week at a time, to give other people ample opportunity to take a fair shot at getting legislation like HB 1349 adopted. Those fair shots have been taken. They have all failed.

I think that it is about time that we end the particular maneuver that has been used. I think that one step that we can take in ending that particular maneuvering is to reject the motion to recommit SB 250 to committee. Thank you.

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

Mr. ITKIN. Mr. Speaker, I would oppose the recommitment of SB 250 for the following reasons: If SB 250 is recommitted, then there will be no other bill on our calendar to deal with this budget crisis except HB 1349, which is on concurrence and which we cannot amend.

HB 1349 has been voted on five times, to the best of my knowledge. I do not understand why we would recommit the only vehicle that we have on this calendar today to provide a budget for Pennsylvania, even if it provided for only temporary funding, since we obviously do not have sufficient votes for HB 1349 which I have supported every time that that bill was placed before us.

I disagree with those who would support a recommitment motion because I do not believe tonight that there are sufficient votes for 1349, and that is why we are being asked to recommit SB 250. I do not believe tomorrow that there would be sufficient votes to support 1349, and that is why tonight we are asked to recommit 250 and take that vehicle to provide a budget for Pennsylvania away from this House.

Mr. Speaker, I think it is a travesty that we, in this House, would act in a vacuum and ignore what obviously is occurring throughout this entire State. This is the 15th day that this Commonwealth does not have a budget, temporary or permanent.

This is the first day of the second pay period for state employes, and they will not get paid. Those welfare recipients will not get their checks and those vendors will not be paid. Our first responsibility as legislators is to insure that government shall function.

Sometimes it does not always function the way that I would like it to be and sometimes it does not function the way the majority leader would like it to be, but reasonable men must understand that it must function.

For these reasons, Mr. Speaker, I urge the members on both sides of the aisle not to commit the folly of recommitment and to place and leave before us the only vehicle that we have to deal with the budget crisis at the present time.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Lincoln; and then we will follow with the gentleman from Lehigh.

The gentleman, Mr. Lincoln, may proceed.

Mr. LINCOLN. Mr. Speaker, I know that the previous speaker has been voting for 1349. I served with Mr. Itkin for 5 years and I know that he is an extremely responsible individual. He probably is as hard working as anybody I have ever met in my life.

My remarks are not going to be directed to him in what I am going to say. On June 30 I pleaded with the members of this House not to vote for stopgaps. I told them that we would be

coming back facing the exact same situation that we are right now if we passed stopgaps at that time.

We have displayed a tremendous amount of irresponsibility, especially in the last week. The Senate had 5 weeks to come up with something which they could consider a budget. We have had it for 5 days. If we panic at this point and run to stopgaps, we are letting down every constituent whom we serve.

Ninety-five percent of the responsibility that we have as legislators is to fund state government, the budget. All the rest of the maneuvering and the moving and the spinning of wheels that we go through does not mean a darn thing when you come right down to it.

I do not like the fact that state employes or welfare recipients or anyone dependent on state government is not getting their paychecks, their contracted payments, their welfare checks, the food stamps, or whatever the case may be. I am willing tonight to vote for a budget that will fund those people. I am willing tonight to vote for a tax which will pay for that funding which is necessary. I saw that party on the other side concern themselves more with elections next year of a governor's candidate and House members and Senators, or whatever, and totally disregard the rights of the people who are involved in what we are talking about here tonight. I see Mr. DeVerter getting up to talk about it, and I am saying that the only thing they want stopgaps for is to get off the hook a little bit and to get down to where they can say that they are not doing something when they have not been for 6 weeks.

The SPEAKER. Will the gentleman yield?

The gentleman well knows that he has gone beyond the limits of debate on the motion.

Mr. LINCOLN. Mr. Speaker, I saw Mr. Ryan last night—

The SPEAKER. The gentleman will yield.

The gentleman is not arguing with anyone on the floor. The Speaker is attending this, not the gentleman. The gentleman will stay within the parameters of debate as will all the members of this House.

The Chair recognizes the gentleman from Lehigh.

Mr. LINCOLN. I am not finished. Mr. Speaker, unless you rule me out of order and are going to shut the mike off, I am not finished.

The SPEAKER. He has a right to the floor, but he has not yet yielded the floor. As long as the gentleman stays within the parameters of debate, the Chair will recognize him.

The Chair recognizes—

Mr. LINCOLN. Mr. Speaker, I really do not think that I was out of those parameters, but I will abide by your wishes.

The SPEAKER. The gentleman is recognized and may proceed.

Mr. LINCOLN. Mr. Speaker, I think that we are very close to passing a budget, which I have heard called a tremendous amount of different things; phony, whatever. I do not think that it is. I have some facts later this evening that I would like to present concerning my own county and a couple members from my county who are voting against that budget, showing how it is not very phony as far as the Fayette County citizens are concerned. I know that there are a lot of people who have

been voting "no" on that who are going to have a hard time explaining to their constituents when they go back home why they voted "no."

