

Legislative Journal

WEDNESDAY, DECEMBER 14, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 114

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Almighty, Infinite, and Everloving God, we approach Thee in the joys of this day with the understanding and fullest recognition that Thy power and might dost extend to each of us in the situations of life we face day by day; we stand before Thee with the knowledge that even though we are only finite men, we are the highest of Thy creation and Thou hast crowned us with glory and honor; and we draw near to Thee out of the compelling love which Thou has so graciously shown to us and dost command us to share with our fellowmen. Blessed Lord, challenge us that our every action may reflect Thy presence, may exemplify Thy guiding hand, and may redound to Thy name's honor and glory. Amen.

JOURNAL APPROVAL POSTPONED

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1974 By Mr. McCLATCHY

An Act requiring the Department of Transportation to pay the cost of operating and maintaining certain traffic signals at ramps of interstate highways.

Referred to Committee on Transportation.

No. 1975 By Messrs. FREIND, SPITZ, ZEARFOSS, STAIRS, CALTAGIRONE, DAVIES, W. D. HUTCHINSON, GEESEY, PETERSON, BURD, DININNI, LYNCH, RYAN, D. R. WRIGHT, GARZIA, LIVENGOOD, PITTS, Mrs. TAYLOR and Mr. PICCOLA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special speed limitations in school zones.

Referred to Committee on Transportation.

No. 1976 By Messrs. PICCOLA and DININNI (By Request)

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for hours of sale on election day.

Referred to Committee on Liquor Control.

No. 1977 By Mrs. KELLY, Messrs. OLIVER, WHITE, GIAMMARCO, SALVATORE, GRAY, Mrs. SCANLON, Messrs. WIGGINS, BARBER, KATZ, DONATUCCI, RIEGER and RICHARDSON.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115, No. 40), permitting persons suffering from a disability to apply for a disability registration affidavit by mail.

Referred to Committee on Urban Affairs.

No. 1978 By Messrs. SCHWEDER, McLANE, LINCOLN, GALLAGHER, O'DONNELL, DiCARLO, BURNS, WARGO and PRENDERGAST

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing an additional limitation on creditable nonschool service.

Referred to Committee on Education.

No. 1979 By Messrs. REED, GRAY, GIAMMARCO, LEVIN, BORSKI, KUKOVICH, BROWN, ZELLER and KOWALYSHYN

An Act to provide limitations and reductions on real estate assessments for the installation of solar heating devices.

Referred to Committee on Finance.

No. 1980 By Mrs. HARPER, Messrs. GIAMMARCO, JONES, KOWALYSHYN, GEORGE, RAPPAPORT, Mrs. SCANLON, Messrs. LAUGHLIN, GRAY, CASSIDY, BORSKI, SCHWEDER, DOMBROWSKI, Mrs. WISE, Messrs. RICHARDSON, BARBER, WIGGINS, KUKOVICH, BROWN, MELUSKEY, McLANE, O'DONNELL, GATSKI, Mrs. KELLY, Messrs. LINCOLN, GREENFIELD, BERLIN, RENWICK and WILLIAMS

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), providing for the disclosure of certain information and imposing certain powers and duties on the commissioner.

Referred to Committee on Insurance.

No. 1981 By Mrs. HARPER. Messrs. GIAMMARCO, JONES, GRAY, GEORGE, Mrs. SCANLON, Messrs., LAUGHLIN, CASSIDY, BORSKI, KOWALYSHYN, Mrs. WISE, Messrs. DOMBROWSKI, RICHARDSON, BARBER, WIGGINS, KUKOVICH, BROWN, MELUSKEY, McLANE, O'DONNELL, GATSKI, Mrs. KELLY, Messrs. LINCOLN, GREENFIELD, BERLIN, RENWICK and WILLIAMS

An Act amending "The Casualty and Surety Rate Regulatory Act," approved June 11, 1947 (P. L. 538, No. 246), providing for certain annual disclosures.

Referred to the Committee on Insurance.

No. 1982 By Messrs. W. D. HUTCHINSON, RICHARDSON, MILLER, RHODES, BROWN, KUKOVICH, WHITE, D. M. FISHER, WAGNER, SCIRICA, HASKELL, WILLIAMS, PRATT, OLIVER, DONATUCCI, WIGGINS, COHEN, MOEHLMANN, ITKIN and BERSON

An Act relating to the rights of inmates and officials as to inmate mail in correctional institutions.

Referred to Committee on Judiciary.

No. 1983 By Messrs. SCIRICA, BERSON and YOHN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense relating to the propulsion of missiles.

Referred to Committee on Judiciary.

No. 1984 By Messrs. REED, BRUNNER, RITTER, KOWALYSHYN, GRAY and BORSKI

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), requiring the registry of certain addresses with the Department of Revenues by certain corporations.

Referred to Committee on Finance.

No. 1985 By Messrs. KOWALYSHYN, JONES, GRAY, BORSKI and ZITTERMAN

An Act providing prescription drug rebates to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes; ***.

Referred to Committee on Finance.

No. 1986 By Messrs. KOWALYSHYN, JONES, GRAY, BORSKI and ZITTERMAN

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing for the use of moneys in the State Lottery Fund.

Referred to Committee on Finance.

No. 1987 By Messrs. BITTINGER, STEWART, MILLIRON, D. R. WRIGHT, LETTERMAN,

DeWEESE, REED, MUSTO, R. R. FISCHER and ENGLEHART

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), requiring emergency communications facilities, requiring reports on certain power facilities, and providing for the location of certain equipment in buildings located in flood plains.

Referred to Committee on Consumer Affairs.

No. 1988 By Mr. MELUSKEY

An Act amending the act of August 4, 1959 (P. L. 587, No. 195), entitled, as amended, "An act creating and establishing the Legislative Budget and Finance Committee; providing for its membership; prescribing its powers, functions and duties; providing for the appointment of an executive director and other personnel, and making an appropriation.

Referred to Committee on State Government.

BILL SIGNED BY SPEAKER

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

HOUSE BILL No. 1274

An Act making appropriations to the Thomas Jefferson University of Philadelphia Pennsylvania.

Whereupon,

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

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 1092

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code" further providing for the investment of funds.

Referred to Committee on Local Government.

SENATE BILL No. 1106

An Act providing for grants to persons for property damaged or destroyed by flood establishing the basis for the grants and making an appropriation.

Referred to Committee on Appropriations.

BILL REPORTED FROM COMMITTEE AND TABLED

HB 1646, PN 2448 (Amended)

By Mr. RIEGER

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216, No. 427), further defining "real estate broker" and further providing for suspension or revocation of licenses.

Professional Licensure.

BILL REPORTED AND REREFERRED TO COMMITTEE

HB 1528, PN 2447 (Amended) By Mr. RIEGER

An Act fixing annual license and other fees for activities regulated by the Bureau of Professional and Occupational Affairs of the Department of State.

Reported from Committee on Professional Licensure.

Rereferred to Committee on Appropriations.

ANNOUNCEMENT

The SPEAKER. With the Republican Party still being in caucus, the House will be recessed for the period of 1 hour and 5 minutes. The Chair would suggest that the members use this 1 hour and 5 minutes to get lunch. Return promptly to the floor of the House at 1 p.m.

RECESS

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

AFTER RECESS

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

MASTER ROLL CALL RECORDED

The SPEAKER. The Speaker is about to take up the master roll call. The clerk will open the master roll call. Only those members physically present are to be voted on the master roll. We will keep the master roll open for a period of 10 minutes and no longer.

The following roll call was recorded:

YEAS—194

Abraham	Gallagher	McCall	Scheaffer
Anderson	Gallen	McGinnis	Schmitt
Armstrong	Gamble	McIntyre	Schweder
Arthurs	Garzia	McLane	Scirica
Barber	Gatski	Mebus	Seltzer
Bellomini	Geesey	Meluskey	Shelton
Beloff	Geisler	Milanovich	Shuman
Bennett	George, C.	Miller	Shupnik
Berlin	George, M.	Milliron	Sirianni
Berson	Giammarco	Miscevich	Smith, E.
Bittinger	Goebel	Moehlmann	Smith, L.
Bittle	Goodman	Morris	Spencer
Borski	Gray	Mowery	Spitz
Brandt	Greenfield	Mrkonie	Stairs
Brown	Greenleaf	Mullen, M. P.	Stapleton
Brunner	Grieco	Mullen, M. M.	Stewart
Burd	Halverson	Musto	Stuban
Burns	Hamilton	Novak	Sweet
Caltagirone	Harper	Noye	Taddonio
Caputo	Hasay	O'Brien, B.	Taylor, E.
Cassidy	Haskell	O'Brien, D.	Taylor, F.
Cessar	Hayes, D. S.	O'Connell	Tenaglio
Cianciulli	Hayes, S. E.	O'Donnell	Thomas
Cimini	Helfrick	O'Keefe	Trello
Cohen	Hoeffel	Oliver	Valicenti
Cole	Hutchinson, A.	Pancoast	Vroon
Cowell	Hutchinson, W.	Parker	Wagner
Davies	Itkin	Peterson	Wansacz
DeMedio	Johnson	Petrarca	Wargo

