

Legislative Journal

TUESDAY, NOVEMBER 1, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 95

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Gracious Father, as the full impact of Thy protective power and forgiving grace confront our lives, we turn, O God, to Thee with the awareness of Thy care and concern and the assurance that Thou dost call each of us to follow Thy guidance and direction. Grant, we beseech Thee, to Thy faithful people pardon and peace, so that we may be cleansed from all of those iniquities and wrongs against our fellowmen as well as against Thee. Help, we pray Thee, Thy loyal stalwarts of the faith to serve Thee with pure hearts and quiet minds, that the truth of Thy word and the extension of Thy power may be set forth in daily life and conversation. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, October 31, 1977, will be postponed until printed.

MASTER ROLL CALL RECORDED

The SPEAKER. The Speaker is about to take up the master roll call for today. Members will please report promptly to the floor of the House. The clerk will open the electronic roll call for the master roll call.

The following roll call was recorded:

YEAS—196

Abraham	Gallagher	Manderino	Salvatore
Anderson	Gallen	Manmiller	Scanlon
Armstrong	Gamble	McCall	Scheaffer
Arthurs	Garzia	McClatchy	Schmitt
Barber	Gatski	McGinnis	Schweder
Bellomini	Geesey	McIntyre	Scirica
Beloff	Geisler	McLane	Seltzer
Bennett	George, C.	Mebus	Shuman
Berlin	George, M.	Meluskey	Sirianni
Berson	Giammarco	Milanovich	Smith, E.
Bittinger	Gillette	Miller	Smith, L.
Bittle	Gleeson	Milliron	Spencer
Borski	Goebel	Miscevich	Spitz
Brandt	Goodman	Moehlmann	Stairs

Brown	Gray	Morris	Stapleton
Brunner	Greenfield	Mowery	Stewart
Burd	Greenleaf	Mrkonic	Stuban
Burns	Grieco	Mullen, M. P.	Sweet
Butera	Halverson	Mullen, M. M.	Taddonio
Caltagirone	Hamilton	Musto	Taylor, E.
Caputo	Harper	Novak	Taylor, F.
Cassidy	Hasay	Noye	Tenaglio
Cessar	Haskell	O'Brien, B.	Thomas
Cianciulli	Hayes, D. S.	O'Brien, D.	Trello
Cimini	Hayes, S. E.	O'Connell	Valicenti
Cohen	Helfrick	O'Donnell	Vroon
Cole	Hoeffel	O'Keefe	Wagner
Cowell	Honaman	Oliver	Wansacz
Davies	Hopkins	Pancoast	Wargo
DeMedio	Hutchinson, A.	Parker	Wass
DeVerter	Hutchinson, W.	Petrarca	Weidner
DeWeese	Itkin	Piccola	Wenger
DiCarlo	Johnson	Pievsky	White
Dietz	Jones	Pitts	Wiggins
Dininni	Katz	Polite	Williams
Dombrowski	Kelly	Pott	Wilson
Donatucci	Kernick	Pratt	Wilt
Dorr	Klingaman	Prendergast	Wise
Doyle	Knepper	Pyles	Wright, D.
Duffy	Kolter	Rappaport	Wright, J. L.
Dumas	Kowalyshyn	Ravenstahl	Yahner
Englehart	Laughlin	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Letterman	Rhodes	Zeller
Fisher, D. M.	Levi	Richardson	Zitterman
Flaherty	Lincoln	Rieger	Zord
Foster, A.	Livengood	Ritter	
Foster, W.	Logue	Ruggiero	Irvis,
Freind	Mackowski	Ryan	Speaker
Fryer	Madigan		

NAYS—0

NOT VOTING—4

Lynch Shelton Shupnik Zwinkl

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1828 By Mr. GREENLEAF

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing a special personal income tax provision for blind persons.

Referred to Committee on Finance.

No. 1829 By Messrs. GREENLEAF, MOWERY, E. H. SMITH, NOYE, MELUSKEY, LETTERMAN, COLE, BURD, M. P. MULLEN, DUFFY, MRKONIC, WILSON,

SPENCER, HOPKINS, D. M. FISHER,
SALVATORE, CALTAGIRONE, VROON
and MACKOWSKI

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), eliminating cross-filing by candidates for the office of school director.

Referred to Committee on State Government.

No. 1830 By Messrs. GREENLEAF, MOWERY, E. H. SMITH, NOYE, LETTERMAN, COLE, BURD, M. P. MULLEN, WILSON, SPENCER, HOPKINS, D. M. FISHER, O'DONNELL, SALVATORE, CALTAGIRONE and MACKOWSKI

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), specifically reaffirming the rights of freedom of speech of candidates for elected office.

Referred to Committee on State Government.

No. 1831 By Messrs. GREENLEAF, MOWERY, E. H. SMITH, NOYE, LETTERMAN, COLE, BURD, M. P. MULLEN, DUFFY, MRKONIC, WILSON, SPENCER, HOPKINS, D. M. FISHER, SALVATORE, CALTAGIRONE, VROON and MACKOWSKI

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), eliminating cross-filing by candidates for the offices of judge, justice of the peace and school directors.

Referred to Committee on State Government.

No. 1832 By Messrs. GATSKI, B. F. O'BRIEN, J. L. WRIGHT, BURNS, McCALL, GOODMAN, GEORGE, YAHNER, STAIRS, DAVIES and SWEET

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), clarifying certain provisions relating to the Department of Commerce.

Referred to Committee on Mines and Energy Management.

No. 1833 By Messrs. HOFFFEL, DOYLE, STAPLETON, O'KEEFE, TENAGLIO, GARZIA, GALLAGHER, BERLIN, MORRIS and Mrs. GEORGE

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further defining personal income valuation.

Referred to Committee on Education.

No. 1834 By Messrs. WHITE, OLIVER, RICHARDSON, CIANCIULLI, WIGGINS, Mrs. SCANLON, Mrs. KELLY, Messrs. GIAMMARCO and WILLIAMS

An Act providing for notice and the right to cure landlord's default to avoid the termination of utility service to tenants.

Referred to Committee on Consumer Affairs.

No. 1835 By Messrs. WHITE, RICHARDSON, BARBER, DUMAS, WIGGINS, JOHNSON, OLIVER, RHODES, WILLIAMS and Mrs. HARPER

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), prohibiting employment discrimination based on the presence of sickle cell trait.

Referred to Committee on State Government.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows was prepared for presentation to the Governor:

SENATE BILL No. 653

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled as amended "The Fourth to Eighth Class County Assessment Law" specifically empowering the appointed Board of Assessment Appeals to hear appeals from assessments of the chief county assessor.

Whereupon,

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

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. GREENFIELD. Mr. Speaker, I request a leave of absence for the gentleman, Mr. ZWIKL, for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request a leave of absence for the gentleman, Mr. LYNCH, for today's session.

The SPEAKER. Without objection, leaves are granted.

BILL REREPORTED FROM COMMITTEE

HB 1063, PN 2239 (Amended) By Mr. TAYLOR

An Act amending the "Gas Operations Well-Drilling Petroleum and Coal Mining Act," approved November 30, 1955 (P. L. 756, No. 225), changing definitions, adding definitions, providing for registration fees, permit fees, registration and notice to the department of engaging in certain operations; ***, and providing civil penalties, creating an Oil and Gas Fund and making an appropriation.

Rereported from Committee on Mines and Energy Management.

BILLS REPORTED FROM COMMITTEE AND TABLED

SB 377, PN 1430 (Amended) By Mr. LIVENGOOD

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law" excluding certain structures involved in manufacturing from taxation.

Local Government.

SB 481, PN 1431 (Amended) By Mr. LIVENGOOD

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled as amended "The Fourth to Eighth Class County Assessment Law" excluding certain structures used in manufacturing from taxation and making an editorial change.

Local Government.

CALENDAR

FINANCE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 222, printer's No. 242**, entitled:

An Act amending the "Senior Citizens Property Tax or Rent Rebate Act" approved March 11, 1971 (P. L. 104, No. 3), substituting a declaration for an affidavit of widow or widower status.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provisions of the Constitution, the roll call will now be taken.

YEAS—190

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

NAYS—0

NOT VOTING—10

Gleeson	O'Donnell	Shelton	Wargo
Lynch	Rhodes	Shupnik	Zwilk
Musto	Schmitt		

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

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

LABOR RELATIONS BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 547, printer's No. 2097**, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736, No. 338), providing for compromise settlements.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. VALICENTI moved that House bill No. 547 be recommitted to the Committee on Labor Relations.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—178

Abraham	Flaherty	Lincoln	Ryan
Anderson	Foster, W.	Livengood	Salvatore
Armstrong	Freind	Logue	Scanlon
Arthurs	Fryer	Mackowski	Schmitt
Barber	Gallagher	Manderino	Schweder
Bellomini	Gallen	Manmiller	Scirica
Beloff	Garzia	McCall	Seltzer
Bennett	Gatski	McClatchy	Shuman
Berlin	Geesey	McGinnis	Sirianni
Berson	Geisler	McIntyre	Smith, L.
Bittinger	George, C.	McLane	Spencer
Bittle	George, M.	Meluskey	Spitz
Borski	Giammarco	Milanovich	Stairs
Brandt	Gillette	Miller	Stapleton
Brown	Goebel	Milliron	Stewart
Brunner	Goodman	Miscevich	Stuban
Burd	Gray	Moehlmann	Sweet
Burns	Greenfield	Morris	Taddonio
Butera	Grieco	Mowery	Taylor, E.
Caltagirone	Halverson	Mrkonic	Taylor, F.
Caputo	Hamilton	Mullen, M. P.	Tenaglio
Cassidy	Harper	Mullen, M. M.	Thomas
Cessar	Hasay	Musto	Trello
Cianciulli	Haskell	Novak	Valicenti
Cimini	Hayes, D. S.	O'Brien, B.	Wagner
Cohen	Hayes, S. E.	O'Brien, D.	Wansacz
Cole	Helfrick	O'Connell	Wargo
Cowell	Hoefel	O'Keefe	Wass
Davies	Honaman	Oliver	Weidner
DeMedio	Hopkins	Pancoast	Wenger
DeVerter	Hutchinson, W.	Parker	White
DeWeese	Itkin	Petrarca	Wiggins
DiCarlo	Johnson	Piccola	Wilson
Dietz	Jones	Pievsky	Wilt