I am saying, at least before we go to the very foolish and irresponsible measure of stopgaps that we at least spend a little bit more time trying to come up with a permanent solution for at least the next 11 months, which we are obligated by law to do.

I urge a "yes" vote. What way do I want? I want a "yes" vote, Mr. Speaker. I am a little excited tonight. I do want a "yes" vote.

The SPEAKER. I understand.

Mr. LINCOLN. Put it back where it belongs until the Democrats want to see it come back out.

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

Mr. ZELLER. Mr. Speaker, I will make it brief. I would like to reiterate the words of Representative Cowell in regard to the need for what we are about to do and to hope to not send SB 250 back to committee but to keep it on the calendar and to act responsible.

The last speaker did say—the one part which I agree with him on is the fact—that we have been acting irresponsibly the last few weeks, and I have to agree with him. In other words, it is a true statement, but the problem is that here we have a chance. I am just fortunate that I have to agree that it had to come from the other side of the aisle. I was hoping that Mr. Itkin would have had a chance to come forward with what he had asked for almost over a week ago and maybe longer, when he asked for a chance to come into a stopgap measure, and Mr. Itkin very seriously, and all of us had agreed, that is, the 25 people who had signed the release of SB 250 to the calendar in regard to a measure to bring it forward and to be allowed to place stopgaps in it.

So, therefore, I believe that the only way now, since we have come to a crisis situation and we have to stop using these people for a pawn, the welfare people for a pawn is to get down to sensibility and pass stopgaps. I would like to say, let us kill the move to send SB 250 to committee and let us vote for stopgaps. Thank you.

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

Mr. WILLIAMS. Mr. Speaker, I would like to interrogate the sponsor of the amendment, Mr. Piccola.

The SPEAKER. The sponsor of the amendment?

Mr. WILLIAMS. 250.

The SPEAKER. The question is on the motion to recommit. Does the gentleman from Philadelphia wish to interrogate the sponsor of the amendment?

Mr. WILLIAMS. Yes, Mr. Speaker, on the question of the motion.

Mr. Speaker, I would—

The SPEAKER. The gentleman, Mr. Piccola, indicates that he will stand for interrogation. The gentleman from Philadelphia, Mr. Williams, may proceed.

Mr. WILLIAMS. Mr. Speaker, so that I can intelligently vote

on the motion— Can you hear me? Can you hear me? You cannot. The theory of your amendment in what you said is of concern to me because you made a suggestion. I believe that you suggested that we vote for stopgaps in order that we can sit down and discuss a budget. Is that generally correct?

Mr. PICCOLA. Yes, Mr. Speaker.

Mr. WILLIAMS. Now, Mr. Speaker, my concern is, is there any reason why Friday, Saturday, Sunday morning, early Sunday morning, or, indeed, tonight, tomorrow, or whatever it would take, that we could not spend this time discussing the budget, the differences of a budget, that you are talking about anyway? Why is it necessary at this juncture to vote for stopgaps, since we have been talking about the budget on Friday night, Saturday morning, Saturday night, Sunday morning? Is there something that I am not aware of that prevents us from discussing and adopting a budget?

Mr. PICCOLA. Mr. Speaker, there is nothing except time. I think that the actions in the Senate and the actions in this House have shown that when this number of people representing such diversion interests try to come to a sensible conclusion and a consensus, that the most important resource that they have is time.

And the second most important resource that they have is a calm and reasoned atmosphere, and that atmosphere, Mr. Speaker, is not here today. It has not been here since the first of August. This amendment, I believe, will give us those two important resources, time and an atmosphere in which we can talk reasonably.

Mr. WILLIAMS. Mr. Speaker, we have been discussing a budget since approximately February of this year. We have also recently gone through a period of stopgaps, and that is time. I am trying to figure out what was different about that time, including the stopgap time, from now. Is there anything different that we could do with that time that we have not already tried to do?

Mr. PICCOLA. Mr. Speaker, all that I can say is that we can talk to each other. I know for a fact that there has been very little communication, for example, with the members on this side of the aisle.

Mr. WILLIAMS. Why?

Mr. PICCOLA. And our leaders.

Mr. WILLIAMS. Why is that so?

Mr. PICCOLA. I really cannot answer that, Mr. Speaker. I am—

Mr. WILLIAMS. Why would it be different with stopgaps?

The SPEAKER. The gentlemen will yield. The Chair is trying to be liberal in its interpretation of the rules, but the Chair feels that the interrogation has gone far afield of the question, shall we recommit the bill?

If the gentleman, Mr. Williams, is trying to ascertain reasons why he should vote, the Chair is convinced that by this time he must have so ascertained.