DeVerter	Jones	Piccola	Wass
DeWeese	Katz	Pievsky	Wenger
DiCarlo	Kelly	Pitts	White
Dietz	Klingaman	Polite	Wiggins
Dininni	Knepper	Pott	Williams
Dombrowski	Kolter	Pratt	Wilson
Donatucci	Kowalyshyn	Prendergast	Wilt
Dorr	Kukovich	Pyles	Wise
Doyle	Laughlin	Rappaport	Wright, D.
Duffy	Lehr	Ravenstahl	Wright, J. L.
Dumas	Lettermann	Reed	Yahner
Englehart	Levi	Renwick	Yohn
Fee	Levin	Rhodes	Zearfoss
Fischer, R. R.	Lincoln	Richardson	Zeller
Fisher, D. M.	Livengood	Rieger	Zitterman
Flaherty	Logue	Ritter	Zord
Foster, A.	Mackowski	Ruggiero	Zwikl
Foster, W.	Madigan	Ryan	
Freind	Manderino	Salvatore	Irvis,
Fryer	Manmiller	Scanlon	Speaker

NAYS—0

NOT VOTING—8

Gillette	Honaman	Kernick	McClatchy
Gleeson	Hopkins	Lynch	Weidner

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

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate returned the following bills without amendment:

HOUSE BILL No. 172

An Act amending the act of May 11, 1889 (P. L. 188, No. 210), entitled "A further supplement to an act entitled 'An act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved March twenty-ninth, one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" further regulating the rates of pilotage and class of pilots.

HOUSE BILL No. 1665

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled as reenacted and amended "Senior Citizens Property Tax or Rent Rebate Act" providing for an additional filing period estimation and anticipation of revenues.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned **House bill No. 1655**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested.

The SPEAKER. The Bill will appear on the supplemental calendar.

BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 172

An Act amending the act of May 11, 1889 (P. L. 188, No. 210), entitled "A further supplement to an act entitled 'An act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved March twenty-ninth one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" further regulating the rates of pilotage and and class of pilots.

HOUSE BILL No. 1665

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled as reenacted and amended "Senior Citizens Property Tax or Rent Rebate Act" providing for an additional filing period estimation and anticipation of revenues.

Whereupon,

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

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate,
December 13, 1977.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Tuesday, January 3, 1978 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Tuesday, January 3, 1978 unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

The SPEAKER. The resolution from the Senate is that on the declaration of the adjournment by the Senate it will return on January 3, unless sooner recalled by the President Pro Tempore.

On the declaration of the adjournment by the House this House will adjourn until January 3, unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—184

Abraham	Gallen	McGinnis	Schmitt
Anderson	Gamble	McIntyre	Schweder
Armstrong	Garzia	McLane	Scirica
Arthurs	Gatski	Mebus	Seltzer
Barber	Geesey	Meluskey	Shelton
Bellomini	Geisler	Miller	Shuman
Beloff	George, C.	Milliron	Shupnik
Bennett	George, M.	Miscevich	Sirianni
Berlin	Giammarco	Moehlmann	Smith, E.
Berson	Goebel	Morris	Smith, L.
Bittinger	Goodman	Mowery	Spencer
Bittle	Gray	Mullen, M. P.	Spitz
Borski	Greenfield	Mullen, M. M.	Stairs
Brandt	Greenleaf	Musto	Stapleton
Brown	Grieco	Novak	Stewart

Burd	Halverson	Noye	Stuban
Burns	Hamilton	O'Brien, B.	Sweet
Caltagirone	Harper	O'Brien, D.	Taddonio
Caputo	Hasay	O'Connell	Taylor, E.
Cessar	Haskell	O'Donnell	Taylor, F.
Cianciulli	Hayes, D. S.	O'Keefe	Tenaglio
Cimini	Hayes, S. E.	Oliver	Thomas
Cohen	Helfrick	Pancoast	Trello
Cole	Hoeffel	Parker	Valicenti
Cowell	Hutchinson, A.	Peterson	Vroon
Davies	Hutchinson, W.	Petrarca	Wansacz
DeMedio	Johnson	Piccola	Wargo
DeVerter	Jones	Pievsky	Wass
DeWeese	Katz	Pitts	Wenger
DiCarlo	Kelly	Polite	White
Dietz	Klingaman	Pott	Wiggins
Dininni	Knepper	Pratt	Wilson
Dombrowski	Kolter	Prendergast	Wilt
Donatucci	Kowalyshyn	Pyles	Wise
Dorr	Laughlin	Rappaport	Wright, D.
Doyle	Lehr	Ravenstahl	Wright, J. L.
Duffy	Letterman	Reed	Yahner
Dumas	Levi	Renwick	Yohn
Englehart	Levin	Richardson	Zearfoss
Fee	Lincoln	Rieger	Zeller
Fisher, D. M.	Logue	Ritter	Zitterman
Flaherty	Mackowski	Ruggiero	Zord
Foster, A.	Madigan	Ryan	Zwikl
Foster, W.	Manderino	Salvatore	
Freind	Manmiller	Scanlon	Irvis,
Fryer	McCall	Scheaffer	Speaker
Gallagher	McClatchy		

NAYS—7

Cassidy	Itkin	Livengood	Mrkonic
Fischer, R. R.	Kukovich	Milanovich	

NOT VOTING—11

Brunner	Honaman	Lynch	Weidner
Gillette	Hopkins	Rhodes	Williams
Gleeson	Kernick	Wagner	

The question was determined in the affirmative and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

JON PRUITT PRESENTED

The SPEAKER. The Chair, at this time, is delighted to welcome to the podium an outstanding young athlete in the Commonwealth of Pennsylvania. The young man's name is Jon Pruitt from Berwick High School.

He is the all-time Pennsylvania high school rushing champion. The Speaker is informed that Jon has broken every rushing record in the history of Pennsylvania high school football and, in doing so, Jon has led the Berwick Bulldogs to the Eastern Conference Championship.

His statistics for the past season are as follows, and they are incredible; 2,317 yards rushing, 7 yards per carry; 35 touchdowns; 3 field goals, and then to add to the statistics, he proceeded to put in 25 extra points, scoring a total of 244 points, which is the second highest in the history of Pennsylvania football.

Jon is considered by his coaches and his admirers as possibly the greatest halfback in the history of Columbia County football and possibly the greatest running back in the history of Pennsylvania high school football.

Jon is accompanied today by his coach, George Curry, and is the guest of the gentlemen from Luzerne, Messrs. Hasay and Gatski, and the gentleman from Columbia, Mr. Stuban.

Jon Pruitt, who just said to the coach, "You can do all the talking."

Mr. PRUITT. It is a great pleasure to be here this afternoon. It is really nice and I have enjoyed my time thoroughly. Thank you.

Mr. CURRY. Mr. Irvis, Mr. Stuban, and fellow Representatives, it is certainly a pleasure to represent Berwick, coming all the way as high as the House of Representatives.

We have been honored locally by many businessmen in the form of banquets and awards, and I think our town will be very proud to know that we are recognized by the people who really run this state.

Speaking on my behalf and on behalf of the Berwick School District, I would like to thank you very much for the opportunity to come down and be recognized by you people. Thank you very much.

The SPEAKER. On behalf of Representatives Stuban, Hasay and Gatski and all of the members of the House of Representatives—with the possible exception of Joe Wargo, because I understand that Jon and the Berwick Bulldogs tore the devil out of Wargo's team. Joe says that all is forgiven, he will join the rest of us—I am delighted to present this citation to Jon and to his coach and to the other members of the team in honor of their representing the finest ideals of sportsmanship in Pennsylvania high school football.

(A citation was presented.)

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

Mr. RITTER. Joe Paterno would like to have him, Mr. Speaker.

The SPEAKER. Joe Paterno is too late on this one.

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

Mr. CAPUTO. Mr. Speaker, I think out of deference to our guest, that the Chair should order a photographer for pictures up there.

The SPEAKER. The pictures have already been taken. I do not know when you and the other gentlemen on the floor of the House are going to wake up to the fact that the Speaker has been here a little longer.

RESIGNATION OF MEMBER

The SPEAKER. The Chair is obliged to announce officially that the Chair has received from his highly respected colleague and very valued friend, Robert Butera, the following letter, dated December 14, 1977:

Dear Mr. Speaker:

Please accept this as formal notification of my resignation as a Member of the House of Representatives of the Commonwealth of Pennsylvania representing the 150th Legislative District of Montgomery County. My resignation is to take effect upon your receipt of this letter.

May I express through you to the Members of the

State House my very sincere feelings as I take my leave.

I have served in the House since 1963 and hope that my fifteen years of service have brought honor to my colleagues. I am certain that those years have brought me many friends on both sides of the aisle and I will treasure those friendships always.

Rather than adhere to the ancient maxim of "Trust one who has proved it", I have tried to adhere to the way of "Trust one who seeks it" in all of my relationships with my colleagues. I have found that way to be the wise path in this House except in rare and unfortunate instances.

I have to seek other public office which I hope will bring our lives together again.