Dininni	Katz	Polite	Wise
Dombrowski	Kelly	Pratt	Wright, D.
Donatucci	Kernick	Prendergast	Wright, J. L.
Dorr	Klingaman	Pyles	Yahner
Doyle	Knepper	Rappaport	Yohn
Duffy	Kolter	Reed	Zearfoss
Dumas	Kowalshyn	Renwick	Zeller
Englehart	Laughlin	Richardson	Zitterman
Fee	Lehr	Rieger	
Fischer, R. R.	Letterman	Ritter	Irvis,
Fisher, D. M.	Levi	Ruggiero	Speaker

NAYS—9

Foster, A.	Mebus	Pitts	Scheaffer
Greenleaf	Noye	Pott	Zord
Madigan			

NOT VOTING—13

Gamble	O'Donnell	Shelton	Vroon
Gleeson	Ravenstahl	Shupnik	Williams
Hutchinson, A.	Rhodes	Smith, E.	Zwikl
Lynch			

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

The SPEAKER. The bill is so recommitted.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1462, printer's No. 1741**, entitled:

An Act making it unlawful to engage in a discriminatory employment practice against a person who has been cured of cancer.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—190

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

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

NAYS—0

NOT VOTING—10

Gleeson	O'Donnell	Shupnik	Williams
Hutchinson, A.	Rhodes	Sweet	Zwikl
Lynch	Shelton		

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

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

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 804, printer's No. 1964**, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323, No. 130), providing for the investment of certain funds.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—183

Abraham	Freind	Madigan	Ryan
Anderson	Fryer	Manderino	Salvatore
Armstrong	Gallagher	Manmiller	Scanlon
Arthurs	Gallen	McCall	Scheaffer
Barber	Gamble	McClatchy	Schmitt
Bellomini	Garzia	McGinnis	Schweder
Beloff	Gatski	McIntyre	Scirica
Bennett	Geesey	McLane	Seltzer
Berlin	Geisler	Mebus	Shuman

Berson	George, C.	Meluskey	Sirianni
Bittinger	George, M.	Milanovich	Smith, E.
Bittle	Giammarco	Miller	Spitz
Borski	Gillette	Milliron	Stairs
Brandt	Goebel	Miscevich	Stapleton
Brown	Goodman	Moehlmann	Stewart
Brunner	Gray	Morris	Stuban
Burd	Greenfield	Mowery	Sweet
Burns	Greenleaf	Mrkonic	Taddonio
Butera	Halverson	Mullen, M. P.	Taylor, E.
Caltagirone	Hamilton	Mullen, M. M.	Taylor, F.
Caputo	Harper	Musto	Tenaglio
Cassidy	Hasay	Novak	Thomas
Cessar	Haskell	Noye	Trello
Cianciulli	Hayes, D. S.	O'Brien, B.	Valicenti
Cimini	Hayes, S. E.	O'Brien, D.	Vroon
Cohen	Helfrick	O'Connell	Wagner
Cole	Hoeffel	O'Keefe	Wansacz
Cowell	Honaman	Oliver	Wargo
Davies	Hopkins	Pancoast	Weidner
DeMedio	Hutchinson, A.	Parker	Wenger
DeVerter	Hutchinson, W.	Petrarca	White
DeWeese	Itkin	Pievsky	Wiggins
DiCarlo	Johnson	Pitts	Wilson
Dininni	Jones	Polite	Wilt
Dombrowski	Katz	Pott	Wise
Donatucci	Kelly	Pratt	Wright, D.
Dorr	Klingaman	Prendergast	Wright, J. L.
Doyle	Kolter	Pyles	Yahner
Duffy	Kowalyshyn	Rappaport	Yohn
Dumas	Laughlin	Ravenstahl	Zearfoss
Englehart	Lehr	Reed	Zeller
Fee	Letterman	Renwick	Zitterman
Fischer, R. R.	Levi	Richardson	Zord
Fisher, D. M.	Lincoln	Rieger	
Flaherty	Livengood	Ritter	Irvis,
Foster, A.	Logue	Ruggiero	Speaker
Foster, W.			

NAYS—6

Dietz	Piccola	Spencer	Wass
Knepper	Smith, L.		

NOT VOTING—11

Gleeson	Lynch	Rhodes	Williams
Grieco	Mackowski	Shelton	Zwicl
Kernick	O'Donnell	Shupnik	

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1624, printer's No. 1953**, entitled:

An Act amending the act of May 29, 1935 (P. L. 244, No. 102), referred to as the Local Government Commission Law further providing for the distribution of local codes by the commission.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—190

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

NAYS—0

NOT VOTING—10

Gleeson	Ravenstahl	Shupnik	Williams
Lynch	Rhodes	Stuban	Zwicl
O'Donnell	Shelton		

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

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

GAME AND FISHERIES BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1508, printer's No. 1809**, entitled:

An Act amending the "Motor Boat Law" approved May 28, 1931 (P. L. 202, No. 121), further providing for penalties and amending the short title.

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

Amend Sec. 1 (Sec. 15), page 2, line 9, by striking out "sal-
aried officer of the commission" and inserting waterways
patrolman

Amend Sec. 1 (Sec. 15), page 2, line 10, by inserting after
"date." Before any person shall sign an acknowledgment
pursuant to this subsection, the waterways patrolman shall
orally advise the person of his right to a hearing and summary
proceeding pursuant to subsection (a).

Amend Sec. 1 (Sec. 15), page 2, line 13, by inserting after
"committed." The printed receipt shall have prominently
printed thereon in large type a statement that the person
charged has a right to a hearing and summary proceeding pur-
suant to subsection (a) and that if he elects to sign the ac-
knowledgment, he is forfeiting such rights. There shall be a
space immediately following such statement which the person
charged shall initial to indicate he has read the statement. Any
acknowledgment which is not so initialed by the person
charged shall be void and any subsequent prosecution for the
offense or offenses charged therein shall be barred.

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

The SPEAKER. The Chair recognizes the gentleman from
Luzerne, Mr. O'Connell.

Mr. O'CONNELL. I understand, Mr. Speaker, that the
amendment is uncontested.

The SPEAKER. Under the rules of the House, a brief ex-
planation is required. Will the gentleman give that brief ex-
planation?

Mr. O'CONNELL. Okay. Thank you.

What this amendment intends to do is specifically set forth
that only a waterways patrolman can issue a summons or
accept a field fine.

It also indicates that it has to be acknowledged by carrying
on the front of the citation the options that are available to
anyone who might be approached or arrested, indicating his
rights of appeal and the fact that he can be heard before a
magistrate.

It further provides that he shall initial this as a consent in-
dicating that the officer has made this known to him and waves
the proceedings.

The SPEAKER. The Chair recognizes the gentleman from
Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, we agree to this amendment.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—8

Gleeson	O'Donnell	Shelton	Williams
Lynch	Rhodes	Shupnik	Zwikl

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

On the question,
Will the House agree to the bill as amended on third con-
sideration?

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—188

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

NAYS—1

Hutchinson, A.

NOT VOTING—11

Giammarco	Lynch	Scanlon	Williams
Gleeson	O'Donnell	Shelton	Zwinkl
Lincoln	Rhodes	Shupnik	

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1765, printer's No. 2144**, entitled:

An Act amending the "Motor Boat Law" approved May 28, 1931 (P. L. 202, No. 121), transferring certain powers and duties of the Department of Revenue to the Pennsylvania Fish

Commission.

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

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

The question is, Shall the bill pass finally?

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

Mrs. KERNICK. Thank you, Mr. Speaker.

Will this bill cause a loss of revenue to the general fund?

The SPEAKER. The lady's request is for an interrogation of the sponsor of the bill or the chairman of the Appropriations Committee.

The Chair does not see the chairman of the Appropriations Committee on the floor. Does the majority leader desire to answer?

The majority leader will stand for interrogation.

The lady may place her interrogation. She is in order.

Mrs. KERNICK. Thank you, Mr. Speaker.

Will this bill cause a loss of revenue to the general fund?

Mr. MANDERINO. No, Mr. Speaker. It is my understanding that the Fish Commission presently pays all of the employees in the Department of Revenue from the fees collected for the work that is being done.

This is simply transferring the people physically to the Fish Commission. They are already paying the bill for their salaries and expenses.

Mrs. KERNICK. Thank you.

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

Mr. NOYE. Mr. Speaker, in reply to Mrs. Kernick's question, it is just to the contrary. This will result in a savings of some money because the location of these people will result in a lesser amount of state funds being used to house them.

The cost to house them where they are moving is cheaper than where they are now. They are vacating the building they are in now.

On the question recurring,

Shall the bill pass finally?

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

YEAS—191

Abraham	Fryer	Madigan	Salvatore
Anderson	Gallagher	Manderino	Scanlon
Armstrong	Gallen	Manmiller	Scheaffer
Arthurs	Gamble	McCall	Schmitt
Barber	Garzia	McClatchy	Schweder
Bellomini	Gatski	McGinnis	Scirica
Beloff	Geesey	McIntyre	Seltzer
Bennett	Geisler	McLane	Shuman
Berlin	George, C.	Mebus	Sirianni
Berson	George, M.	Meluskey	Smith, E.
Bittinger	Giammarco	Milanovich	Smith, L.
Bittle	Gillette	Miller	Spencer
Borski	Goebel	Milliron	Spitz

Brandt	Goodman	Miscevich	Stairs
Brown	Gray	Moehlmann	Stapleton
Brunner	Greenfield	Morris	Stewart
Burd	Greenleaf	Mowery	Stuban
Burns	Halverson	Mrkonic	Sweet
Butera	Hamilton	Mullen, M. P.	Taddonio
Caltagirone	Harper	Mullen, M. M.	Taylor, E.
Caputo	Hasay	Musto	Taylor, F.
Cassidy	Haskell	Novak	Tenaglio
Cessar	Hayes, D. S.	Noye	Thomas
Cianciulli	Hayes, S. E.	O'Brien, B.	Trello
Cimini	Helfrick	O'Brien, D.	Valicenti
Cohen	Hoeffel	O'Connell	Vroon
Cole	Honaman	O'Keefe	Wagner
Cowell	Hopkins	Oliver	Wansacz
Davies	Hutchinson, A.	Pancoast	Wargo
DeMedio	Hutchinson, W.	Parker	Wass
DeVerter	Itkin	Petrarca	Weidner
DeWeese	Johnson	Piccola	Wenger
DiCarlo	Jones	Pievsky	White
Dietz	Katz	Pitts	Wiggins
Dininni	Kelly	Polite	Wilson
Dombrowski	Kernick	Pott	Wilt
Donatucci	Klingaman	Pratt	Wise
Dorr	Knepper	Prendergast	Wright, D.
Doyle	Kolter	Pyles	Wright, J. L.
Duffy	Kowalyszyn	Rappaport	Yahner
Dumas	Laughlin	Ravenstahl	Yohn
Englehart	Lehr	Reed	Zearfoss
Fee	Letterman	Renwick	Zeller
Fischer, R. R.	Levi	Richardson	Zitterman
Fisher, D. M.	Lincoln	Rieger	Zord
Flaherty	Livengood	Ritter	
Foster, A.	Logue	Ruggiero	Irvis,
Foster, W.	Mackowski	Ryan	Speaker
Freind			