Does the gentleman wish to make a statement as to his position on the motion?

Mr. WILLIAMS. Mr. Speaker, my position basically is this—and it may be shared by some of my colleagues as expressed and that is merely this—to vote either on stopgaps or

the motion to recommit it. We know that that is voting against stopgaps. I merely wanted to get the thinking of the gentleman as to why something as important as turning on food for people, why stopgaps would be more important now than later. That is all.

The SPEAKER. Will the gentleman yield?

The gentleman fully knows from his professional training that he has gone beyond the parameters of the debate. The gentleman is limited to the reasons why the members should vote for or against the motion. Will the gentleman proceed within those boundaries?

Mr. WILLIAMS. Mr. Speaker, I assume that you are opposed to the motion to recommit your bill. Is that right? Or your amendment?

Mr. PICCOLA. Yes, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, I suppose that your concern is that if it is recommitted, that that in effect would mean that your amendment would be defeated, is that correct?

Mr. PICCOLA. Mr. Speaker, if this bill is recommitted, there is no vehicle by which my amendment can be offered and, therefore, this stopgap is not available. I might just clear the record on the stopgaps. This is not really a true stopgap because it fully funds cash assistance to welfare recipients. It is a full and complete budget, as far as that item is concerned.

Mr. WILLIAMS. Okay. Mr. Speaker, on the bill and amendment that we are seeking to recommit, does that include funding for the Philadelphia schools which are going to open shortly in September?

Mr. PICCOLA. No, that does not, Mr. Speaker.

Mr. WILLIAMS. And we have debated for the last several months on that question and in the bill 1349 there is funding for the Philadelphia schools. Is that correct?

Mr. PICCOLA. Yes, Mr. Speaker.

Mr. WILLIAMS. So the bill that we are seeking to recommit would reopen the whole discussion with regard to Philadelphia schools. Would that not be so?

The SPEAKER. Will the gentleman yield?

The gentleman, Mr. Piccola, will not answer. The gentleman, Mr. Williams, is advised for the last time that he is limited to his reasons for or against the recommitment motion. Will the gentleman please get to his reasons for or against?

Mr. WILLIAMS. Mr. Speaker, do I understand that I cannot inquire as to what the content of the bill that we are going to seek to commit is? I am merely trying to find out what is in that measure, the bill and the amendment, before I can vote. Does the Speaker say that I cannot find that out?

The SPEAKER. The Chair would advise the gentleman not to debate with the Chair on the issue. The Chair has outlined the parameters of the problem, and the gentleman will live within those parameters.

Mr. WILLIAMS. Mr. Speaker, I do not, first of all, physically have an amendment which is part of the bill that we are seeking to recommit, I suppose.

The SPEAKER. The chief page will please see to it that the gentleman, Mr. Williams, has a copy of the amendment.

Mr. WILLIAMS. Mr. Speaker, do I understand that I cannot find out what is contained in that bill from the speaker who is

offering that, especially in view of the fact that I have not had a chance to read it because I have not had it?

The SPEAKER. The Chair has not so ruled. The Chair has instructed the gentleman to contain his debate within the limits of the rules, and the rule states specifically that, on a question to recommit, debate is limited to reasons for or reasons against. The Chair has been lenient in letting the gentleman ascertain how he should vote. The rules do not permit such ascertainment. The rules permit only debate on why one should vote against or vote for the recommittal motion. The gentleman will maintain his debate within those rules. The gentleman may proceed.

Mr. WILLIAMS. I have no other question.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper, on the motion to recommit.

Mrs. HARPER. Mr. Speaker, thank you.

I rise to support the recommittal of SB 250. I am new in this House of Representatives but I believe in facing responsibility. We have played around here long enough with this budget. I voted for HB 1349 and I intend to vote for the taxes to fund that bill.

I think that we should stop hiding behind stopgaps, face our responsibilities, and move on with the budget.

Thank you.

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

Mr. FLAGHERTY. Mr. Speaker, thank you.

I rise to oppose the recommittal motion of SB 250 to the Appropriations Committee. To deny stopgap appropriations to state employes, welfare recipients, services to the mentally ill, the elderly and the public in general is, in my opinion, inhumane.

My district is located in the inner city of Pittsburgh, and without stopgap appropriations many of my people will be subjected to unnecessary suffering and hardship because of the stalemate on this budget proposal.

I deeply resent this political ploy, and I urge my colleagues to vote "no" and let this tax-increase proposal fly or die on its merits and not on the misery of our constituents.