Most sincerely,
ROBERT J. BUTERA

It is with regret that the Chair accepts the resignation of Mr. Butera, knowing the reason why he felt it incumbent upon himself to send this letter.

The burdens of the new task he has undertaken to achieve are enormous, and Mr. Butera has always been a man to shoulder more than his fair share of any burden. He seeks a higher office. We wish him well. The Chair speaks now as an individual: I shall sorely miss him on the floor of the House.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the gentleman, Mr. Hayes, for the purpose of making an announcement on the part of the Republican caucus.

Mr. S. E. HAYES. It was with the same feeling of sadness as expressed by you when the Republican caucus received word that our leader was resigning from his position of leadership in his seat in this House of Representatives. That was a sad moment for us. But then we proceeded with the election of a new leader and a new Appropriations Committee chairman. It is with happiness and in a forward-looking manner that I am pleased to announce to the Republican caucus and to all of us who serve in this House of Representatives that we have elected as our new floor leader, the gentleman from Lebanon, Mr. Seltzer, and as our new Minority Appropriations Committee chairman, the gentleman from Luzerne, Mr. O'Connell.

The SPEAKER. The Chair congratulates the new floor leader of the Republican Party. The Chair congratulates the new minority chairman of the Appropriations Committee. The Chair recognizes the gentleman, the floor leader of the Republican Party, Mr. Seltzer.

Mr. SELTZER. Thank you, Mr. Speaker.

Mr. Speaker, the majority leader and the majority party have a responsibility to the people of Pennsylvania to lead. The minority party, the Republican Party, has a responsibility to the people of Pennsylvania to call that majority party to task when they think they are wrong, but to admit publicly when we agree.

Mr. Speaker, I was asked a few moments ago by a member of the press what my personal relationship with Mr. Manderino was and, all in candor, I said that we have never been personal, but I am willing to accept him if he is willing to accept me with a clean slate and let us go from there.

I am going to approach this job from a bipartisan or nonparti-

san basis as long as I can, but I think we, the minority, have a real responsibility in calling you to task.

At this time, Mr. Speaker, I would like to announce that it is my hope and my intention to replace you as the next Speaker of this House next year and have Bob Butera as our Governor. Thank you.

The SPEAKER. The way things have been going this year, you might have a hope of doing it this year.

The Chair recognizes the gentleman, Mr. Ryan.

Mr. RYAN. Mr. Speaker, most of us who have served as long as Jack, yourself, Jim Manderino, have had the opportunity to listen to a closing address from any of our departing members. In this case that is not so, in the case of Bob Butera.

I, probably, over the years have been as closely associated with him as I have been with anyone in my political life. I did not intend to speak except that there were so many people here in the House shocked yesterday when the word came out that Bob was going to resign his position, that I frankly thought he should be down here to receive the accolades that I know many people would wish him.

As I observed Bob yesterday, last night and this morning, I observed a guy who was terribly moved at the thought that he was leaving these halls, as someday we all will be moved.

I remember Lee Donaldson, who was Bob's floor leader when Bob was whip, and I remember Lee Donaldson standing at this very microphone with tears in his eyes—I think the Speaker will recall this—so that he could not finish his speech. He became so emotionally involved and choked up that he said a few remarks and left the floor.

I suspect that if Bob were here today making a closing address, the same thing would be true of him. I have never seen, I have never served with, and I have never known anyone, with some exceptions perhaps, as truly dedicated to this House of Representatives as Bob Butera.

I consider myself a close friend of his and would hope to continue that way, as I am sure most everyone in this House would hope to continue, regardless of political registration.

I say without permission, I say without authority, I say without coaching that the decision he made to resign is probably the most difficult decision he ever made in his life. I know from talking to him that the affection he feels for every member of this House, and particularly the staff with whom he has worked over many years, 15 years, has left a deep mark on him.

He is going to miss—and I am not taking any chances saying this. He is going to miss—probably each and every one of us as much as we will miss him.

I think he did a terrific job. He was partisan when it was necessary. He was conciliatory when it was necessary. But friend and foe alike, I think all respect him for always having been a gentleman, always having been an honest, straightforward friend or foe.

I guess, again without authority on his behalf, he would thank each and every one of you for the opportunity of having served with you.

The SPEAKER. The Chair thanks the gentleman and the Chair concurs in each and every several remark.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, yesterday when the rumors were rampant that the minority leader was going to resign, a member of the press asked me for a reaction. My reaction, quite honestly and quite simply, was that Bob's resignation would be a great loss to this House. I think he was a good leader and one of this House's most distinguished members over the years that I have served here. I honestly believe that. The member of the press—and I am not sure who it was—was taken back because of what takes place on the floor of this House. I tried to explain that a leader must lead and he must lead his caucus. I think Bob did that well. I think he served this House as one of its distinguished members. He served as his party leader capably and with dignity and honor, and we will miss him. With him go my best wishes, not my very best wishes, but my best wishes.

To the new minority leader, I do not know what it is to be personal with you, Jack, but I am willing to start with a clean slate.

About your intention that you spoke to the Speaker and about the Governor's race next year, I just simply want to say that the road to hell was paved with better intentions they tell me.

NO ADDITIONAL LEAVES OF ABSENCE REQUESTED

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. The remarks of the gentlemen will be spread upon the record.

CALENDAR

APPROPRIATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House resumed third consideration of **Senate bill No. 1187, printer's No. 1530**, entitled:

An Act amending the act of August 20, 1977 (No. 11-A), entitled "General Appropriation Act of 1977" changing certain appropriations.

On the question recurring,

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

Mr. McLANE offered the following amendment:

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 16 and 17

To the Department of the Auditor General

For the salaries, wages and all necessary expenses for the proper conduct of the following activities:

Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are supported out of the General Fund and for auditing

justices of the peace, other fining offices, Volunteer Firemen's Relief Association Funds and the offices of elected State officials	[8,903,000] 8,403,000
Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations.	2,394,000
For the salaries, wages and all necessary expenses for the proper administration and operation of the Scranton office	500,000
Administration of the Board of Arbitration of claims.	230,000
On the question, Will the House agree to the amendment?	

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

Mr. McLANE. Mr. Speaker, the amendment that I am offering today neither increases nor decreases the money in SB 1187. It simply allocates \$500,000, which is presently allocated to the Auditor General, and earmarks that that money shall be spent for the continued operation of the Auditor General's Office in Scranton.

This office is currently located in a new state office building that has been built in Scranton. Probably the best reason why it should be maintained there was contained in the editorial of the Sunday Scranton Times on October 30. The reason for the proposed removal of this office from Scranton has been given that it would save money in rental costs. I would like to read to you parts of that editorial which explain exactly what is involved with the rental costs involved. Part of that article in the Scranton Times said that the Auditor General plans to move his Scranton operation in an attempt to cut down on rental expenses. The reason is because the rent at the state office building here is some \$22,000 per year. Mr. Benedict hopes to find quarters for \$6,000. This is an apparent savings to the taxpayers of \$16,000. Apparent, in quotes, only because in reality state government will have to continue—I repeat, state government will have to continue—to pay \$22,000 for the office space in Scranton even after the Auditor General's staff leaves. This is also the taxpayers' money.

Instead of saving \$16,000 for the taxpayers' actually, this proposal will cost them \$6,000 more than is now the case. As the Auditor General undoubtedly knows, Scranton is accessible because this city is situated in the very hub of the interstate highway network in the east.

Since this is true, why move the office away from this convenient location and away from the largest concentration of population in the northeastern part of the state? The planned move makes no sense at all.

Mr. Speaker, I agree with that editorial. I believe that the office should be maintained in the city of Scranton where it is now located. I do not believe any valid reasons have been given for the office to be moved. Therefore, I ask that you concur with me in this amendment. Thank you.

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

Mr. O'CONNELL. Thank you, Mr. Speaker.

My first action after having been elected by my colleagues as

the minority chairman of the Appropriations Committee is to rise in support of Mr. McLane's amendment.

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

Mr. BELLOMINI. Mr. Speaker, may I interrogate the gentleman who is offering this amendment, please?

The SPEAKER. The gentleman, Mr. McLane, will stand for interrogation. The gentleman, Mr. Bellomini, is in order and may proceed.

Mr. BELLOMINI. You quoted the Scranton Times. Is this a savings in your area? Is that correct? Is the Auditor General saving money by moving the office out of Scranton to Williamsport?

Mr. McLANE. Mr. Speaker, the argument that there is a savings is a false argument because of the following reasons: The building that the office is currently located in in Scranton was built by a private and public nonprofit corporation. The intent of the building was to house state offices which were located in Scranton. The state one way or another has to pay the rent on the footage in that building.

Now when it is occupied by the Auditor General or any other department, then the rental is charged to that department. If it is simply not occupied, then my understanding is that GSA—General State Authority—would have to pay the money anyway to the authority in conformity with the lease for a given number of feet.

Mr. BELLOMINI. May I ask this question: Did you say that this is a lease that will continue for how many years?

Mr. McLANE. It is a 30-year lease, which was signed approximately 2 or 3 years ago. It continues for 30 years. At that point the state will own the building for the price of \$1.

Mr. BELLOMINI. All right, thank you, Mr. Speaker.