NAYS—0

NOT VOTING—9

Gleeson	O'Donnell	Shelton	Williams
Grieco	Rhodes	Shupnik	Zwikl
Lynch			

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

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

TRANSPORTATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1653, printer's No. 1990**, entitled:

An Act naming a highway in Dauphin County the William B. Lentz Highway.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—191

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

NAYS—1

Burd

NOT VOTING—8

Gleeson	O'Donnell	Shelton	Williams
Lynch	Rhodes	Shupnik	Zwikl

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

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

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 840, printer's No. 900**, entitled:

An Act authorizing the Commonwealth of Pennsylvania acting through the Department of Environmental Resources to grant a permanent right-of-way through the Jacobsburg State

Park located in Northampton County Pennsylvania to the Bushkill-Lower Lehigh Joint Sewer Authority for sanitary sewer lines.

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

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

The question is, Shall the bill pass finally?

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

YEAS—190

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

NAYS—0

NOT VOTING—10

Bellomini	O'Donnell	Shupnik	Williams
Gleeson	Rhodes	Sirianni	Zwinkl
Lynch	Shelton		

The majority required by the Constitution having voted in

the affirmative, the question was determined in the affirmative.

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

HEALTH AND WELFARE BILL ON
THIRD CONSIDERATION

Agreeable to order.

The House proceeded to third consideration of **House bill No. 1294, printer's No. 1520**, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177, No. 175), further providing a choice of immunization for polio.

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

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

The question is, Shall the bill pass finally?

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

Mr. ITKIN. Mr. Speaker, would the sponsor of the bill, Mr. DeMedio, consent to interrogation?

Mr. DeMEDIO. Yes, I will, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, could you explain to the House the necessity for this piece of legislation?

Mr. DeMEDIO. Yes, Mr. Speaker.

Some time ago, in the Pittsburgh Press, Mr. Troan, the editor, wrote an article entitled "Reducing The Risk To Its Lowest Point."

The article went on to say that since 1961 in the United States, 148 cases of paralytic polio have been traced to oral vaccine. He intimated in the article or stated very strongly that in order to reduce the risk to its lowest point that parents should be given the right, the option, of using Salk vaccine.

He says that by order of the State Advisory Health Board, children must take an oral vaccine. He went on to say:

This is a shocking usurpation of individual rights.

As U.S. Sen. Edward Kennedy of Massachusetts has put it: The people themselves should be allowed to choose which vaccine they want.

And if state health officials refuse to restore that right to the people of Pennsylvania, the State Legislature should do so.

I am merely presenting to the people of Pennsylvania a choice of vaccines, the choice of one that medical authorities have stated is the better of the two, the Salk vaccine.

If somebody wishes to continue or give their child an oral vaccine, under my bill they would still have that right.

Mr. ITKIN. Mr. Speaker, could you tell the House what the position of the state health officials are on the bill?

Mr. DeMEDIO. The Secretary of Health said that it is true

that the shortcomings of the Sabin vaccine are recognized. Many of these questions, he goes on to say, about the Salk vaccine are also inconclusive.

I think it is important to note that the Secretary of Health, himself, readily recognizes the shortcomings of the Sabin oral vaccine and so states in a letter directed to me on May 13, 1977.

It is also important for this assembly to know that other states have legislation of this type, and that in Europe the predominate vaccine presently used is the Salk vaccine. Incidentally, a former member of the University of Pittsburgh and a southwestern Pennsylvanian was the discoverer of Salk vaccine.

Thank you, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I do not know the answers to why we must resort to this type of legislation at this time. It would seem to me that when we are dealing with considerations of medical practices that this Legislature has set up experts to make those decisions. I begin to question whether it is somewhat unwise for this legislature, being a layman's body as it is, to go ahead and to read a newspaper article and then decide that the editor of a Pennsylvania newspaper knows more than the medical authorities in the state do and go ahead into this legislation superseding what medical authorities in the state feel are valid practices.

Now, it could be very true that what Mr. DeMedio states is in fact correct, that the Sabin vaccine does have severe shortcomings and that the Salk vaccine is a superior one, but I hesitate for this body to get involved into this type of debate. This is a type of issue that competent medical authorities ought to decide and not to have laymen like us make those decisions for the medical authorities.

I would certainly support, Mr. DeMedio, a resolution to require an inquiry or to seek certain answers from those medical authorities who claim to represent us in the Commonwealth to see why there have not been any changes made if, in fact, your allegations are correct. But I do think at this time we are going through a trend now where we are disavowing or ignoring what competent medical authorities tell us to do, and, acting on our own initiative, I think it is foolhardy for the legislature to act in such a manner, particularly when we are dealing with such a specialized issue of which we have. And I can speak for myself, Mr. Speaker, that I am incompetent to make that decision on the basis of the information I have, so I would like to postpone consideration of the bill at this time until we can get more information from competent medical authorities, and I would hope that you would hold the bill up until we can get that information.

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

Mr. DeMEDIO. Mr. Speaker, it must be obvious to everyone here that this legislation has not been introduced lightly nor has it been without considerable work. I just mentioned to you a letter that is dated May 13, 1977.

The editor of the Pittsburgh Press, Mr. Troan, merely pre-

sented the problem. Medical authorities back his findings. The Secretary of Health says that one of his reasons for not backing Salk is the unavailability, but most certainly the unavailability of Salk is, in part, determined by the very fact that it is not permitted to be used in our state. It is available where the use is permitted, and I am saying to you that giving the parents this option, most certainly they are going to consult with their doctor as to what is best in their case, and there is no way that the residents of Pennsylvania can be hurt or harmed by allowing them this choice. In fact, they will benefit from it. I say that there is not need for further delay. I have made, with my staff, a very thorough investigation of the question.

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

Mr. ITKIN. Mr. Speaker, I doubt whether the staff of the Military and Veterans Affairs Committee has much competence in the field of medicine.

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

Mr. DeMEDIO. They read the English language. They are able to communicate with people and they have obtained the answers from medically reliable sources.

The SPEAKER. The gentleman, Mr. Itkin, may continue his second attempt.

Mr. ITKIN. Mr. Speaker, I do not want to debate this issue any further at this time because I do not feel I am competent to debate it. I do not have sufficient information. I would appeal to the wisdom of the House to delay final passage of the measure until next week or the next time we return, the week we return. I will make that in the form of a motion, Mr. Speaker.

MOTION TO PASS OVER HB 1294

The SPEAKER. The Chair recognizes the gentleman Mr. Itkin, to propose a motion. What motion does the gentleman make on the floor of the House?

Mr. ITKIN. Mr. Speaker, I would like to make a motion to pass over the bill until the week of November 14.

The SPEAKER. The motion on the part of the gentleman from Allegheny County is, the House shall postpone consideration of HB 1294, PN 1520, until the next legislative session week.

Mr. ITKIN. That is correct, Mr. Speaker. In fact, I will move to do that.

The SPEAKER. The question is on the motion.

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

Mr. BURNS. Mr. Speaker, I support Mr. Itkin's motion and I would like to tell you in just a few words why.

I do not feel that I, either, am qualified to be a medical expert, but I am very concerned about the fact that if the Sabin vaccine is allowed to be chosen with the Salk vaccine and the parent can take either one, that the Salk vaccine, if the parent chooses to have the child take the Salk vaccine, then the youngster must receive a series of shots. Whereas if they take the Sabin vaccine, it is a one-time—not shot. They take it in the type of a sugar cube, but it is a one-time—thing that gives them

permanent immunity.

And the problem is, as I see it, if we allow parents to choose, I am convinced there will be a number of parents in this Commonwealth who will not follow up with shot number two or shot number three and we are going to have an awful lot of youngsters in this Commonwealth who are unprotected because we are rushing out to give them freedom of choice.

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

Mr. DeMEDIO. Mr. Speaker, I have no objection to the delay. I want to make certain that every member here is sure of his position before he votes, and if there are a number of them who want to look further into the matter, I have no objection.

HB 1294 PASSED OVER

The SPEAKER. Without objection, the Chair recants its statement that the bill has been agreed to on third consideration and that the bill is up for final consideration and HB 1294, PN 1520, will go over for today.