WELCOME

The SPEAKER. The Chair has been trying to find a time to introduce the very charming and very attractive wife of Representative Joe Hoefel. You will remember we almost had to hold up the entire proceedings of the House of Representatives so that they could get married. The lady has warned her husband that if he introduces her that she will see one lawyer named K. Leroy Irvis to file for instantaneous divorce. Of course, it would be about the first law case that I have had in the last 12 years. Therefore, the lady is being introduced as a guest of the Democratic delegation from Delaware and a guest of all the members in the hall of this House.

We are delighted that you are here, Francesca, and as long as you stay, we think that Joe will stay with us.

The Chair now recognizes the gentleman from Dauphin, Mr. Dininni.

Mr. DINNINI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to recommittal of this amendment or this bill. Those of you who got to know me over the past 11 years know that when I speak, I speak with all sincerity. I am one who voted for every reconsideration and have given to the Democratic Party every chance and opportunity to muster the votes that they needed for their budget. You were unable to do that. Now people are suffering. They need this money. We need the jobs. The people on welfare depend on these payments. I say that it is high time here and now to oppose recommittal and vote for the amendment and vote favorably.

Thank you.

The SPEAKER. Does the majority leader wish to close the debate? I understand that there are other two members on their feet, or does the majority leader desire recognition at this time.

The Chair recognizes the gentleman from Philadelphia, Mr. Wiggins, and then the Chair will recognize the gentleman from Allegheny, Mr. Caputo.

Mr. WIGGINS. Mr. Speaker, I rise to support the motion to recommit SB 250 and its amendment.

SB 250 and its amendment offer only a temporary solution to a state problem; however, it does not satisfy totally any of its problems. For instance, information received by me from the appropriate authority states that, as a result of furloughs, there are 6,664 employes who will be unemployed as a result of a budget not being passed. This will not be solved by a stopgap appropriation.

From the Welfare Department it has been determined by me that 169,000 families—multiply the word "families" by 4 and we have the number of people involved—will suffer consequences as a result of their cash grants being denied them. Should a stopgap measure be passed, this situation will only be satisfied for possibly a 30- or 60-day period. Again I use the word "temporary" and not "permanent."

After all of these things have been done, there is no consideration whatsoever for school subsidies. Again we are talking about school subsidies for 550 school districts throughout the Commonwealth of Pennsylvania. Mr. Speaker, in my opinion, the only solution to solving the problem, the total problem, of the Commonwealth, is through the passage of a fiscal budget that addresses itself to all the problems of the Commonwealth. I ask for a "yes" vote on SB 250 to be recommitted.

Thank you.

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

Mr. CAPUTO. Mr. Speaker, the Chair has permitted previous speakers to refer to the misery of the people affected by our inability to pass a budget. This is true. There are many, many people who are disturbed and in misery.

Mr. Speaker, a vote against recommittal and a vote for the amendment offered is merely going to prolong that misery because this is a Senate bill before us and, if we get to the point

where we adopt the proposed amendment, this bill is going to have to go back to the Senate for concurrence, and that, Mr. Speaker, may take another 6 months or 4 months. By an affirmative vote on HB 1349, 102 of the members here can relieve the people of their misery, because if on concurrence in Senate amendments they can go to the Senate and—

The SPEAKER. Will the gentleman yield?

POINT OF ORDER

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

Mr. GALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. GALLEN. Mr. Speaker, with all due respect, I think that you allowed too much latitude under debate on this recommittal motion.

The SPEAKER. With all due respect, the Chair agrees with you.

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

Mr. CAPUTO. Well, Mr. Speaker, I got it all in now, so I just say that by passing this motion to recommit, the next bill on the calendar can save all of those people whom everybody is so worried about, by an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I urge an affirmative vote.

To the gentleman, Mr. Flaherty, from Allegheny County, I wish you would listen very carefully and all of those who think the way he does, that you are going to avert a lot of problems by passing stopgaps, which is the amendment that has been offered. I apologize to the Chair and the members of the House for, perhaps, deviating, but every member did, I think, who spoke, and I must.

The general government appropriation for the stopgap that is being offered is a general government figure that comes out of SB 770, which admits \$94 million in new taxes being needed, and that figure requires over 7,000 layoffs. The figure used in this stopgap appropriation prevents none of the layoffs, not one. That is the first thing.

The second thing is, the figure being used in this stopgap for the welfare is the one figure that they took out of HB 1349, which is our figure, and they took one figure out of that budget that requires at least 18 more million for that one item than SB 770 did and they are even using, for that 12-month appropriation, a figure that is going to require taxes. I urge an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson, and then the Chair will recognize the gentleman from Lebanon.

Mr. W. D. HUTCHINSON. Mr. Speaker, when you vote on this motion, I hope that all of you will remember that the vote on this motion is not a vote as to whether or not there will be stopgaps. The vote on this motion is, however, a vote as to whether or not there will remain anything within the power of any member on this floor that can be done to alleviate the suf-

fering of the people out on the street if there is a lack of success in passing a general budget. It is not a question of stopgaps. It is a question of whether we will have anything on this calendar that can do anything about the problem, except HB 1349, which has failed five times.