The SPEAKER. Does the gentleman wish to make a statement?

Mr. BELLOMINI. Mr. Speaker, I am going to oppose this amendment. I would like to tell the members of the legislature here that we are about to set precedent if we vote for this type of legislation telling our cabinet officers how they are supposed to spend money and in what areas.

Now this past year in working on this budget, we know the criteria of Pennsylvania's dilemma and we had to come up with a tax. What the Auditor General's intent in doing this is to save the taxpayers' money, because, as I see it, this is nothing but a political stand. If you want to go right into it, if you check out this 30-year plum contract that they are discussing from the former Auditor General who placed this state building and contract under our jurisdiction, you will find that we are paying now per square feet more money for that building than anywhere in the State of Pennsylvania.

I rise today to oppose this amendment and beg the legislature not to start in that direction and to set a precedent as to voting for such an amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. D. S. Hayes.

Mr. D. S. HAYES. Mr. Speaker, I also oppose this amend-

ment. I think that the new Auditor General should have the flexibility to place his staff in those areas where he feels it is necessary. We all do know that the former Auditor General was from the Scranton area, and that was, of course, his office and he could do as he pleased at that time. We have a new Auditor General who wishes to distribute his staff throughout the State of Pennsylvania rather than to have it socked in one area which happened to be the former Auditor General's hometown.

I, therefore, would request my Republican colleagues to support Mr. Bellomini and myself and others who feel this way and vote this amendment down, because I think it is very unfair to a person who has been elected to one of the highest offices in this state to have the legislature mandate how he is to operate that office.

Thank you.

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

Mr. RITTER. Mr. Speaker, I rise to support the amendment. I think what the gentlemen, Mr. Bellomini and Mr. Hayes, pointed out is exactly the point. I think this legislature has a responsibility to determine where we want these offices located or where we do not want them located. We are not setting a precedent. We did the very same thing when we put a line item in the budget for the bureau of consumer protection office in the city of Allentown because somebody decided that they were going to remove that office and put it somewhere else.

I think, Mr. Speaker, what we are saying in this legislature to the department heads and to the agencies is that we are sick and tired of you telling us. Just give us the money and let us run our departments without any control by you. Until these department heads and agencies begin to vote for taxes to pay for their programs, then I think they ought to be a little more cooperative about what the legislature wants to do with the money that we have to raise by imposing taxes on people.

I think Mr. McLane's amendment is a good amendment. I think there is politics involved. I think the politics is that the former Auditor General had an office in Scranton but, as someone pointed out, it was there before Mr. Casey took office. I think it ought to remain there. I think it is doing a good job.

Mr. McLane's amendment does not seek to add any money to the budget. It simply takes that \$500,000 from general operating expenses and line-items it and mandates it to maintain the office in Scranton. I think it is a good amendment. I urge support for it.

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

Mr. GALLEN. Mr. Speaker, I have to agree with Mr. Ritter. I think that the other gentlemen who spoke said that this is a political question. I think they are probably right, but I think it was instigated by the Auditor General. I think he is playing politics with this issue. I ask you to support Mr. McLane and I ask all of the members to support this amendment.

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

Just briefly in response to what Mr. Ritter and Mr. Gallen

said about taking politics out of this office: I believe we should take politics out of this office. I think what has happened before is that when we were dissatisfied with what Mr. Casey was doing as Auditor General, we cut his budget by \$1 million and we are living with that now.

Now we have a gentleman who is trying to do the job as Auditor General and we are trying to tie up \$500,000 in this certain issue at a time when we are more than 2 years behind in all of our auditing of all the state-run offices and the school districts and everything else. It is for this reason that I oppose this amendment. I do not think we should tie this gentleman's money up any more than we have in the past.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Erie for the second time on the issue, Mr. Bellomini.

Mr. BELLOMINI. I will be very brief, Mr. Speaker. I just want to point out to the two gentlemen who just spoke prior to Mr. Dombrowski that again the legislature in its wisdom is not looking at the Auditor General's thinking as to the efficiency of running his own office. If we in the legislature take it upon ourselves to believe that we can control—yes, we can control with money—then we are hampering the efficiency of running the office. I feel that we should oppose this amendment today. Thank you.

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

Mr. McLANE. Mr. Speaker, I am going to be brief. I would just like to say in closing, I do not stand here today either to condemn or praise the past Auditor General or to condemn or to praise the present Auditor General. I stand here representing northeastern Pennsylvania and the city of Scranton. The people in northeastern Pennsylvania have this office. They need this office. The city of Scranton is best located for this office. If you want to do what is best for the people of the northeast, please support this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—166

Abraham	Gallen	McIntyre	Schweder
Anderson	Gamble	McLane	Scirica
Armstrong	Garzia	Mebus	Seltzer
Arthurs	Gatski	Meluskey	Shelton
Barber	Geesey	Milanovich	Shupnik
Berlin	Geisler	Miller	Sirianni
Berson	George, C.	Milliron	Smith, E.
Bittinger	Giammarco	Miscevich	Smith, L.
Bittle	Goebel	Moehlmann	Spencer
Borski	Goodman	Morris	Stairs
Brandt	Gray	Mrkonic	Stapleton
Brunner	Greenfield	Mullen, M. P.	Stewart
Burd	Grieco	Mullen, M. M.	Stuban
Burns	Halverson	Musto	Sweet
Caltagirone	Hamilton	Novak	Taddonio
Caputo	Harper	Noye	Taylor, E.
Cassidy	Hasay	O'Brien, B.	Taylor, F.
Cessar	Hayes, S. E.	O'Brien, D.	Tenaglio
Cianciulli	Helfrick	O'Connell	Thomas
Cimini	Hoeffel	O'Donnell	Trello

Cohen	Hutchinson, W.	O'Keefe	Valicenti
Cole	Itkin	Oliver	Wansacz
Cowell	Johnson	Parker	Wargo
Davies	Jones	Peterson	Wenger
DeMedio	Katz	Petrarca	White
DeVerter	Kelly	Pitts	Wiggins
DeWeese	Klingaman	Pott	Williams
DiCarlo	Kowalyszyn	Pratt	Wilson
Donatucci	Laughlin	Prendergast	Wilt
Dorr	Lehr	Pyles	Wise
Doyle	Letterman	Rappaport	Wright, D.
Duffy	Levi	Ravenstahl	Wright, J. L.
Dumas	Levin	Renwick	Yahner
Englehart	Lincoln	Rhodes	Yohn
Fee	Livengood	Richardson	Zearfoss
Fisher, D. M.	Logue	Rieger	Zeller
Flaherty	Mackowski	Ritter	Zitterman
Foster, A.	Madigan	Ruggiero	Zord
Foster, W.	Manderino	Ryan	Zwikl
Freind	McCall	Salvatore	
Fryer	McClatchy	Scheaffer	Irvis.
Gallagher	McGinnis	Schmitt	Speaker

NAYS—23

Bellomini	Fischer, R. R.	Kolter	Reed
Bennett	George, M.	Manmiller	Shuman
Brown	Greenleaf	Mowery	Spitz
Dietz	Haskell	Pancoast	Vroon
Dininni	Hayes, D. S.	Piccola	Wass
Dombrowski	Knepper	Polite	

NOT VOTING—13

Beloff	Hopkins	Kukovich	Scanlon
Gillette	Hutchinson, A.	Lynch	Wagner
Gleeson	Kernick	Pievsky	Weidner
Honaman			

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

REMARKS ON VOTE

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

Mr. CAPUTO. I was being pressured by another legislator during the last vote. I would like to be recorded in the negative on the McLane amendment to SB 1187.

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

On the question recurring,

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

Mr. BENNETT offered the following amendment:

Amend Sec. 1 (Sec. 2), page 5, lines 7 through 15, by striking out all of said lines and inserting

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, amendment number A3348 has been circulated. It is a very simple amendment. It may sound like a costly one, but I assure you, Mr. Speaker, I do not believe that it is costly. Rather I think that it is going to be a great savings to the people of Pennsylvania.

Simply, the amendment would add \$200,000 to the Department of Community Affairs for the salaries, wages and necessary expenses for the proper administration of the department, including Community Action Assistance, housing and redevelopment, area-wide services, municipal administrative support capability, local recreation areas and facilities and community development planning.

Mr. Speaker, I believe that those are all very, very important areas to the Commonwealth of Pennsylvania. It was said to me and, I am sure, said to others who are proposing amendments to SB 1187, if you want the money, find out where you can get it.

Mr. Speaker, I believe I know where I can get the money for the \$200,000 for DCA for the programs that I feel are important. I have talked with various legislators in this House, explained my motives, explained my reasoning, and I think that I have their support.

I would like to endeavor to convince the whole House of Representatives that my reasons are sound. Mr. Speaker, there has been a \$10-million bond issue approved by the people of Pennsylvania for the Volunteer Loan Assistance Program for volunteer fire companies.

In addition to the \$10 million approved and the bonds already sold, a \$500,000 appropriation in 1976-77 and a \$500,000 appropriation for 1977-78 was given for that very important program.