MINES AND ENERGY MANAGEMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1691, printer's No. 2098**, entitled:

An Act amending the "Pennsylvania Bituminous Coal Mine Act" approved July 17, 1961 (P. L. 659, No. 339), changing eligibility requirements for mine inspectors and electrical inspectors; allowing the employment of women; and prohibiting the employment of any person under eighteen years of age.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—190

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

Caputo	Hamilton	Mullen, M. M.	Taylor, F.
Cassidy	Harper	Musto	Tenaglio
Cessar	Hasay	Novak	Thomas
Cimini	Haskell	Noye	Trelio
Cohen	Hayes, D. S.	O'Brien, B.	Valicenti
Cole	Hayes, S. E.	O'Brien, D.	Vron
Cowell	Helfrick	O'Connell	Wagner
Davies	Hoefel	O'Keefe	Wansacz
DeMedio	Honaman	Oliver	Wargo
DeVerter	Hopkins	Pancoast	Wass
DeWeese	Hutchinson, A.	Parker	Weidner
DiCarlo	Hutchinson, W.	Petrarca	Wenger
Dietz	Itkin	Piccola	White
Dininni	Johnson	Pievsky	Wiggins
Dombrowski	Jones	Pitts	Wilson
Donatucci	Katz	Polite	Wilt
Dorr	Kelly	Pott	Wise
Doyle	Kernick	Pratt	Wright, D.
Duffy	Klingaman	Prendergast	Wright, J. L.
Dumas	Knepper	Pyles	Yahner
Englehart	Kolter	Ravenstahl	Yohn
Fee	Kowalshyn	Reed	Zearfoss
Fischer, R. R.	Laughlin	Renwick	Zeller
Fisher, D. M.	Lehr	Richardson	Zitterman
Flaherty	Letterman	Rieger	Zord
Foster, A.	Levi	Ritter	
Foster, W.	Lincoln	Ruggiero	Irvis,
Freind	Livengood	Ryan	Speaker

NAYS—0

NOT VOTING—10

Cianciulli	O'Donnell	Shelton	Williams
Lynch	Rappaport	Shupnik	Zwinkl
McIntyre	Rhodes		

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1731, printer's No. 2102**, entitled:

An Act amending the act of March 31, 1937 (P. L. 160, No. 43), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; ****" providing for hearings and appeals not involving rate determination matters.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—190

Abraham	Freind	Livengood	Salvatore
Anderson	Fryer	Logue	Scanlon
Armstrong	Gallagher	Mackowski	Scheaffer
Arthurs	Gallen	Madigan	Schmitt
Barber	Gamble	Manderino	Schweder
Bellomini	Garzia	Manmiller	Scirica
Beloff	Gatski	McCall	Seltzer
Bennett	Geesey	McClatchy	Shuman

Berlin	Geisler	McGinnis	Sirianni
Berson	George, C.	McIntyre	Smith, E.
Bittinger	George, M.	McLane	Smith, L.
Bittle	Giammarco	Meluskey	Spencer
Borski	Gillette	Milanovich	Spitz
Brandt	Gleeson	Miller	Stairs
Brown	Goebel	Milliron	Stapleton
Brunner	Goodman	Miscevich	Stewart
Burd	Gray	Moehlmann	Stuban
Burns	Greenfield	Morris	Sweet
Butera	Greenleaf	Mowery	Taddonio
Caltagirone	Grieco	Mrkonic	Taylor, E.
Caputo	Halverson	Mullen, M. P.	Taylor, F.
Cassidy	Hamilton	Mullen, M. M.	Tenaglio
Cessar	Harper	Musto	Thomas
Cianciulli	Hasay	Novak	Trello
Cimini	Haskell	Noye	Valicenti
Cohen	Hayes, D. S.	O'Brien, B.	Vroon
Cole	Hayes, S. E.	O'Brien, D.	Wagner
Cowell	Helfrick	O'Connell	Wansacz
Davies	Hoeffel	O'Keefe	Wargo
DeMedio	Honaman	Oliver	Wass
DeVerter	Hopkins	Pancoast	Weidner
DeWeese	Hutchinson, A.	Parker	Wenger
DiCarlo	Hutchinson, W.	Petrarca	White
Dietz	Itkin	Pievsky	Wiggins
Dininni	Johnson	Pitts	Wilson
Dombrowski	Jones	Polite	Wilt
Donatucci	Katz	Pott	Wise
Dorr	Kelly	Pratt	Wright, D.
Doyle	Kernick	Prendergast	Wright, J. L.
Duffy	Klingaman	Pyles	Yahner
Dumas	Knepper	Ravenstahl	Yohn
Englehart	Kolter	Reed	Zearfoss
Fee	Kowalyshyn	Renwick	Zitterman
Fischer, R. R.	Laughlin	Richardson	Zord
Fisher, D. M.	Lehr	Rieger	
Flaherty	Letterman	Ritter	
Foster, A.	Levi	Ruggiero	Irvis,
Foster, W.	Lincoln	Ryan	Speaker

NAYS—2

Mebus	Piccola
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NOT VOTING—8

Lynch	Rappaport	Shelton	Williams
O'Donnell	Rhodes	Shupnik	Zwinkl

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

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

REMARKS ON VOTE

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

Mr. MEBUS. Mr. Speaker, I made a couple of errors a few minutes ago. I was concentrating on one bill which was not called up which I wanted to vote against and voted against two that I intended to vote in favor of. So I would like to go back and have the record indicate that I meant to vote in favor of HB 1731, PN 2102.

The SPEAKER. The gentleman's remarks will be so recorded.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 694, printer's No. 774**, entitled:

An Act designating a certain bridge known as the East Rochester-Monaca Toll Bridge in Beaver County as the "Michael Baker Jr. Memorial Bridge."

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—139

Abraham	Flaherty	Livengood	Ritter
Anderson	Foster, A.	Logue	Ruggiero
Arthurs	Foster, W.	Madigan	Salvatore
Barber	Freind	Manderino	Scanlon
Bellomini	Fryer	McCall	Scheaffer
Beloff	Gallagher	McClatchy	Schmitt
Bennett	Gamble	McIntyre	Schweder
Berlin	Garzia	McLane	Shuman
Berson	Gatski	Meluskey	Smith, L.
Bittinger	Geisler	Milanovich	Spitz
Bittle	George, C.	Miller	Stewart
Borski	George, M.	Milliron	Stuban
Brown	Giammarco	Miscevich	Sweet
Brunner	Gleeson	Morris	Taylor, F.
Burns	Goebel	Mowery	Tenaglio
Caltagirone	Gray	Mullen, M. P.	Trello
Caputo	Greenfield	Mullen, M. M.	Valicenti
Cassidy	Greenleaf	Musto	Wagner
Cessar	Hamilton	Novak	Wansacz
Cianciulli	Harper	O'Brien, B.	Wargo
Cimini	Hasay	O'Brien, D.	Weidner
Cohen	Hayes, D. S.	O'Connell	White
Cole	Helfrick	Oliver	Wiggins
Cowell	Hutchinson, A.	Parker	Wilson
DeMedio	Itkin	Petrarca	Wilt
DeWeese	Johnson	Pievsky	Wise
DiCarlo	Jones	Pott	Wright, D.
Dombrowski	Katz	Pratt	Wright, J. L.
Donatucci	Kelly	Prendergast	Yahner
Dorr	Knepper	Pyles	Yohn
Doyle	Kolter	Ravenstahl	Zearfoss
Duffy	Kowalyshyn	Reed	Zitterman
Dumas	Laughlin	Renwick	
Englehart	Lehr	Richardson	Irvis,
Fee	Lincoln	Rieger	Speaker
Fisher, D. M.			

NAYS—51

Armstrong	Grieco	McGinnis	Smith, E.
Brandt	Haskell	Mebus	Spencer
Burd	Hayes, S. E.	Moehlmann	Stairs
Butera	Hoeffel	Mrkonic	Stapleton
Davies	Honaman	Noye	Taddonio
DeVerter	Hopkins	O'Keefe	Taylor, E.
Dietz	Hutchinson, W.	Pancoast	Thomas
Dininni	Kernick	Piccola	Vroon
Fischer, R. R.	Klingaman	Pitts	Wass
Gallen	Letterman	Polite	Wenger
Geesey	Levi	Ryan	Zeller
Gillette	Mackowski	Scirica	Zord
Goodman	Manmiller	Sirianni	

NOT VOTING—10

Halverson	Rappaport	Shelton	Williams
Lynch	Rhodes	Shupnik	Zwinkl
O'Donnell	Seltzer		

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

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

REMARKS ON VOTE

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

Mr. MEBUS. Mr. Speaker, I made a couple of errors a few minutes ago. I was concentrating on one bill which was not called up which I wanted to vote against and, in error, I voted against two that I intended to vote in favor of. So I would like to go back and have the record indicate that I meant to vote in favor of HB 694, PN 774.

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

Mr. FREIND. Mr. Speaker, on HB 694, PN 774, I voted in error. I would like to be recorded in the negative.

The SPEAKER. The gentleman's remarks will be so recorded.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned HOUSE BILL NO. 767, 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 Section 1, page 3, line 20, by striking out after "a" the words "six-year" and inserting in lieu thereof "three year"

On the question,

Will the House concur in the Senate amendments?

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

Mr. RAVENSTAHL. Mr. Speaker, I would like to move that the members of the House concur on this bill.

The SPEAKER. It is moved by the gentleman from Allegheny County, Mr. Ravenstahl, that the House concur in the amendments inserted by the Senate. The question is on the motion. The question is, will the House concur in the amendments inserted by the Senate to HB 767, PN 2174? Those in favor of concurring will vote "aye"; those opposed "no." The Chair recants and will place the question at a later time.

The Chair recognizes the gentleman from Berks, Mr. Fryer, on the motion to concur.

Mr. FRYER. Mr. Speaker, I urge that the members of the House vote "no" and that they vote to nonconcur. The reasons for my stating this is that I have no objection to the county of Allegheny being exempt from the tax-sale law. However, I do

object greatly to the amendment that is placed in the bill which would exempt counties of the fourth class and this basically covers eight counties.

We had, with the tax law, an extremely successful vehicle in collecting delinquent taxes. It has been highly successful to permit to pass this bill as it is; to concur would mean that we would have possibly eight different approaches. The bill would not be uniform, and we do presently have a fair system, one which we do not know what would happen under the eight.

I would further state that the amendment itself that was placed is deficient.

I would ask the members of the House to turn to HB 767, on page 3, and, Mr. Speaker, could I interrogate the gentleman from Beaver, Mr. Laughlin?

The SPEAKER. Will the gentleman from Beaver, Mr. Laughlin, stand for interrogation? The gentleman, Mr. Fryer, has asked to interrogate the gentleman, Mr. Laughlin. Will the gentleman, Mr. Laughlin, stand?

Mr. LAUGHLIN. Certainly, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Laughlin, indicates he will stand for interrogation. The gentleman, Mr. Fryer, is in order and may proceed.

Mr. FRYER. Does the gentleman have a copy of HB 767?

Mr. LAUGHLIN. Yes, Mr. Speaker.

Mr. FRYER. I would ask the member then to turn to page 3, line 16 — "Provided, further, That any county of the fourth class may, by resolution adopted by its commissioners, be exempt from collecting its delinquent taxes . . ." I would in particular point out the use of the word "its."

My question to the gentleman is, what does he understand this referral to be?

POINT OF ORDER

The SPEAKER. The Chair recognizes the majority leader. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. MANDERINO. Mr. Speaker, it is my belief that the gentleman, Mr. Fryer, is not discussing the Senate amendment to the bill but is discussing an amendment that was placed in this bill by the House of Representatives, and I think the only discussion in order is the Senate amendment.