Thank you.

The SPEAKER. The gentleman from Lebanon, Mr. Seltzer, desires recognition.

Mr. SELTZER. Mr. Speaker, I am not going to debate the bill. I just want to correct an erroneous statement that was made. This is not a stopgap for cash grants for medical assistance. It is an entire appropriation for the full year. This is not a stopgap.

The SPEAKER. The Chair recognizes, for the second time on the issue, the gentleman, Mr. Caputo.

Mr. CAPUTO. Will the chairman of the Appropriations Committee consent to a brief interrogation?

The SPEAKER. The chairman of the Appropriations Committee indicates that he will stand for a brief interrogation. The gentleman from Allegheny is in order and may proceed.

Mr. CAPUTO. Mr. Speaker, if the vote on the motion to recommit to appropriations is passed, how long would it take the Appropriations Committee to report it out to the floor to be run into an impasse?

Mr. PIEVSKY. About 5 minutes.

Mr. CAPUTO. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, prior to taking a vote, there are several members who, to the best of my knowledge and Mr. Ryan's knowledge, are not in the hall of the House, and, as he did the other day, I think their switches should be locked.

Mr. McGinnis, is he here? Mr. Thomas is on leave. Mr. Hasay, is he here?

The SPEAKER. Is the gentleman, Mr. Hasay, in the hall of the House?

Mr. RYAN. No.

The SPEAKER. The clerk will lock the switches of the names which are called.

Mr. MANDERINO. Mr. Smith, I know that he was here earlier today, but is he here now? Is he here now?

Mr. RYAN. He is right here, Mr. Speaker.

Mr. MANDERINO. All right, fine.

Mr. Spencer?

The SPEAKER. Is the gentleman, Mr. Spencer, in the hall of the House?

The clerk will lock that switch.

Mr. MANDERINO. Mr. Weidner?

The SPEAKER. Is the gentleman, Mr. Wagner, in the hall of the House?

Mr. MANDERINO. He is not here.

The SPEAKER. Is it Mr. Weidner or Wagner?

Mr. MANDERINO. Mr. Weidner, W-e-i-d.

The SPEAKER. Mr. Weidner? Is the gentleman in the hall of the House? The clerk will lock the switch.

Mr. MANDERINO. Mr. Fisher, Michael Fisher?

The SPEAKER. The gentleman, Mr. Fisher, is here.

Mr. MANDERINO. He is there.
 Mr. Zord?
 The SPEAKER. The gentleman, Mr. Zord, is present.
 Mr. MANDERINO. Mr. Parker?
 The SPEAKER. The gentleman, Mr. Parker, is not here. The clerk will lock the switch.
 Mr. MANDERINO. Mr. Knepper?
 The SPEAKER. The gentleman, Mr. Knepper, is not here. The clerk will lock the switch.
 Mr. RYAN. Mr. Misceovich?
 The SPEAKER. What is the name?
 Mr. RYAN. Misceovich.
 The SPEAKER. Oh, I am sorry. I thought the majority leader was still reading. Has the majority leader completed his list?
 Mr. MANDERINO. Is Mr. Wagner in the hall of the House, W-a-g-n-e-r?
 The SPEAKER. Is Mr. Wagner in the hall of the House? The clerk will lock the switch.

The Chair now recognizes the minority whip.

Mr. RYAN. Mrs. George, I understand, is on leave. Is that correct?

The SPEAKER. Mrs. George has been given a leave for today's session only, but the clerk will lock that switch.

Mr. RYAN. Is Mr. Misceovich here? Someone said he was here.

The SPEAKER. The gentleman, Mr. Misceovich, is here. The gentleman, Mr. Misceovich, is in the hall of the House.

Are there any others?

Mr. RYAN. No, Mr. Speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—97

Arthurs	Garzia	McLane	Schweder
Barber	Gatski	Milanovich	Shelton
Bellomini	Geisler	Miscevich	Shupnik
Beloff	George, C.	Morris	Stapleton
Bennett	Giammarco	Mullen, M. P.	Stewart
Berlin	Gleeson	Mullen, M. M.	Stuban
Berson	Goodman	Musto	Sweet
Bittinger	Gray	Novak	Taylor, F.
Borski	Greenfield	O'Brien, B.	Tenaglio
Brown	Harper	O'Donnell	Trello
Brunner	Hoeffel	O'Keefe	Valicenti
Caputo	Hutchinson, A.	Oliver	Wansacz
Cianciulli	Johnson	Petrarca	Wargo
Cohen	Jones	Pievsky	White
Cole	Kelly	Pratt	Wiggins
DeMedio	Kolter	Prendergast	Williams
DiCarlo	Kowalyshyn	Rappaport	Wise
Dombrowski	Laughlin	Ravenstahl	Wright, D.
Donatucci	Letterman	Renwick	Yahner
Doyle	Lincoln	Rhodes	Zitterman
Dumas	Livengood	Richardson	Zwinkl
Englehart	Logue	Rieger	
Fee	Manderino	Ritter	Irvis,
Fryer	McCall	Scanlon	Speaker
Gallagher	McIntyre	Schmitt	