Mr. Speaker, the number of applications received to date for the total \$11 million available for volunteer fire companies are 181. The total dollar amount approved to date for that very same program is \$1,570,000, approximately. The number of applications approved to date, Mr. Speaker, are 61.

What I am saying to the members of this House is that of the total 181 applications received, 61 have been approved. Of the other 120 applications, Mr. Speaker, they are in limbo for various reasons. One of those reasons is that of those 120 applications, every one has ordered a fire truck or fire equipment that is at least 18 months or more in arrears.

Mr. Speaker, I have talked with the Secretary of DCA, Mr. Al Hydeman. He is aware of what I am doing or attempting to do. I have talked with Representative Amos Hutchinson, who is the father of the Volunteer Fire Program Assistance Act. I have talked with others. Mr. Speaker, my suggestion is that we take the \$200,000 that I am asking for from that fund, keeping in mind it will still leave us \$10.5 million available for volunteer fire equipment and volunteer fire company assistance.

Mr. Speaker, very simply stated, the \$200,000 that I am seeking would come from that. I would ask for support for my amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would like to interrogate Mr. Bennett.

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

Mr. BENNETT. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Bennett, indicates that he will consent to interrogation. The gentleman, Mr. Manderino, may proceed.

Mr. MANDERINO. Mr. Speaker, it was my understanding that your amendment would transfer moneys allocated to the Department of Community Affairs and the Volunteer Fire Fund. They are allocated to that by HB 1349, the budget we passed, and to redistribute that. This particular amendment, as I read it, simply adds money. It does not take it from anywhere.

Mr. BENNETT. Mr. Speaker, in answer to the gentleman's question, the Legislative Reference Bureau, in drafting the amendment, indicated to me that my amendment would refer us back to Act 1349 as it was passed in August, which would, in essence, put the \$200,000 back into it.

Mr. MANDERINO. That is correct, but what about transferring it out of where we put it?

Mr. BENNETT. I would believe, Mr. Speaker, that SB 1187 cannot address itself to that and that we would need following legislation to do it. That is what I am told.

Mr. MANDERINO. No. That is incorrect, and I would urge that the amendments be coupled together.

May we be at ease for a minute, Mr. Speaker?

The SPEAKER. Certainly. The House will stand at ease.

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, it appears that the information that was given to me previously is not in order and it appears that we must redraft the amendment to do what I seek to do.

Mr. Speaker, in addition to that, the second amendment that I would offer would transfer a part of those same funds from the \$500,000 Volunteer Fireman Fund to the Department of Commerce also. I am informed by the majority leader and by others of high repute that it would be in order to withdraw this amendment and have it redrafted and have it reinserted, and, with the Chair's permission, I would ask to do that.

The SPEAKER. Permission is granted.

The gentleman, Mr. Bennett, has withdrawn temporarily the amendment which he offered so that it may be redrafted. The Chair would suggest to the gentleman that if his amendments have an interaction, which I assume they do, it would be better to offer them all at one time rather than to offer them ad seriatum.

Mr. BENNETT. That is the suggestion also of the majority leader which this pupil will follow.

The SPEAKER. In that case, we will place the gentleman, Mr. Bennett, later down the line. You will advise the Chair when your amendments are ready, please.

RECONSIDERATION OF VOTE

ON CONCURRENCE IN SENATE AMENDMENTS TO HB 1283

Mr. GREENFIELD moved that the vote by which Senate amendments to HB 1283, PN 2096, were nonconcurrent in on December 13, 1977, be reconsidered.

Mr. RICHARDSON seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—173

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

NAYS—15

Anderson	Hasay	Moehlmann	Wass
Brown	Mackowski	Mowery	Zearfoss
Dietz	Madigan	Polite	Zord
Fischer, R. R.	Mebus	Stairs	

NOT VOTING—14

Cimini	Hopkins	Lynch	Wagner
Cole	Hutchinson, A.	Mullen, M. M.	Weidner
Gillette	Johnson	Rhodes	Williams
Honaman	Kernick		

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

CONGRATULATIONS ON HAMILTON GRANDSON BIRTH

The SPEAKER. The Chair has the delightful pleasure of congratulating Representative John Hamilton on the birth of his grandson, Jeffrey Hamilton, and the son of John Hamilton III and his wife, Beverly. We congratulate the grandpop. Congratulations, John.

The Chair recognizes the gentleman, Mr. Hamilton.

Believe it or not, unless we hurry up with these amendments, Jeffrey Hamilton may be old enough to vote by the time we get through.

Mr. HAMILTON. I agree and thank you very much, Mr. Speaker.

MOTION TO LIMIT DEBATE

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

Mr. ZELLER. Mr. Speaker, I wonder if the membership would go along with what we talked about yesterday, because I understand there are probably 68 amendments left. And at the rate we went yesterday at a half hour per amendment, I think we will be here until about Saturday noon. So I was just wondering if it is possible and if we could, I would like to make the motion for the suggestion that you made yesterday, which you worded so well. And I am sure it is in your mind in regard to the 2-minute so-called, from some of my opposition, gag rule, which is not my intent. I think everybody knows what we are doing, and let us get on with the show. I would like to move that we, right now, move for the 2-minute so-called rule.

The SPEAKER. It is moved by the gentleman, Mr. Zeller—and the Chair wishes to state that this is not a request of the Chair. Although the Chair agrees with the motion, I do not want the members to think that the Chair is being insistent on this motion. This is up to the House to decide on its own.

It is moved by the gentleman, Mr. Zeller, that, for the remainder of the debate on SB 1187 and any amendments thereto or any procedural motions attached thereto, debate be limited to one appearance by each member on each issue, each appearance being limited to not more than 2 minutes and the only exceptions being the majority leader and the minority leader.

The question is on the motion.

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

Mr. ITKIN. Mr. Speaker, would Mr. Zeller consent to interrogation?

The SPEAKER. The gentleman, Mr. Zeller, indicates that he will stand for interrogation.

Mr. ZELLER. With a comment first, providing Mr. Itkin keeps it to 2 minutes.

The SPEAKER. The gentleman, Mr. Zeller, says that he will stand for interrogation for a period of 2 minutes only.

Mr. ITKIN. I only have 1 question, Mr. Speaker. How many amendments is Mr. Zeller going to offer this afternoon?

Mr. ZELLER. Mr. Speaker, I do not have any amendments. I have a lot I want to support.

Mr. ITKIN. Thank you very much, Mr. Zeller.

Mr. ZELLER. Thank you, Mr. Itkin. I love you.

Mr. ITKIN. I have the floor.

The SPEAKER. The gentleman, Mr. Itkin, has been recognized and may continue.

Mr. ITKIN. Mr. Speaker, it seems that Mr. Zeller does not have any amendments today, so there is a gag rule. It seems,

however, other times when Mr. Zeller has an emotional need to belabor this House, with respect to issues he considers to be vital, we must listen endlessly to his speeches. I could accept this particular motion far better if it was made by a speaker who generally reserves or follows that particular code. So I would, just because he is the maker of the motion, oppose this motion at this time.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, yesterday when this same subject came up, it was suggested at that time that on a voluntary basis everyone make a conscientious effort to act as this temporary rule would force us to act. Speaking for myself, and without the benefit of having any caucus on this, I would oppose the limitation of debate. We are not sure exactly what is in each amendment. We do not know the position of many of the people, and it could very well be that some of these amendments are serious enough that they would require more than 2 minutes' debate, not only by the floor leaders but by those who are offering or opposing the amendment.

It seems to me that we had this experience once before earlier this year when we voluntarily limited the number of times that we could talk and limited the amount of time that could be spent on debate on amendments. As I recall it was back in July.

I know that many of us on this side of the aisle lived to regret at that time agreeing to such an amendment to our rules even though only temporary. I would rather urge that we each try to hold down debate and that there be no frivolous comments, if possible, but to protect ourselves in the event that something comes up that warrants a great deal more attention than 2 minutes, I suggest that we oppose the Zeller motion.

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

Mr. CAPUTO. Mr. Speaker, for the very same reasons given by Representative Ryan, I too oppose the limitation. I would suggest also or comment also, Mr. Speaker, on the fact that it seems to me that this bill is eventually going to a conference committee, and the input that is made by the House may have some impression on the members of that committee.

The SPEAKER. The Chair thanks the gentleman, but the Chair would disabuse the gentleman of his belief that the bill may end up in a committee of conference. The Chair is not prepared to predict that and the Chair would suggest that the gentleman withhold his prediction.

The Chair recognizes the gentleman from Northampton, Mr. Ruggiero, on this question.

Mr. RUGGIERO. Mr. Speaker, as one who comes to the microphone only rarely, when it is considered necessary, I would like to support Representative Zeller's motion. I think that everybody in this House knows what every amendment is about by reading it, and we are wasting entirely too much time on matters that are not that important. I think we should get on with the business and do it expeditiously.

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

Mrs. HARPER. Thank you, Mr. Speaker.