The SPEAKER. The House will be at ease until the Chair checks the actual language of the amendment.

For the information of the gentleman, Mr. Fryer, the gentleman, Mr. Manderino, is correct. And for the information of the House, the language being discussed by the gentleman, Mr. Fryer, is language which was inserted in the bill as an amendment by the House and sent to the Senate. The only question before the House now is whether the House will agree with the amendment inserted by the Senate, and the only thing about that, the only language the Chair sees which the Senate inserted the language which says, on line 20, page 3, "THREE YEAR" in place of "six-year." The House said it would be available for a 6-year period. The Senate struck the language "six-year" and inserted "THREE YEAR." If that be so, then the only language which is open for debate to the gentleman, Mr. Fryer, are the

two words inserted, "THREE YEAR," and Mr. Manderino's point of order is, of course, well taken.

Does the gentleman, Mr. Fryer, wish to continue?

Mr. FRYER. Thank you, Mr. Speaker.

In regard to the Senate amendment, which changed the 6-year period to a 3-year period, to amendment which was erroneous, I merely wanted to point that fact out to the members of the House. I would suggest that it seems to me it would be in order at any time in this House to attempt to correct an error.

I do thank the majority leader for his keen interest.

The SPEAKER. The gentleman may proceed.

Mr. MANDERINO. Mr. Speaker, I just do not want to debate a bill in the House three times. We debated it; we passed it; we debated the amendment; we passed it. We ought to confine ourselves, under the rules, to the Senate amendment.

Mr. FRYER. Mr. Speaker, I must commend the majority leader on his alertness. It will stand him in full stead in the days ahead.

In conclusion, Mr. Speaker, we have before us for concurrence a bill on which I would ask the members of the House to vote "no." The reasons are many. For those of you who followed the debate last week, I merely wish to refresh your memory and I would suggest that we keep intact a system that is working extremely well; that we do not change it and that we vote "no" on concurrence.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, very briefly, the members of the House received a letter earlier this week indicating that the School Boards Association of the State of Pennsylvania stood to lose a considerable amount of money from this bill. Today I had delivered to each and every member's desk a letter from that association stating they are not in opposition to the bill.

At the present time, Mr. Speaker, many people in Beaver County—

The SPEAKER. Will the gentleman yield?

The gentleman is straying into the same fertile fields as the gentleman, Mr.—

Mr. LAUGHLIN. Yes, Mr. Speaker, I am aware of that and I thought you would grant me just the same little latitude.

The SPEAKER. All right. I would have figured the Speaker would suggest that the gentleman desist.

Mr. LAUGHLIN. Thank you, Mr. Speaker.

I would ask the members of the House to concur in the Senate amendment. The only change is the reduction from 6 years to 3 years, and I request your concurrence on behalf of my constituency and the people in the fourth class counties.

Thank you.

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—70

Abraham Flaherty Lincoln Scanlon

Barber	Gallagher	Logue	Schmitt
Beloff	Gamble	Manderino	Schweder
Bennett	Garzia	McIntyre	Taylor, F.
Berson	Geisler	McLane	Tenaglio
Borski	Giammarco	Milanovich	Trello
Brown	Gillette	Mullen, M. P.	Valicenti
Caputo	Gleeson	Mullen, M. M.	Wansacz
Cassidy	Gray	Musto	Wargo
Cessar	Greenfield	Novak	White
Cianciulli	Harper	O'Brien, B.	Wiggins
Cohen	Hutchinson, A.	Oliver	Wise
Cowell	Itkin	Petrarca	Wright, D.
DiCarlo	Johnson	Pratt	Zitterman
Dombrowski	Jones	Rappaport	Zord
Donatucci	Kelly	Ravenstahl	
Dumas	Kolter	Reed	Irvis,
Fee	Laughlin	Rieger	Speaker

NAYS—120

Anderson	Fryer	Mackowski	Salvatore
Armstrong	Gallen	Madigan	Scheaffer
Arthurs	Gatski	Manmiller	Scirica
Bellomini	Geesey	McCall	Seltzer
Berlin	George, C.	McClatchy	Shuman
Bittinger	George, M.	McGinnis	Sirianni
Bittle	Goebel	Mebus	Smith, E.
Brandt	Goodman	Meluskey	Smith, L.
Brunner	Greenleaf	Miller	Spencer
Burd	Grieco	Milliron	Spitz
Burns	Halverson	Mochimann	Stairs
Butera	Hamilton	Morris	Stapleton
Caltagirone	Hasay	Mowery	Stewart
Cimini	Haskell	Mrkonic	Stuban
Cole	Hayes, D. S.	Noye	Sweet
Davies	Hayes, S. E.	O'Brien, D.	Taddonio
DeMedio	Helfrick	O'Connell	Taylor, E.
DeVerter	Hoeffel	O'Keefe	Thomas
DeWeese	Honaman	Pancoast	Vroon
Dietz	Hopkins	Parker	Wagner
Dininni	Hutchinson, W.	Piccola	Wass
Dorr	Katz	Pitts	Weidner
Doyle	Kernick	Polite	Wenger
Duffy	Klingaman	Pott	Wilson
Englehart	Knepper	Prendergast	Wilt
Fischer, R. R.	Kowalshyn	Pyles	Wright, J. L.
Fisher, D. M.	Lehr	Renwick	Yahner
Foster, A.	Letterman	Ritter	Yohn
Foster, W.	Levi	Ruggiero	Zearfoss
Freind	Livengood	Ryan	Zeller

NOT VOTING—10

Lynch	Pievsky	Shelton	Williams
Miscevich	Rhodes	Shupnik	Zwikl
O'Donnell	Richardson		

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.

RECESS

The SPEAKER. There are several other bills to be attended to in today's session, but because of the time, the Chair is now going to declare that this House is in recess for a period of 1 hour. The Chair urges the members to report promptly at 1 o'clock. The House stands in recess for a period of 1 hour.

AFTER RECESS

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

CALENDAR**HEALTH AND WELFARE BILL ON
THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 168, printer's No. 1390**, entitled:

An Act prohibiting smoking in patients' rooms in hospitals and places having historic or esthetic value and providing a penalty.

On the question,

Will the House agree to the bill on third consideration?

Mr. GARZIA offered the following amendments:

Amend Title, page 1, line 1, by striking out "and" and inserting a comma

Amend Title, page 1, line 2, by inserting after "AND" certain eating establishments and

Amend Title, page 1, line 2, by striking out "a penalty." and inserting penalties.

Amend Bill, page 2, by inserting between lines 15 and 16

Section 2. (a) As used in this section, the term "eating establishment" shall mean a premise where food is regularly and customarily prepared and sold to the public in one or more rooms, other than living quarters, and equipped with tables and chairs accommodating 50 persons at one time, including but not limited to inns, taverns, roadhouses, hotels, motels, resort facilities, diners, restaurants, saloons, barrooms, ice cream parlors, confectioneries, soda fountains and all stores where ice cream and food preparations are sold.

(b) Every eating establishment shall establish and maintain separate facilities for patrons who smoke and for patrons who are non-smokers. The separate facilities shall be adequately marked and shall be similar in all respects except that the facility for smokers shall be equipped with a ventilation system which is capable of removing all smoke from the air to prevent the inhalation of tobacco smoke by a non-smoking patron.

(c) The posting of signs stating "NO SMOKING," or "SMOKING AREAS," shall be placed in the above designated areas so as to be clearly visible to anyone entering therein. The placement of said signs shall be the sole responsibility of the owner, operator, manager, proprietor or caretaker of said areas.

(d) Nothing in this section shall affect other laws or regulations prohibiting smoking.

(e) Any person violating the provisions of this section shall upon conviction thereof, be guilty of a summary offense and shall be sentenced to pay a fine of not more than \$100, plus costs. Each day of violation or continued violation shall constitute a separate offense.

Amend Sec. 2, page 2, line 16, by striking out "2" and inserting 3.

On the question,

Will the House agree to the amendments?

AMENDMENTS WITHDRAWN

The SPEAKER. The gentleman, Mr. Garzia, has advised the Chair that he is temporarily withdrawing his amendment because he has been informed that the gentleman from Allegheny County, Mr. Itkin, intends to move to revert the bill to a prior printer's number.

Is the gentleman, Mr. Itkin, on the floor of the House?

If the gentleman, Mr. Itkin, is within hearing of the Speaker's voice, the Speaker urges the gentleman to report promptly to

the floor of the House and urges all members to report promptly. We have now wasted 4 minutes which should not have been wasted.

The members will please take their seats. There is a presentation to be made before the members of the House of Representatives prior to taking up SB 168.

For Mr. Itkin's information, the Chair has called up SB 168, PN 1390, and is about to recognize the gentleman after the presentation for his motion.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair at this time has given permission for Marcia Kaplan of WTPA-TV to make a 10-minute TV recording of the presentation which will be made on the floor of the House to Corporal James J. Corbett.

The Chair has also given permission for Peter R. Rekus of the Harrisburg Evening News to take still pictures for a period of 10 minutes during the same presentation.

Will Corporal James J. Corbett, the gentleman, Mr. Hope Anderson, and the gentleman, Mr. Noye, approach the desk, please?

CORPORAL CORBETT PRESENTED

The SPEAKER. The Chair has the distinct pleasure of announcing that Corporal James J. Corbett of the State Police of the Commonwealth of Pennsylvania was named as one of the 10 best police officers in the entire United States.

In order to introduce the Corporal, the Chair is turning the microphone over now to Representative Noye, who will introduce the Corporal.

The Chair requests the respectful attention of the members.

Mr. NOYE. Thank you, Mr. Speaker.

It is a distinct pleasure and honor for me today to introduce to you a gentleman who, with 32 years of service in the Pennsylvania State Police, has been awarded an honor which has brought great acclaim to the force in the Commonwealth of Pennsylvania.

Corporal James J. Corbett, a native of Minooka in Lackawanna County, has been awarded an award by Parade Magazine as one of the 10 best policemen in the United States.

He recently received that award during the 84th Annual Convention of the International Association of Police Conventions.

He is married to the former Dorothy L. Hess of York, Pennsylvania. He has two sons and has served faithfully in the State Police for 32 years, most of that time in the State Police Criminal Investigation Division.

In 1957, Corporal Corbett received the first Governor's citation by Governor Leader. His record of criminal arrests is almost 100 percent. He has an almost 100-percent conviction record in the courts of the Commonwealth of Pennsylvania.