NAYS—94

Abraham	Foster, W.	Lynch	Ryan
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Anderson	Freind	Mackowski	Salvatore
Armstrong	Gallen	Madigan	Scheaffer
Bittle	Gamble	Manmiller	Scirica
Brandt	Geesey	McClatchy	Seltzer
Burd	Gillette	Mebus	Shuman
Burns	Goebel	Meluskey	Sirianni
Butera	Greenleaf	Miller	Smith, E.
Caltagirone	Grieco	Milliron	Smith, L.
Cassidy	Halverson	Moehlmann	Spitz
Cessar	Hamilton	Mowery	Stairs
Cimini	Haskell	Mrkonic	Taddonio
Cowell	Hayes, D. S.	Noye	Taylor, E.
Davies	Hayes, S. E.	O'Brien, D.	Vroon
DeVertter	Helfrick	O'Connell	Wass
DeWeese	Honaman	Pancoast	Wenger
Dietz	Hopkins	Piccola	Wilson
Dininni	Hutchinson, W.	Pitts	Wilt
Dorr	Itkin	Polite	Wright, J. L.
Duffy	Katz	Pott	Yohn
Fischer, R. R.	Kernick	Pyles	Zearfoss
Fisher, D. M.	Klingaman	Reed	Zeller
Flaherty	Lehr	Ruggiero	Zord
Foster, A.	Levi		

NOT VOTING—9

George, M.	McGinnis	Spencer	Wagner
Hasay	Parker	Thomas	Weidner
Knepper			

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

The SPEAKER. The bill is so recommitted.

FILMING PERMISSIONS GRANTED

The SPEAKER. The Chair has given permission for still photography to be taken of the hall of the House and that permission is for 10 minutes and will begin at 8 p.m.; that is within 3 minutes. At 8 p.m. the photographers may begin shooting the still pictures.

The Chair also gives permission for Bill Martin of KDKA-TV, Pittsburgh, to shoot silent film on the floor of the House.

The Chair has given permission to Jane Miller, WHP-TV, Harrisburg, to shoot film on the House floor for a period of 10 minutes.

RECONSIDERATION OF VOTE ON RECOMMITTAL OF SB 250

Mr. RYAN moved that the vote by which SB 250 was recommitted on this day be reconsidered.

Mr. PICCOLA seconded the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I ask for an affirmative vote on this motion to reconsider.

All that I am asking for is an opportunity to present my amendment, and if this bill is committed to the Appropriations Committee, we all lose a lot of options here. I think that it is something that this House should have on record at this point in time. I ask for an affirmative vote on the reconsideration motion. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes, on the motion to reconsider the vote, the gentleman from Allegheny, Mr. Caputo. For what purpose does the gentleman rise?

Mr. CAPUTO. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. Mr. Speaker—

The SPEAKER. Will the gentleman yield?

The Chair has within its knowledge that already two members of this House have been taken to a hospital. That is correct. The tension and strain is extreme. The Chair would remind the members that they can reduce this tension and this strain on each other by obeying the rules of decorum of this House.

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

Mr. CAPUTO. Mr. Speaker, under the rules of the House, how soon after a defeat may a motion to reconsider be acted upon?

The SPEAKER. It is the opinion of the Chair that the motion may be placed immediately and may be acted upon immediately.

Mr. CAPUTO. I do not disagree with that, but does a proponent of the motion also have 5 days in which to do it?

The SPEAKER. Yes. There is a maximum of 5 days in which this may be done.

Mr. CAPUTO. Thank you, Mr. Speaker.

I would like to make a brief statement.

The SPEAKER. If the statement is on the reconsideration, then the gentleman is in order.

PARLIAMENTARY INQUIRY

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

Mr. RYAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, the reconsideration motion that is before us now, would it be proper for me to amend that motion, seeing as it is mine, to not only reconsider the recommittal that just took place but also to ask that the matter, the bill with the amendment, be placed on the final passage postponed calendar or passed over temporarily?

The SPEAKER. Such a motion would be amenable to the rules of this House. The motion ought to be in writing. The Chair would suggest that if his motion to reconsider succeeds, then the bill would be back on the active calendar in exactly the same position as it was before the reconsideration motion passed. At that point in time the gentleman could offer a second motion.