I rise to support Mr. Zeller in his motion. From yesterday's experience, some of the members took 30 minutes on one amendment, and we know that the members are not going to adhere to 2 minutes or 5 minutes. Therefore, I ask you to support the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—116

Barber	Geisler	McIntyre	Shelton
Bellomini	George, M.	McLane	Shupnik
Beloff	Giammarco	Meluskey	Smith, E.
Bennett	Gleeson	Milanovich	Stapleton
Berlin	Goodman	Milliron	Stewart
Berson	Gray	Morris	Stuban
Bittinger	Greenfield	Musto	Sweet
Borski	Greenleaf	Novak	Taddonio
Brown	Grieco	Noye	Taylor, F.
Brunner	Harper	O'Brien, B.	Tenaglio
Burd	Hasay	O'Brien, D.	Valicenti
Caltagirone	Haskell	O'Donnell	Vroon
Cessar	Hayes, D. S.	O'Keefe	Wagner
Cianciulli	Helfrick	Oliver	Wansacz
Cimini	Hoeffel	Petrarca	Wargo
Cole	Hutchinson, A.	Pievsky	White
DeMedio	Johnson	Pratt	Wiggins
DeWeese	Jones	Prendergast	Williams
Dombrowski	Katz	Rappaport	Wilt
Donatucci	Kelly	Ravenstahl	Wise
Doyle	Kowalshyn	Reed	Wright, D.
Dumas	Kukovich	Rieger	Yahner
Englehart	Laughlin	Ritter	Zeller
Fee	Levin	Ruggiero	Zitterman
Fischer, R. R.	Livengood	Salvatore	Zord
Fisher, D. M.	Logue	Scanlon	Zwilk
Gallagher	Mackowski	Scheaffer	
Gamble	Manderino	Schmitt	Irvis,
Garzia	Manmiller	Schweder	Speaker
Gatski	McCall		

NAYS—78

Abraham	Foster, W.	McClatchy	Rhodes
Anderson	Freind	McGinnis	Richardson
Armstrong	Fryer	Mebus	Ryan
Arthurs	Gallen	Millers	Scirica
Bittle	Geesey	Miscevich	Shuman
Brandt	George, C.	Moehlmann	Sirianni
Burns	Goebel	Mowery	Smith, L.
Caputo	Halverson	Mrkonc	Spencer
Cassidy	Hamilton	Mullen, M. P.	Spitz
Cohen	Hayes, S. E.	O'Connell	Stairs
Cowell	Hutchinson, W.	Pancoast	Taylor, E.
Davies	Itkin	Parker	Thomas
DeVerter	Klingaman	Peterson	Trello
DiCarlo	Knepper	Piccola	Wass
Dietz	Kolter	Pitts	Wenger
Dininni	Lehr	Polite	Wilson
Dorr	Letterman	Pott	Wright, J. L.
Duffy	Levi	Pyles	Yohn
Flaherty	Lincoln	Renwick	Zearfoss
Foster, A.	Madigan		

NOT VOTING—8

Gillette	Hopkins	Lynch	Seltzer
Honaman	Kernick	Mullen, M. M.	Weidner

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

The SPEAKER. From now on, on any issue concerning SB 1187, a member is limited to one appearance on the floor, and that appearance must be for no more than 2 minutes, the exception being the appearance of the majority leader or the appearance of the minority leader.

On the question recurring,

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

Mr. D. M. FISHER offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, line 23, by striking out all of said line and inserting 1,995,000

For the Governor's share of the expenses of the Commonwealth Compensation Commission [25,000]
23,750

Amend Sec. 1 (Sec. 2), page 2, by inserting after line 30

For the administration and operation of the Office of Administration [3,821,000]
3,629,950

* * *

For the administration and operation of the Office of State Planning and Development [600,000]
570,000

Amend Sec. 1 (Sec. 2), page 3, line 3, by striking out all of said line and inserting 1,605,500

Amend Sec. 1 (Sec. 2), page 3, line 16 by striking out all of said line and inserting

For the salaries, wages and all necessary expenses for the proper administration and operation of the Governor's Energy Council [291,000]
276,450

To the Lieutenant Governor

For the salaries, wages and all necessary expenses for the proper conduct of the Office of the Lieutenant Governor, including payment of expenses of the residence at the Edward Martin Military Reservation [250,000]
237,500

To the Department of the Auditor General

Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are supported out of the General Fund and for auditing Justices of the Peace, other fining offices, Volunteer Firemen's Relief Association Funds and the offices of elected State officials. [8,903,000]
8,457,850

Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations. [2,394,000]
2,274,300

Administration of the Board of Arbitration of Claims [230,000]
218,500

Amend Sec. 1 (Sec. 2), page 3, line 18, by striking out all of said line and inserting

For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:

For the administration of the Treasury Department [4,400,000]
4,180,000

For the administrative expenses in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations

[2,302,000]
2,186,900

Amend Sec. 1 (Sec. 2), page 3, line 21, by striking out all of said line and inserting 493,050

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 22 and 23

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

[2,293,000]
2,178,350

* * *

Amend Sec. 1 (Sec. 2), page 4, line 2, by striking out all of said line and inserting 13,444,400

Amend Sec. 1 (Sec. 2), page 4, line 15, by striking out all of said line and inserting

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

[800,000]
759,200

Amend Sec. 1 (Sec. 2), page 5, by inserting between line 1 and 2

* * *

For the administration and operation of the Navigation Commission for the Delaware River

[77,000]
73,150

For payment of grants to recognized industrial development agencies to assist such agencies in the financing of their operational costs for the purposes of making studies, surveys and investigations, the compilation of data and statistics and in the carrying out of planning and promotional programs.

[500,000]
475,000

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 4 and 5

For the payment of the Commonwealth's share of the cost of the operation of the Appalachian Regional Commission and the Office of the Appalachian State's Regional Representative

[313,000]
297,350

* * *

For technical assistance for minority businesses

[250,000]
237,500

* * *

For the community facilities program pursuant to the act of December 22, 1959 (P. L. 1978, No. 728)

[1,000,000]
950,000

* * *

Amend Sec. 1 (Sec. 2), page 5, line 25, by striking out all of said line and inserting

2,137,500

For grants to counties and to private facilities to finance drug and alcohol abuse treatment and prevention programs.

[18,000,000]
17,100,000

Amend Sec. 1 (Sec. 2), page 6, line 8, by striking out all of said line and inserting 13,580,250

Amend Sec. 1 (Sec. 2), page 6, line 20, by striking out all of said line and inserting 1,418,350

Amend Sec. 1 (Sec. 2), page 8, line 4, by striking out all of said line and inserting 7,079,400

Amend Sec. 1 (Sec. 2), page 9, by inserting between lines 5 and 6

For the purpose of administering the programs of the agency including payment of lender participation incentives

[3,916,000]
3,720,200

Amend Sec. 1 (Sec. 2), page 9, line 7, by striking out all of said line and inserting

For salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources

[14,000,000]
13,300,000

Amend Sec. 1 (Sec. 2), page 9, line 10, by striking out all of said line and inserting

For soil survey work

[100,000]
95,000

Amend Sec. 1 (Sec. 2), page 9, line 14, by striking out all of said line and inserting 617,500

Amend Sec. 1 (Sec. 2), page 9, line 18, by striking out all of said line and inserting 2,288,550

Amend Sec. 1 (Sec. 2), page 9, line 19, by striking out all of said line and inserting

For water quality management.

[5,884,000]
5,589,800

Amend Sec. 1 (Sec. 2), page 9, line 28, by striking out all of said line and inserting 9,785,000

Amend Sec. 1 (Sec. 2), page 10, line 1, by striking out all of said line and inserting

For the gypsy moth laboratory and research

[406,000]
385,700

Amend Sec. 1 (Sec. 2), page 10, by inserting between lines 3 and 4

For stream improvement projects

[450,000]
427,500

For the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires

[150,000]
142,500

For payments to municipalities or municipal authorities for up to 50% of the cost of acquiring lands and rights-of-way and relocating roads and utilities to qualify for Federal flood control projects

[745,000]
707,750

Amend Sec. 1 (Sec. 2), page 10, line 17, by striking out all of said line and inserting

For the salaries, wages and all necessary expenses for the proper administration of the Department of General Services including distribution of surplus State property, purchase maintenance and disposition of State automotive equipment, standards and specifications of commodities for State agencies, purchase of commodities for State agencies, real estate and insurance, building, construction and engineering, maintenance and custody of State office buildings and grounds, general services, Federal surplus property, and distri-

bution of Federal surplus commodities [22,677,000]
21,543,150

No more than \$13,521,000 in general obligation bonds may be used to augment this appropriation.