He is presently stationed at the Duncannon Barracks in Perry County, my home district, and the people around that area have the greatest respect and pride for the work that he does. We call him the human answer to the State Police bloodhound division.

It is a pleasure to present to you, Corporal James Corbett.

Representative Hope Anderson, a friend of Mr. Corbett's for many years, will present the House citation.

**CORPORAL CORBETT PRESENTED CITATION BY
MR. ANDERSON**

Mr. ANDERSON. Corporal, it is certainly a pleasure to present to you, from the House of Representatives, this citation that is now before us.

The SPEAKER. Corporal, before you receive the full congratulations of the House, the House would be delighted to hear a few remarks from you.

CORPORAL CORBETT. Ladies and gentlemen, I do not have words to express my thanks.

The work that I have done, I could never have done without the association and cooperation of the members of a wonderful organization. We have had our disputes and our disagreements, but it is still the finest organization, I think in police work on the face of the earth. It was a privilege to work and still work with that organization.

Thank you very much.

The SPEAKER. For the information of the Corporal, the spontaneous and thunderous applause of the members of this House clearly indicates that every member agrees with the Corporal that not only is he a splendid guardian of the peace but we are extremely proud and we agree with him that the Pennsylvania State Police arm of the Commonwealth of Pennsylvania is indeed the best in the nation and perhaps the best in the entire world.

Corporal, we are very proud of you and very proud of the State Police.

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

Mr. McLANE. Mr. Speaker, Representative Noye said that Trooper Corbett came from a town called Minooka, and so do I. That town called Minooka is now the 24th ward of the city of Scranton and it no longer has its own designation.

He was known here today as James. To us at home, he is known as "Shamus."

To be perfectly honest about it, I wish that I had known that this was going to happen today because there are a number of people from his hometown who love him very dearly and would have wished to be here today. So on behalf of the people of Scranton and the county of Lackawanna, and especially the people from Minooka, I cannot say enough with regard to what we feel for the honor he has brought upon himself, upon his family and upon the people back home.

Corporal Corbett comes from a very large family. His brother was also a trooper in the Pennsylvania State Police. All I can say, Shamus, is, from everybody back home, congratulations. You have outdone yourself once again.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman Dauphin, Mr. Reed. For what purpose does the gentleman rise?

Mr. REED. To echo some of the remarks made by Representative McLane and to add my own.

The SPEAKER. The gentleman may proceed.

Mr. REED. Mr. Speaker, I, too, like Representative McLane, was unaware of the fact that Corporal Corbett was going to be so honored today on the floor of the House, but I am delighted that he was.

In addition to the remarks made concerning him, I think it would be fitting to recognize the members of Troop H of the Pennsylvania State Police, a troop which, incidentally, less than a year ago was cited by this House of Representatives for its especially good work in the area dealing with criminal investigations as well as the other functions of the Pennsylvania State Police.

Corporal Corbett's commanding officer, Capt. Joseph I. C. Everly, I can see from here, is sitting off to our right and to your left, Mr. Speaker; and also his immediate commanding officer, Lt. Herman Faiola, who is in charge of the Criminal Investigation Division. I can see his smiling, handsome face over there at the end of the Troop H contingent. I believe sitting next to Capt. Everly is Col. Paul Chylak, Commissioner of the Pennsylvania State Police, as well as other members of the Troop H contingent.

I believe that Corporal Corbett's recognition of them is especially well deserved. They work extremely well as a team and they, too, share in the citation of Corporal Corbett.

The SPEAKER. The gentleman's point is well taken.

Will those guests please rise?

Will the State Police please rise?

The Chair thanks the gentlemen for their attention and their attendance.

CONSIDERATION OF SB 168 RESUMED

The SPEAKER. The House has already agreed to the bill. The question now is, will the House agree to a motion to be placed by the gentleman from Allegheny, Mr. Itkin, to revert to a prior printer's number?

MOTION TO REVERT SB 168 TO PN 1138

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin, for the purposes of placing that motion.

Mr. ITKIN. Mr. Speaker, just so that I might be more specific, the motion I would like to make is to revert SB 168, PN 1390, to PN 1138.

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

Mr. ITKIN. This printer's number was the form in which the measure passed the Senate and was received by the Health and Welfare Committee of the House.

On the surface, in my opinion, this appears to be a reasonable bill. What it would do would be to provide that certain areas would be set aside in hospitals to be designated as smoking areas and other areas would be nonsmoking areas.

It would also provide that in patients' rooms there will be certain rooms set aside for persons who wish to smoke and others set aside for persons who do not.

Being a smoker myself, I do not really conceive this to be an undue hardship and I can understand the problems that many persons who do not smoke have with respect to people who do smoke.

However, I was somewhat shocked upon reading the present version of SB 168, which had been amended in the Health and Welfare Committee of the House and which added the following provision. I would like to read that provision to the House because some of the members may not have the bill in their possession. What was added in the committee is the following sentence:

(B) NO PERSON SHALL SMOKE IN ANY PLACE DESIGNATED AS HAVING HISTORIC OR ESTHETIC VALUE, EXCEPT IN AREAS DESIGNATED AS "SMOKING AREAS" BY THE DIRECTOR, ADMINISTRATOR, OR OTHER PERSON IN CHARGE.

Then the amendments go further to say that such places "... shall be those places so designated by the Pennsylvania Historical and Museum Commission.

I think it is absurd that we would delineate areas in which smoking should be permissible and nonpermissible on the basis of whether they are historic or have esthetic value.

Obviously, the corollary might apply to say that it is okay to smoke in unhistoric buildings or ugly buildings but you may not smoke in historic ones or ones that are beautiful in character.

I just think that this particular provision in a well-intentioned, well-meaning bill goes beyond the scope of the original author's intention. I think it will create problems when a nominee to the Pennsylvania Historical and Museum Commission goes before the other body for confirmation and he is asked the question of whether he believes in smoking or non-smoking in historic buildings. It would seem to me that such decisions on the caliber of a member of the commission should be based on his understanding of history and art and not on whether he supports smoking or nonsmoking in certain areas.

I would hope that this House would take what I consider the prudent action and return the bill to its original printer's number so that we can provide for those persons who do have problems in hospitals with smoke caused by smokers to give them some relief.

Mr. Speaker, I so move.

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

Mr. DiCARLO. Mr. Speaker, I rise to oppose the motion made by Mr. Itkin.

The Health and Welfare Committee did discuss this amendment very extensively and it was reported out of committee by a large margin.

The case that Mr. Itkin is trying to debate and is trying to make an issue of is, will a person in front of a Senate confirmation committee have to discuss an issue of smoking or nonsmoking and his position on that. That is kind of absurd, too.

The problem that we are trying to deal with is the Commonwealth of Pennsylvania has a great dollar investment in historical sights and things of esthetic value throughout the Commonwealth of Pennsylvania. We see hundreds of thousands, if not millions, of visitors who come to this state. They tour not only historic sights in the Capitol area but through the entire Commonwealth. We are afraid of the damages that could result; we are afraid of the possibility of fire which could destroy those facilities. In many of these areas we have works

of art that are irreplaceable. You cannot put a price tag on them.

We do not think it is ridiculous that the Pennsylvania Historical and Museum Commission simply, in these facilities that are visited by all of these tourists, designate in those areas sections where people cannot smoke and also label and enforce very strongly sections where visitors may not smoke.

We think it is a very practical approach and we support the concept. I would urge the House to vote Mr. Itkin's motion.

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

Mr. GEESEY. Mr. Speaker, would the gentleman from Allegheny, Mr. Itkin, stand for interrogation?

The SPEAKER. The gentleman from Allegheny, Mr. Itkin, indicates that he will stand for interrogation. The gentleman, Mr. Geesey, may proceed.

Mr. GEESEY. Mr. Speaker, could the gentleman from Allegheny please advise me what would happen to subsection (c) on page 2 should we revert it to a prior printer's number?

Mr. ITKIN. Mr. Speaker, subsection (c) would then be reinserted into the bill because that was the form that it was in PN 1138.

Mr. GEESEY. Thank you, Mr. Speaker.

If I may, I would like to comment on that.

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

Mr. GEESEY. We would then place the people in this Commonwealth in the position of being fined to a greater extent for violating this piece of legislation than many murderers get when they commit a murder in this state. That certainly is interesting, is it not?

Thank you, Mr. Speaker.

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

Mr. MORRIS. Mr. Speaker, in view of what Mr. Geesey said, I do not know exactly how to preface my remarks. I would like to address them, however, to the positive amendment concerning historical and esthetic places.

Mr. Speaker, in the first place, I do not think that this part of the bill, these amendments, are necessary. Obviously the Historical and Museum Commission which administers public and historical monuments in Pennsylvania can designate smoking and nonsmoking places in these monuments if they so choose.

I would like to, however, call the members' attention to what I think is a rather serious vagueness in these amendments. Whether you know it or not, and I am sure many of us do know it, the Historical and Museum Commission also conducts a program whereby private houses are placed on the register of historic places in Pennsylvania. Now let us just suppose for a minute that my house is one of those. Who is in charge? Am I in charge or is my wife in charge? Do we have an ERA - Equal Rights Amendment - problem here? Who is going to put up the signs? If some inspector comes around and there are no signs, are we in some manner to be discommoded? I think this amendment goes far beyond what it should.

MOTION TO RECOMMIT

Mr. MORRIS. Therefore, Mr. Speaker, I think that rather than returning to the prior printer's number, I am going to move to have this bill recommitted to the committee from whence it came, and I so move.

The SPEAKER. Does the gentleman, Mr. Morris, move at this time or is the gentleman content to let the House vote on the motion to revert?

Mr. MORRIS. No, Mr. Speaker, I believe my motion to recommit takes precedence over a motion to revert.

The SPEAKER. The gentleman, as I understand, has made a motion to recommit.

Mr. MORRIS. That is correct, Mr. Speaker.

The SPEAKER. The gentleman from Chester, Mr. Morris, has made a motion to recommit SB 168, PN 1390, to the Health and Welfare Committee. The question is on that motion.

The Chair recognizes the gentleman from Delaware, Mr. Garzia, to speak on the motion to recommit.

Mr. GARZIA. Mr. Speaker, I oppose the motion to recommit this bill back to the Health and Welfare Committee. I am getting the feeling that a lot of the members of this General Assembly either do not have the guts to vote "yes" and "no" on something like this or they are trying to find an easy way out and recommit it back to the Health and Welfare Committee.