Would that be satisfactory? Does the gentleman wish to place the House at ease?

Mr. RYAN. Mr. Speaker, it would be my intention that the recommittal motion be reconsidered, the vote by which recommittal took place be reconsidered, and that the bill then be laid on the table temporarily or be put on the final passage postponed calendar. You tell me how to do that in a parliamentary fashion, and I will be glad to do that.

The SPEAKER. The gentleman may make that motion in writing to include the two points, but the Chair suggests that the simpler way of doing it is to have the House consider the motion to reconsider the vote by which the bill, together with the amendment, was recommitted.

Mr. RYAN. All right.

The SPEAKER. If that motion is adopted by the House, then the gentleman could place a second motion to take the bill from the active calendar and place it on the table.

Mr. RYAN. All right. Mr. Speaker, I want the House to know that it is my intention to do that after this vote, and on the motion before us, Mr. Speaker, I would like to call to the attention of the House that we have voted consistently throughout this past week to permit this budget bill to be reconsidered time and time again. We have supported suspension of the rules to permit this so that for four or five cracks, HB 1349 was brought before this House, and we would greatly appreciate it if the same courtesy was extended to us on this particular motion.

Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, under the current House rules, how many votes does it require to carry a motion of this type?

The SPEAKER. A simple majority, a simple majority on the roll call vote.

Mr. LINCOLN. Mr. Speaker, I either mistakenly or for some reason thought that we passed a rule earlier this session that required a constitutional majority for a motion of this type.

The SPEAKER. No, the gentleman is confusing two things. This motion is in order under the rules because it has never been reconsidered before. The issue has never been reconsidered. However, if having been reconsidered twice and then a member wishes to reconsider the third time, a motion would have to be placed to suspend the rules, and that would require 102 votes.

Mr. LINCOLN. Thank you, Mr. Speaker.

May I be recognized?

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

Mr. LINCOLN. Mr. Speaker, I think the House spoke a few minutes earlier as to what they would like to do. And I would urge the members who supported the recommittal motion to continue in that courageous stand—which it is at this time a courageous stand—stick with us until we have time to pass a budget.

Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I urge a negative vote on reconsideration.

The SPEAKER. On the question of reconsideration, those members who wish to reconsider will vote "aye"; those who do not will vote "no."

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

The following roll call was recorded:

YEAS—92

Abraham	Foster, W.	Levi	Salvatore
Anderson	Freind	Lynch	Scheaffer
Armstrong	Gallen	Mackowski	Scirica
Bittle	Gamble	Madigan	Seltzer
Brandt	Geesey	Manmiller	Shuman
Burd	Gillette	McClatchy	Sirianni
Burns	Goebel	Mebus	Smith, E.
Butera	Greenleaf	Miller	Smith, L.
Caltagirone	Grieco	Milliron	Spitz
Cessar	Halverson	Moehlmann	Stairs
Cimini	Hamilton	Mowery	Taddonio
Cowell	Haskell	Mrkonic	Taylor, E.
Davies	Hayes, D. S.	Noye	Vroon
DeVerter	Hayes, S. E.	O'Brien, D.	Wass
DeWeese	Helfrick	O'Connell	Wenger
Dietz	Honaman	Pancoast	Williams
Dininni	Hopkins	Piccola	Wilson
Dorr	Hutchinson, W.	Pitts	Wilt
Duffy	Itkin	Polite	Wright, J. L.
Fischer, R. R.	Katz	Pott	Yohn
Fisher, D. M.	Kernick	Pyles	Zearfoss
Flaherty	Klingaman	Reed	Zeller
Foster, A.	Lehr	Ryan	Zord

NAYS—97

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

NOT VOTING—11

Cassidy	Knepper	Ruggiero	Wagner
George, M.	McGinnis	Spencer	Weidner
Hasay	Parker	Thomas	

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

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

MOTION TO ADJOURN WITHDRAWN

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

Mr. PREDERGAST. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 16, at 1 p.m.

The SPEAKER. Will the gentleman withdraw his motion at this time?

Mr. PRENDERGAST. At the request of the Speaker, I withdraw my motion.

The SPEAKER. The House will stand at ease.

The House will be in order. The majority leader is offering a motion on the floor of this House.

MOTION TO ADJOURN

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that this House will stand in adjournment until Tuesday, August 16, 1977, at 11 a.m.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I urge a "no" vote on the adjournment motion. Mr. Speaker, I urge a negative vote on the adjournment motion.

Mr. Speaker, I think that this is a time for cooler heads to prevail. It sometimes is difficult under these circumstances. I was castigated by the Governor today. I am not going to retaliate.

POINT OF ORDER

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

Mr. O'DONNELL. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. O'DONNELL. Mr. Speaker, is a motion to adjourn debatable?