Utility cost [4,200,000]
3,984,000

Amend Sec. 1 (Sec. 2), page 10, line 22, by striking out all of said line and inserting

For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance [12,500,000]
11,875,000

* * *

For the operation of a program for the inspection of public and private nursing facilities [1,000,000]
950,000

Amend Sec. 1 (Sec. 2), page 10, line 25, by striking out all of said line and inserting 2,957,350

Amend Sec. 1 (Sec. 2), page 10, line 28, by striking out all of said line and inserting 2,055,800

Amend Sec. 1 (Sec. 2), page 11, line 3, by striking out all of said line and inserting

For emergency health services [2,200,000]
2,090,000

Amend Sec. 1 (Sec. 2), page 11, by inserting between lines 6 and 7

For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth [3,356,000]
3,188,200

For reimbursement to school districts on account of health services [11,810,000]
11,219,500

* * *

Amend Sec. 1 (Sec. 2), page 11, by inserting between lines 7 and 8

For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission including development and promotion of Pennsylvania State and local history, museum development and operations, and development and preservation of historical sites and properties [5,427,000]
5,155,650

Amend Sec. 1 (Sec. 2), page 11, line 26, by striking out all of said line and inserting 5,079,650

Amend Sec. 1 (Sec. 2), page 12, line 4, by striking out all of said line and inserting 1,316,811

Amend Sec. 1 (Sec. 2), page 12, line 8, by striking out all of said line and inserting 656,450

Amend Sec. 1 (Sec. 2), page 12, line 12, by striking out all of said line and inserting 546,250

Amend Sec. 1 (Sec. 2), page 12, line 16, by striking out all of said line and inserting 1,703,350

Amend Sec. 1 (Sec. 2), page 12, line 19, by striking out all of said line and inserting

Consumer Protection Office — Allentown [150,000]
142,500

Amend Sec. 1 (Sec. 2), page 12, line 20, by

striking out "100,000" and inserting 95,000

Amend Sec. 1 (Sec. 2), page 12 line 21, by striking out all of said line and inserting

Board of Pardons [151,000]
143,450

* * *

For salaries, wages and all necessary expenses of the Bureau of Drug Control; Provided, That funds expended from this appropriation are approved by the Drug Law Enforcement Coordinating Council [3,225,000]
3,063,850

For the operation and administration of the Pennsylvania Crime Commission [1,249,000]
1,186,661

Amend Sec. 1 (Sec. 2), page 12, by inserting between lines 25 and 26

For salaries, wages and all necessary expenses of the Crime Victims Compensation Board [250,000]
237,500

For salaries, wages and all necessary expenses of the Office of Consumer Advocate [100,000]
95,000

Amend Sec. 1 (Sec. 2), page 12, line 29, by striking out all of said line and inserting 67,963,000

Amend Sec. 1 (Sec. 2), page 13, line 3, by striking out all of said line and inserting 1,995,000

Amend Sec. 1 (Sec. 2), page 13, line 6, by striking out all of said line and inserting

For salaries, wages and all necessary expenses for the proper administration of the Department of Labor and Industry, including regulation of consumer products and promotion of fair business practice, accident prevention, occupational health and safety, income maintenance, and industrial relations stability [12,100,000]
11,495,000

Amend Sec. 1 (Sec. 2), page 13, line 16, by striking out all of said line and inserting 7,410,000

Amend Sec. 1 (Sec. 2), page 13, line 20, by striking out all of said line and inserting

For the operation and maintenance of the Soldiers' and Sailors' Home at Erie [738,000]
701,100

* * *

To the Milk Marketing Board

For payment into the Milk Marketing Fund in the State Treasury for the purpose for which such fund is appropriated [717,000]
681,150

Amend Sec. 1 (Sec. 2), page 13, line 26, by striking out all of said line and inserting 9,347,050

Amend Sec. 1 (Sec. 2), page 13, line 27, by striking out all of said line and inserting

Payments for grants-in-aid to counties for providing improved adult probation services [1,763,000]
1,674,850

Amend Sec. 1 (Sec. 2), page 14, line 6, by striking out all of

said line and inserting 17,575,000

Amend Sec. 1 (Sec. 2), page 14, line 7, by striking out all of said line and inserting

For an internal audit and investigation unit. [450,000]
427,500

For the provision of security programs and facilities for youth offenders including two hundred security beds [4,498,000]
4,273,100

Amend Sec. 1 (Sec. 2), page 14, line 11, by striking out all of said line and inserting

For the provision of basic institutional programs and facilities and to provide general support services for security programs and facilities and community based programs and facilities for youth offenders [18,823,000]
17,881,850

* * *

For the operation, maintenance and administration of the State restoration centers [7,572,000]
7,193,400

For the operation, maintenance and administration of the State medical and surgical hospitals [6,500,000]
6,175,000

Amend Sec. 1 (Sec. 2), page 14, line 15, by striking out "347,000,000" and inserting 329,764,900

Amend Sec. 1 (Sec. 2), page 14, line 28, by striking out all of said line and inserting

21,230,400
Claims settlement [2,314,000]
2,198,300

Amend Sec. 1 (Sec. 2), page 15, line 18, by striking out all of said line and inserting 46,844,500

Amend Bill, page 15, by inserting between lines 22 and 23
Inheritance tax 4,750,000

Amend Sec. 1 (Sec. 2), page 15, line 27, by striking out all of said line and inserting 855,000

Amend Sec. 1 (Sec. 2), page 16, line 18, by striking out all of said line and inserting 28,439,000

For salaries, wages and all necessary expenses for the proper administration of the Municipal Police Officers Education and Training Commission [1,000,000]
950,000

Amend Sec. 1 (Sec. 2), page 16, line 24, by striking out all of said line and inserting 781,850

Amend Sec. 1 (Sec. 2), page 17, line 1, by striking out all of said line and inserting 1,034,550

Amend Sec. 1 (Sec. 2), page 17, line 18, by striking out all of said line and inserting 4,249,350

Amend Sec. 1 (Sec. 2), page 17, by inserting between lines 19 and 20

To the Senate

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

Salaries for 50 Senators and extra compensation to the President pro tempore of the Senate [1,425,000]
1,400,000

* * *

For allocation in such amounts as may be designated by the Legislative Management Committee (D) to the several standing commit-

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

[1,870,000]
1,777,000

For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the Senate for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the Senate and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the Senate for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account [1,530,000]
1,500,000

Amend Sec. 1 (Sec. 2), page 17, line 22, by striking out all of said line and inserting

For the salaries, wages and all necessary expenses for the following purposes:
Salaries of Representatives and extra compensation to the Speaker of the House of Representatives [5,350,000]
5,082,500

Amend Sec. 1 (Sec. 2), page 17, line 26, by striking out all of said line and inserting 2,800,000

Amend Sec. 1 (Sec. 2), page 17, line 29, by striking out all of said line and inserting 4,300,000

Amend Sec. 1 (Sec. 2), page 17, line 30, by striking out all of said line and inserting

Salaries of employees of the Chief Clerk. [625,000]
525,000

* * *

Contingent Expenses:

Speaker [20,000]
15,000

Chief Clerk [200,000]
175,000

Secretary [65,000]
55,000

* * *

Miscellaneous Expenses:

Incidental Expenses [1,000,000]
800,000

* * *

Legislative Printing and Expenses [2,850,000]
2,707,500

* * *

For the payment to the Special Leadership Account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Majority Leader may be required or arise during Legislative Sessions and during the interim between Legislative Sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Majority Leader on the presentation of his requisition for the same. The Majority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Majority Leader of such expenses since the filing of the prior account

[950,000]
902,500

For the payment to the Special Leadership Account (R) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Minority Leader may be required or arise during Legislative Sessions and during the interim between Legislative Sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Minority Leader on the presentation of his requisition for the same. The Minority Leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible in the office of the Minority Leader of such expenses since the filing of the prior account

[950,000]
902,500

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

[1,800,000]
1,710,000

For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the House and for other neces-

sary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents whenever possible, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account

[1,800,000]
1,710,000

* * *

To the Legislative Reference Bureau

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

[1,208,000]
1,147,600

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

[10,000]
9,500

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

[120,000]
114,000

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

For the printing of Pennsylvania Bulletin and Pennsylvania Code

[630,000]
598,500

For special legal fees.