I think you are doing an injustice to a lot of people who do not smoke across this state. I think you ought to stand up on your own two feet and take a vote, "yes" and "no," on whether you want to pass this bill or not. I object to recommitment to the Health and Welfare Committee. Vote "no" on the recommitment.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Kelly, on the recommitment motion.

Mrs. KELLY. Mr. Speaker, I object to the recommitment of this bill to my committee. There is no sense in bringing it back to our committee because there is nothing more we can do about it. We had an almost unanimous vote to get it out. If it does come back we will have the same thing happening again. Now it is about time that we pass some good pieces of legislation and stop bickering over all these objections that people have because they want to smoke. I do not smoke, never have, but I have no objections to those who do. But those who do not want smoking around should have the privilege of having such legislation so that people can go ahead and do whatever they have to do about it.

I urge everyone of you to have a "yes" vote on this piece of legislation.

Thank you.

The SPEAKER. The Chair recognizes, on the motion to recommit, the gentleman from Montgomery, Mr. Mebus.

Mr. MEBUS. Mr. Speaker, I think I could favor this motion to recommit if I had assurances that the bill would be amended in committee to prohibit smoking in toto, because I am one of those pack-a-day-and-better types, and if you made it illegal for me, maybe I could quit, and, boy, I sure should.

The SPEAKER. If the Chair had his way, the Chair would make sure that you would quit.

On the motion, does the gentleman, Mr. Morris, desire to be recognized a second time?

Mr. MORRIS. Yes, briefly, Mr. Speaker.

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

Mr. MORRIS. If the lady does not want the bill back in her committee, I would be glad to amend my motion to have it recommitted to the Local Government Committee, whose chairman is a notorious nonsmoker.

The SPEAKER. Is there an implication by such a recommitment to such a distinguished committee that this bill might not see the light of day again?

On the motion, the Chair recognizes the gentleman, Mr. DiCarlo.

Mr. DiCARLO. Mr. Speaker, on the issue of recommitment.

The SPEAKER. On the question of recommitment, the gentleman is in order and may proceed.

Mr. DiCARLO. Mr. Speaker, I, too, rise to oppose this motion to recommit.

As the chairman, Mrs. Kelly, stated, the Health and Welfare Committee has labored over this piece of legislation, and that committee has the charge, at least in this body of the General Assembly, to deal with health issues and health-related issues. And whether you want to listen to it or not or whether you like it or not, cigarette smoking and the damage that it does to human beings is a number one health hazard in this country, and we have made a decision in that committee that the issue be discussed on the floor of this House. Now if you want to vote against it and vote it down on final passage, go ahead and do that, but at least give us the chance to bring our recommendation to the floor and vote the issue for what the issue is, that is, a big health issue confronting the people in Pennsylvania.

The SPEAKER. The Chair recognizes, on the motion, the minority whip.

Mr. RYAN. Mr. Speaker, I did not intend to speak on this subject. I listened to Mr. Morris and then Mrs. Kelly and Mr. DiCarlo, and I think—and I am not being facetious—that maybe Mr. Morris is right, that it should go to the State Government Committee. It would seem to be a senseless action on our part to send it back to Mrs. Kelly's committee. Mrs. Kelly obviously does not want it.

Mr. Morris says the State Government Committee. One would wonder what would a bill such as this do in that committee? I suggest that the amendments of Mr. Garzia that deal with taking restaurants and having a smoking section and a nonsmoking section, putting partitions up and having ventilation systems that will completely remove all of the smoke from the smoking section will affect much of the Capitol complex and other governmental buildings. So, in a sense, the State Government Committee has something to do with it, as does the Appropriations Committee.

If one thinks of what we have here just in the Capitol complex with the cafeteria downstairs, then that is going to require partitioning and ventilation. As to what I will call the hotdog-stand area, I do not know how in the world that one is going to be separated and separately ventilated. And I am sure the

members of the other chamber, with their lunchroom in the Senate, are going to be very concerned about this particular bill.

Then we heard that it affects historical sites and esthetic sites, whatever they may be. I suppose a state park could be considered something of esthetic value, and you would not be permitted to smoke in a state park. A historical site certainly would be, I would guess, the Capitol building itself, so that none of us or any of our visitors could perhaps smoke in the corridors, other than in designated areas such as the restrooms where we could make deals or other smoke-filled rooms.

So I think maybe we should compromise and not send the bill back to Mrs. Kelly but rather suggest that Mr. Morris do in fact amend his motion and ask seriously that it be sent to the State Government Committee or the Appropriations Committee for both the fiscal implications of the bill and also for the effect it would have on state government, which is charged with the preservation of the historical sites as well as the so-called esthetic sites which I really do not know yet what they are about. I wonder if Mr. Morris would consider making such an amendment.

Mr. GEISLER. Me first, Mr. Speaker.

The SPEAKER. Bobby Geisler says he does not want it.

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

Mr. GEISLER. Mr. Speaker, I suggest the Agriculture Committee, because I believe that is where tobacco originates — on a farm. We have enough problems in the State Government Committee; do not give us that one.

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

Mr. ARTHURS. Mr. Speaker, I rise just to try and bring back a little clarification to this bill. I think Mr. Ryan might be—

The SPEAKER. Will the gentleman yield?

If the gentleman does not mind, we do not want to discuss the bill, only the motion to recommit.

Mr. ARTHURS. Yes, Mr. Speaker, and that is the reason I am doing that, because Mr. Ryan put a lot of words and thoughts into a lot of people's minds that are not contained in the bill nor in any amendment that I can see; that is, where there will have to be a lot of partitions put up and lot of ventilation systems put in and this and that.

I do not think it is right that we do that. I think we should look at this bill directly as it is, consider it the way it is without any type of innuendos put in here where there will have to be a lot done that is not presently being done.

Bills such as this have been passed in other states, and it is very important. They are working very well. I would ask that we do not recommit the bill.

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

Mr. LINCOLN. Mr. Speaker, Mr. Arthurs spoke to one of the things that I had intended to speak to.

The second point that I think Mr. Ryan may have misconstrued a little bit in his debate was the fact that Mrs. Kelly did not want the bill. I think what she was saying was that we have

completed our deliberations on it and it is ready for the floor and there really would be no need to put the bill back in committee, and I agree with her. I think we should vote the bill on the floor today, either up or down, whatever. I do not think there is any need to recommit it.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Kelly.

Mrs. KELLY. Mr. Speaker, in due respect to Mr. Ryan—I know he is my good friend, and sometimes I think he is a jokester—we have enough members in our committee, and I think we have very intelligent members in our committee, that if there is any amendment to be placed into the bill, we can consider that in our own committee.

I think smoking is a health hazard. It is connected with the Health and Welfare Committee. To go to any other committee is an insult to our committee. We have people in our committee just as intelligent as any other committee that we have in this House, and if it is to be recommitted, it should be recommitted to our committee.

Now all the things he mentioned in the bill are not in the bill. Mr. Garzia spoke to me yesterday about restaurants; we discussed that. But to go into all these other details is ridiculous, and I object. And I think it is an insult to any committee member who has a bill in their committee and who has worked very hard to get it to a vote to have it recommitted to another committee.

Thank you.

The SPEAKER. The Chair recognizes the gentleman, the jokester, Mr. Ryan.

Mr. RYAN. Thank you.

My comments were not intended as a joke; they honestly were not, Mr. Speaker.

When we recommit a bill to committee, very often we do this because there are a number of suggested amendments and a committee is better able to treat these amendments and then handle a bill in its entirety. The reason for my comments and what prompted my comments was that your committee has made it very clear that you are satisfied that this bill should be out on the floor for a vote. Your committee, however, has not—I do not believe they have—considered the implications of Mr. Garzia's amendments.

Now addressing parenthetically the comments of Mr. Arthurs, I suggest that if he would look at Mr. Garzia's amendments, there is a provision—and perhaps this is something that would be the subject for interrogation rather when offered—but the amendment does say, if I may—

The SPEAKER. Will the gentleman yield?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, could the Chair advise this membership what is before the House at this time?

The SPEAKER. While the Chair recognizes what is before

the House, the Chair is not so certain that the House recognizes it.

Mr. DiCARLO. Would you so advise the House?

The SPEAKER. The question before the House is the motion to recommit the bill to the Health and Welfare Committee.

Mr. DiCARLO. And am I also right that Mr. Garzia has not offered his amendment at this time?

The SPEAKER. The gentleman from Erie is absolutely correct.

Mr. DiCARLO. Then I would ask, Mr. Speaker, would the gentleman, Mr. Ryan, be out of order with his comments at this time?

The SPEAKER. The gentleman from Erie's point of order is well taken. The gentleman, Mr. Ryan, will no longer refer to a matter which is not currently before the House.

Mr. DiCARLO. Thank you, Mr. Speaker.

Mr. RYAN. Thank you, Mr. Speaker.

I will abide by your ruling. However, I would just state to the Chair that I was not trying to take advantage of the parliamentary procedure but rather honestly thought that the Garzia amendment could be part of consideration on recommitment.

I wonder, Mr. Speaker, if it would be proper at this time to ask Mr. Pievsky if there are fiscal implications connected with this bill as it is before the House.

The SPEAKER. Yes; the gentleman is in order. He may interrogate the gentleman, Mr. Pievsky, who indicates that he will stand for interrogation. The gentleman, Mr. Ryan, may proceed.

Mr. RYAN. Mr. Speaker, in this particular bill in its present form, are there any fiscal implications that would require a fiscal note?

Mr. PIEVSKY. I do not think so, Mr. Speaker.

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

I have no further questions. I simply stand in favor of the recommitment.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Brandt, on the motion to recommit.

Mr. BRANDT. Yes, Mr. Speaker, on the motion to recommit. I support the motion to recommit on the point that I am sure there are several other bills—one I am quite familiar with—in that committee, and they could take into consideration the facts in those bills when this bill is recommitted and make it a better bill.