The SPEAKER. For 2 minutes. The majority leader and minority leader may each speak for 2 minutes on the adjournment motion. The majority leader and the minority leader may each speak for 2 minutes on the adjournment motion. No one else is permitted to speak.

Mr. O'DONNELL. Thank you.

The SPEAKER. The minority leader may continue.

Mr. BUTERA. Mr. Speaker, as I stated, I think that we ought to oppose the adjournment motion. We should attempt to have cool heads prevail rather than take precipitous action which is uncalled for. The Governor had one of his press conferences today and castigated me and others. I shall not retaliate. I do not think that it does anybody any good to deal in character assassination.

We have a set of principles involved and if we stick to them and if we acknowledge that our problem is simple, difficult to handle but simply stated, and that is, that there are not sufficient votes in this House to fund the proposal which is before us, once we realize that and realize that there must be compromise that we cannot be given now for the fourth straight day one single proposal plus a number of parliamentary moves, I

think, perhaps, we will then make progress. But to continue to deal in the parliamentary side of this question, and we have yet to face anything of substance except HB 1349, I think is wrong. I think that we ought to try. I do not think that adjourning solves anything and will merely serve to drive us farther apart.

I again state that I am willing to sit down on the compromise that I have suggested or some other version of it that you may suggest, and I think that we ought to do that and we would be much better served and we would be serving the people better.

I think that it is wrong to hold the people hostage who we are holding. We tried to remove that. You have rejected us on a parliamentary move, but we rejected those—

The SPEAKER. The Chair regrets having to interrupt the minority leader but the 2-minute period is over.

POINT OF ORDER

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

Mr. DeVERTER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. DeVERTER. Mr. Speaker, who is entitled to the privilege of the floor?

The SPEAKER. Only the members elected to the House of Representatives and those staff members who are ordered to the floor or requested to the floor by members elected to the General Assembly.

Mr. DeVERTER. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, I think that it is time for cooler heads. The problem is simple, as Mr. Butera indicates, that simply at the moment there are not sufficient votes to pass the budget bill before us. It has fallen short by three votes out of 102. It is obvious to Mr. Butera, also, that he does not have sufficient votes to pass the stopgaps that he would like to pass.

Stopgaps cannot be passed, a budget cannot be passed. Mr. Butera has indicated that he has offered a compromise, and I think that we ought to let cooler heads prevail. I am willing, as I told him I was willing, to look at a compromise. If we recess this House until 11 o'clock tomorrow morning, I would ask Mr. Butera to give us the detail on his compromise line by line.

I mentioned the other night that his compromise was nothing more than an idea. It is still an idea. I have wrestled with it; I have discussed it with him and I am saying, frankly, that until you begin putting the figures, if you do not agree with no taxes and you think that we are raising too high a figure in taxes, take the figure that you are talking about, disperse it among the items of the budget, present it to us. We will be happy to look at it. That is a sincere, honest effort to reach a compromise.

I think that you will find, as we found, when you try to put less than \$300 million into the programs that you and I both want to fund, it will be impossible and maybe that will come through to you when you try to place those figures in the budget. Maybe if you are able to place those figures in the budget, I might be able to agree with you.

The SPEAKER. The Chair is interrupting the majority leader, but the 2-minute period has expired.

Mr. MANDERINO. I ask for an adjournment until tomorrow at 11.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—106

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

NAYS—86

Abraham	Foster, W.	Lynch	Scirica
Anderson	Freind	Mackowski	Seltzer
Armstrong	Gallen	Madigan	Shuman
Bittle	Gamble	Manmiller	Sirianni
Brandt	Geesey	McClatchy	Smith, E.
Burd	Goebel	Mebus	Smith, L.
Burns	Greenleaf	Miller	Spitz
Butera	Grieco	Moehlmann	Stairs
Caltagirone	Halverson	Mowery	Taddonio
Cassidy	Hamilton	Noye	Taylor, E.
Cessar	Haskell	O'Brien, D.	Vroon
Cimini	Hayes, D. S.	O'Connell	Wagner
Cowell	Hayes, S. E.	Pancoast	Wass
Davies	Helfrick	Piccola	Wenger
DeVerter	Honaman	Pitts	Wilson
Dietz	Hopkins	Polite	Wilt
Dininni	Hutchinson, W.	Pott	Wright, J. L.
Dorr	Katz	Pyles	Yohn
Fischer, R. R.	Kernick	Ryan	Zearfoss
Fisher, D. M.	Klingaman	Salvatore	Zeller
Flaherty	Lehr	Scheaffer	Zord
Foster, A.	Levi		

NOT VOTING—8

George, M.	Knepper	Parker	Thomas
Hasay	McGinnis	Spencer	Weidner

The question was determined in the affirmative and the motion was agreed to, and (at 8:37 p.m., e.d.t.) the House adjourned.