Thank you.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—99

Abraham	Gatski	McClatchy	Ryan
Anderson	Geesey	McGinnis	Salvatore
Bellomini	George, C.	McLane	Scheaffer
Berlin	George, M.	Mebus	Seltzer
Berson	Giammarco	Miller	Shuman
Bittle	Gillette	Milliron	Smith, L.
Brandt	Greenfield	Moehlmann	Spencer
Brunner	Grieco	Morris	Spitz

Burd	Hamilton	Mowery	Stairs
Cassidy	Hasay	Novak	Taddonio
Cessar	Haskell	O'Brien, B.	Trello
Ciacciulli	Hayes, S. E.	O'Brien, D.	Valicenti
Cohen	Honaman	O'Connell	Wagner
Davies	Hutchinson, A.	Oliver	Wansacz
DeMedio	Hutchinson, W.	Pancoast	Wargo
DeVerter	Knepper	Parker	Wass
Dietz	Kolter	Polite	Weidner
Dininni	Kowalyszyn	Pott	White
Dombrowski	Laughlin	Prendergast	Wiggins
Fisher, D. M.	Lehr	Pyles	Wilt
Foster, A.	Letterman	Renwick	Yahner
Freind	Levi	Rhodes	Zearfoss
Fryer	Livengood	Rieger	Zitterman
Gallagher	Manmiller	Ritter	Zord
Gallen	McCall	Ruggiero	

NAYS—93

Armstrong	Flaherty	Logue	Schweder
Arthurs	Foster, W.	Mackowski	Scirica
Barber	Gamble	Manderino	Sirianni
Beloff	Garzia	Meluskey	Smith, E.
Bennett	Geisler	Milanovich	Stapleton
Bittinger	Gleeson	Miscevich	Stewart
Borski	Goebel	Mrkonic	Stuban
Brown	Goodman	Mullen, M. P.	Sweet
Burns	Gray	Mullen, M. M.	Taylor, E.
Butera	Greenleaf	Musto	Taylor, F.
Caltagirone	Halverson	Noye	Tenaglio
Caputo	Harper	O'Donnell	Thomas
Cimini	Hayes, D. S.	O'Keefe	Vron
Cole	Helfrick	Petrarca	Wenger
Cowell	Hoefel	Piccola	Wilson
DeWeese	Hopkins	Pievsky	Wise
DiCarlo	Itkin	Pitts	Wright, D.
Dorr	Johnson	Pratt	Wright, J. L.
Doyle	Jones	Rappaport	Yohn
Duffy	Katz	Ravenstahl	Zeller
Dumas	Kelly	Reed	
Englehart	Kernick	Richardson	Irvis,
Fee	Klingaman	Scanlon	Speaker
Fischer, R. R.	Lincoln	Schmitt	

NOT VOTING—8

Donatucci	Madigan	Shelton	Williams
Lynch	McIntyre	Shupnik	Zwikl

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

The SPEAKER. The bill is so recommitted.

HB 1106 PASSED OVER

The SPEAKER. On page 4, HB 1106, PN 2081, was passed over temporarily. That bill will be passed over for today. The Chair has been advised that the Dorr amendment is a complicated amendment and was not received in time for the members to study. The request is from Mr. Rhodes that the House pass over this bill for today. So HB 1106, PN 2081, is over for today.

BILLS REMOVED FROM TABLE AND REREFERRED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee has instructed me to make a motion to have the following bills removed from the table and referred to the Appropriations Committee, and I so move.

House Bill 814; House Bill 1494; House Bill 1633; House Bill 1690; and House Bill 1742.

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

BILLS REMOVED FROM TABLE AND PUT ON CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the table and place them on the active calendar, and I so move.

House Bill 238; House Bill 813; House Bill 815; House Bill 816; House Bill 817; House Bill 1350; House Bill 1600; Senate Bill 116; Senate Bill 657; and Senate Bill 664.

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

ADDRESS TO HOUSE

Mr. BRANDT requested and obtained unanimous consent to address the House.

Mr. BRANDT. Just to follow up with a few comments on the smoking bill, I would like to call to the attention specifically of all the members of the House but most importantly the members of the Health and Welfare Committee that in their committee there is a bill, HB 1234, which was sponsored by more than nine members of this body. It is my belief that this bill incorporates the best of the Senate bill and also Mr. Garzia's amendment. I certainly call upon the committee to look favorably on HB 1234 when they discuss the smoking issue once again in their committee.

Thank you Mr. Speaker.

The SPEAKER. The Chair would advise the member and all other members that such an announcement is out of order and it ought not to be made again. There is no bill currently before the House. The gentleman should not have discussed a bill which is yet in committee nor make any admonition to a committee about what its work ought to be.

Announcements ought to be generalized announcements, not concerning themselves with matters not currently before the House.

ADDRESS TO HOUSE

Mr. ZELLER requested and obtained unanimous consent to address the House.

Mr. ZELLER. Mr. Speaker, I know there are times here on the floor when we debate issues and we agree and disagree and we do it, I hope—I know I do and I know most members do—respectfully.

What I heard today on KYW, coming from my home to the

Capitol, was a report by Sandy Starobin. I know it is usually against what you call proper ethics to take the press to task because somehow the giant gets even. All you can do, in the words of William Eckensberger, a former member of the House and a great guy, is kick the giant once in a while in the shins and then run like hell before he gets you. And that is about all you can do. Of course, Bill did not use the latter part because as a man he does not use that sort of language like I do. But, anyway, the point was well taken when I heard Bill say that.

What Sandy Starobin of KYW was referring to this morning on the 10 o'clock program to Bob Whitman was this: On the debate in regard to our budget and taxes and the Philadelphia problem, he related to the legislature as sort of a joke, as though none of us down here take anything seriously. And he relates this to his information he receives in talking to legislators in the local bars.

Now what I object to is the fact that the public already has a very bad taste in its mouth about legislators and public officials, and it is mainly because of the press. We realize that there are a few people in every organization and in every body who get involved. As I said before on the floor of this House, one week some of these officials are on the front page of Time magazine and the next week they are doing time. But the problem is that Mr. Starobin has done an injustice here. In the future I think he should take his blinders off and stop hanging around the bars and talk with some of us with clearer minds and maybe we can straighten out the press as to what is going on down here.

ANNOUNCEMENTS

CRIME AND CORRECTIONS SUBCOMMITTEE MEETING

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

Mr. RHODES. To make an announcement about a committee meeting, Mr. Speaker.

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

Mr. RHODES. Mr. Speaker, I would like to reannounce to the House Judiciary Subcommittee on Crime and Corrections that there will be a very important meeting at 2 o'clock, if we get off the floor by then, in room 116A.

Thank you, Mr. Speaker.

PROFESSIONAL LICENSURE COMMITTEE MEETING CANCELED

The SPEAKER. For the information of the members of the Professional Licensure Committee, a meeting which was scheduled to take place tomorrow has been canceled.

HOUSE SCHEDULE

The SPEAKER. For the information of the members, there is no further business to be transacted today on the floor of the House. But because of the fact that the Senate may well act on a very important bill concerning the School District of Philadel-

phia and may very well send that bill to the House, the desk will be kept open in order to receive that.

When the adjournment motion is placed by the gentleman from Lancaster, Mr. Armstrong, it will be a motion for adjournment until 10 a.m. tomorrow.

For the further information of the House members, those who have been inquiring, may we check out for tomorrow?, the advice of the Chair is that you do not, for we will certainly be here tomorrow and there is a possibility that we shall be here on Thursday if, in fact, the Senate does act. It is a possibility not a probability. The Chair would advise you to go cautiously about checking out and getting ready to leave until you have been here tomorrow morning.

BILLS REPORTED FROM COMMITTEE AND TABLED

HB 1238, PN 1460

By Mr. KOWALYSHYN

An Act amending the act of August 12, 1971 (P. L. 313, No. 78), entitled "An act providing for elimination of discriminatory provisions relating to compensation for services and treatment under sickness and accident insurance contracts and providing for nondiscriminatory reimbursement of sickness and bodily injury claims thereunder," providing for the inclusion of other plans.

Insurance.

SB 594, PN 1241

By Mr. KOWALYSHYN

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled as amended "The Insurance Department Act of one thousand nine hundred and twenty-one" revising and clarifying the procedures with regard to rehabilitation and liquidation of insurers and providing sanctions.

Insurance.

WELCOMES

The SPEAKER. The Chair at this time is delighted to welcome to the House Mayor Harold E. Bell of Sharon and Councilman Vito Manilla, also of Sharon, Pennsylvania. They are the guests of Representative Reid Bennett.

The Chair also welcomes to the floor of the House Mr. Kenneth Salzman, who was formerly of Harrisburg, Pennsylvania, now in Baltimore, Maryland. He is the guest of Representative Jeff Piccola of Dauphin County. He has made the opposite journey of the Speaker. The Speaker was formerly of Baltimore, Maryland, and is now stuck in Harrisburg.

The Chair also recognizes the presence in the hall of the House of Mrs. Marti Brandt from Lancaster County, who is the sister-in-law of Representative Ken Brandt and who is here as the guest of her brother-in-law, Representative Brandt.

The Chair at this time recognizes the presence of Mrs. Rose Brady who is a Democratic committee woman, and her mother, Mrs. Mary Dormer. They are both here today as the guests of Representative Ronald Gatski and Representative Frank Meluskey.

The Chair now announces the presence of magistrate James Russo of Sewickley, who is here as the guest of Representative Pott and Representative Trello.

ETHICS COMMITTEE MEETING

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

Mr. RAPPAPORT. To announce a committee meeting.

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

Mr. RAPPAPORT. Immediately upon the fall of the gavel recessing this House, there will be a meeting of the Ethics Committee in the conference room of the Local Government Commission.

This announcement is not made to carry out the Sunshine law but merely as a convenience for the members of the committee.

RECESS

The SPEAKER. Without objection, this House stands in recess until 4:30. There is no necessity for members to report to the floor. The adjournment motion will be placed finally for 10 o'clock tomorrow morning. This House now stands in recess until 4:30.

AFTER RECESS

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

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned HOUSE BILL NO. 571, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned HOUSE BILL NO. 949, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN

The clerk of the Senate informed that the Senate has concurred in House amendments to SENATE BILLS NOS. 524 and 1102.

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes further providing for waiver of costs by ordinance for certain summary parking violations.

An Act amending the act of August 24, 1977 (No. 12-A) entitled "Federal Augmentation Appropriation Act of 1977" adding and changing appropriations for the Pennsylvania Commission For Women and to the Department of Agriculture Education General Services Health Justice Labor and Industry and Public Welfare.

ADJOURNMENT

Mr. ARMSTRONG moved that this House do now adjourn until Wednesday, November 2, 1977, at 10 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 4:35 p.m., e.s.t.) the House adjourned.