[65,000]
61,750

To the Legislative Budget and Finance Committee

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

[317,000]
301,150

To the Legislative Data Processing Committee

For the operation of the Legislative Data Processing Center

[925,000]
878,750

To the Joint State Government Commission

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

ernment Commission	[990,000] 940,500	expenses of traveling judges; including the mileage in divided judicial districts; including the salaries and mileage of associate judges. . .	[16,845,000] 16,002,750
To the Local Government Commission		No allocation shall be made from this appropriation for the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties.	
For the salaries, wages and all expenses necessary for the work of the Local Government Commission	[192,000] 182,400	For the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties	[500,000] 475,000
* * *		Community Courts — District Justices of the Peace	
To the State Legislative Air and Water Pollution Control Commission		For the salaries of Community Court Judges and District Justices of the Peace	[12,340,000] 11,723,000
For the salaries and expenses of the State Legislative Air and Water Pollution Control Commission	[125,000] 118,750	Philadelphia Traffic Court	
* * *		For the salaries and expenses of judges	[170,000] 161,500
To the Legislative Audit Advisory Commission		Philadelphia Municipal Court	
For the salaries, wages and all expenses necessary for the work of the commission	[100,000] 95,000	For the salaries and expenses of judges	[1,092,000] 1,037,400
* * *		For law clerks, one for each judge, excluding the president judge	[133,000] 126,350
Amend Sec. 1 (Sec. 2), page 18, line 2, by striking out all of said line and insert		Amend Sec. 1 (Sec. 2), page 18, by inserting between lines 21 and 22	
For the salaries, wages and all necessary expenses for the following purposes:		Section 3. The act is amended by adding a section to read:	
Supreme Court		Section 10.1. (a) It is the intent of the General Assembly that any reductions in appropriations made by this amendatory act be effectuated from economies first in expenditure categories, including but not limited to, contractual, specialized and professional services, printing, advertising, postage, communications, travel and all other nonsalary categories. In the event economies in these areas will not fully absorb the reduction, any department is authorized to layoff present employees only after all presently nonfilled positions are abolished and such amounts are taken into account, but in no event shall the dollar value of employee reductions exceed 50% of the reduction contained herein.	
For the salaries and expenses of the Supreme Court; including the salaries and expenses for the Supreme Court judges, for the officer of prothonotary and for the library in the Eastern District and Western District, for the office of prothonotary in the Middle District, for criers, tipstaves, official stenographers, court officers and the law secretary of the Chief Justice in Eastern, Middle and Western Districts and Workmen's Compensation Insurance Premiums for all Supreme Court Employees, for the office of State reporters; including the salaries and compensation of employees and expenses of judges; including the fees for prothonotaries of the Supreme Court of the Eastern, Middle and Western Districts on assignment to judges to counties other than their own; including the salaries and expenses of the State Board of Law Examiners; including the Judicial Inquiry and Review Board; including printing and miscellaneous expenses; including the expenses of procedural rules committees	[2,675,000] 2,541,250	(b) Each department shall, within five days of the effective date of this amendatory act, submit to the Appropriations Committees of the House and Senate a detailed list of all currently unfilled positions. In the event layoffs are necessitated by any department, such department shall immediately submit a report to the General Assembly, detailing the economies made and vacant positions abolished.	
Amend Sec. 1 (Sec. 2), page 18, by inserting between lines 7 and 8		Amend Sec. 3, page 18, line 22, by striking out "3." and inserting 4.	
Superior Court		On the question,	
For the salaries and expenses of the Superior Court; including the salary and expenses of the Superior Court judges, for criers, tipstaves, official stenographers, court officers and law secretary of the president judge and Workmen's Compensation Insurance Premiums for all employees of the Superior Court, for the Prothonotary's Office in the Philadelphia District; including salaries and compensation for employees and expenses of judges; including the expenses of dockets, stationery, supplies, books for the library and other costs of the Superior Court and its offices	[1,575,000] 1,496,250	Will the House agree to the amendments?	
Commonwealth Court		The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Fisher.	
For the salaries and expenses of judges and employees	[2,000,000] 1,900,000	Mr. D. M. FISHER. Thank you, Mr. Speaker. I will try my best to stay under the 2 minutes.	
Courts of Common Pleas		My amendment to SB 1187 proposes to cut 5 percent from general government operations in general government from all categories in the legislative, executive and judicial branches.	
Courts of Common Pleas; including the salaries and expenses of judges; including the		This is the amendment which I made some reference to last	

week. I would have liked to have had the opportunity to address this subject before we enacted the tax proposals that were passed, both last week and yesterday. However, this is the first opportunity I have had with SB 1187.

The 5-percent figure has been applied to all general government categories as I have indicated. There are some categories that are not reduced by my amendment as they are previously reduced in SB 1187. The total amount which my amendment would save for the Commonwealth is \$38.4 million. Apparently, if this bill passes as proposed without the amendment and if the tax bills are signed into law, there will be sufficient revenue saved for the \$14 million or \$18 million we have heard bandied around, to sign all the nonpreferreds.

However, I submit that if my amendment would pass and if the majority of the members of this House do support this type of budgetary cut, that we could consider not transferring that \$30 million out of the State Police fund to partially avoid one of the problems which I believe we will be facing in January.

I direct your attention to the last page of the amendment which contains some legislative intent language. Basically it says that the cuts are to be made first out of consulting — contract areas — printing, advertising, postage, communications and travel — which include the 11,000-or-so state cars which all of these departments own; and only in the next event then should we go to salaried positions; first, salaried positions that are open, and then finally a maximum of 50 percent of actual cuts should come in salaried positions. That is my amendment and I urge your support.

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

Mr. PIEVSKY. Mr. Speaker, I rise to oppose the gentleman's amendment. The amendment makes its reductions of approximately 5 percent in departments in general government operations. Every one of these budgets is already below the amount requested by the Governor and below the amounts recommended by the Appropriations Committee, Mr. Speaker, last summer. Most of them are already at last summer's level and are lower as the bill stands now. If you total all of these items in general government in the August budget, they are already lower than the amount budgeted for last year.

The August budget, Mr. Speaker, caused over 1,000 layoffs, and SB 1187 will cause a few more layoffs. Mr. Speaker, this amendment is equivalent to beating a dead horse, and I really do not think it is justified.

Mr. Speaker, in addition to the general-government cuts, this amendment also reduces the Governor's Council on Alcohol grants to the county, cuts crime victims' compensation, cuts the Farm Show, cuts the Department of Environmental Resources' program line items, emergency medical service grants, school health subsidies; it cuts prisons; it cuts the state general hospitals, the State's hospitals for the mentally ill and the retarded, and the state restoration centers.

Mr. Speaker, I urge the members on both sides of the aisle to oppose the gentleman's amendment. Thank you, Mr. Speaker.

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

Mr. DeVERTER. Mr. Speaker, I rise to support the amendment offered by the gentleman from Allegheny, Mr. Fisher. The amendment is something that many of us in this House have expressed our desire to see occur. I see, across the aisle, my colleague, Mr. Morris, from Chester County and I am hopeful that he, too, is in support of this amendment.

I would say to you that those of you who did not like the general fund budget that was passed in August, this is your opportunity to see whether, in fact, there was additional fat in this HB 1349 that was passed in August. I would hope that after all of the rhetoric that we have heard on the floor of this House with respect to bringing some spending under control that you would find this amendment attractive enough to support. And I might add, Mr. Speaker, that in addition to this amendment, I have one that will, coupled with this, save this Commonwealth approximately \$60 million and I believe that will go a long way toward resolving many of the problems that we currently have.

Thank you, Mr. Speaker.

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

Mr. MORRIS. Thank you, Mr. Speaker.

Mr. Speaker, I hate to disappoint my good friend, Mr. DeVerter, but there are some very serious problems with this amendment. Since he brought my amendment of last June up, I would like to add that that was not an across-the-board cut of 5 percent on anything. It was a highly selective cutting of many, many different line items, which I thought was proper at the time. I might add that, since then, this bill here plus the bill we passed last August approaches within \$7 million of the total cuts I made in the state government.

One of the things that worries me most here has to do with the Mental Health-Mental Retardation amendment. When you stop to think and go a little further than just the plain 5 percent and apply that to the MH-MR programs, here you get a cut of \$17,235,100. And I do not see how the MH-MR programs in the state institutions for mentally retarded and mental health can get along on a cut of that kind, so I would urge voting against the amendment. Reluctantly, I would like to save money, and I just do not think this amendment does the right kind of a job. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen, on the amendment.

Mr. GALLEN. Mr. Speaker, this is probably the most significant amendment which will be offered in this whole package and this may be one of the most significant votes that we are called on to make in this session.

There is nothing easy about cutting money from programs or from general-government operations, and this amendment cuts a wide swath. But, Mr. Speaker, I think that really this is the message that most of us are getting from the people back home. Let us try to cut some of the fat, and I think that we can live with this kind of a cut and I urge support of this amendment.

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

Mr. POLITE. Thank you, Mr. Speaker.

The Appropriations Committee chairman stated that we are beating a dead horse and that this amendment is not justified. I say that it is justified and that we are not beating a dead horse because we are restoring the \$30 million that has been taken out of the motor license fund, and it would free money to later restore that, and putting it back to where it really belongs, back to PennDOT. Thank you very much.

The SPEAKER. The Chair recognizes, on the amendment, the gentleman from Dauphin, Mr. Reed.

Mr. REED. Mr. Speaker, in addition to what the Appropriations Committee chairman had to say, and perusing this amendment, I find that the moneys for the Pennsylvania Crime Commission, the Drug Law Enforcement Office or the Office of the Consumer Advocate for the payment of adult probation services' moneys, for which I believe we increased yesterday the Welfare Fraud Auditing and Investigation Unit, the provision of security detention for youth offenders in this state, the provision of technical assistance to minority businesses, et cetera, et cetera, are among the areas that are cut. This is precisely the kind of easy-solution approach that the voters and the taxpayers in this state have all too often found us taking, and it is done in a thoughtless way, in my judgment.

Until the legislature of Pennsylvania begins to do performance auditing, gets to know where to really do the digging to eliminate the waste and the duplication and the overlapping and enacts such things as sunset legislation and zero-base budgeting, we are always going to be faced with this kind of an amendment with the explanation that this is budgetary reform. I submit to you it is not budgetary reform. It is, in my judgment, a thoughtless reduction of some very needed programs, without selectively picking those areas where we really ought to be cutting by more than 5 percent. I think that we should vote "no" on this amendment. Thank you.

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

Mr. RITTER. Mr. Speaker, I rise to oppose the amendment, and if the members will bear with me, when we passed the general appropriation bill, as well as the Federal Augmentation bill, we inserted language in those two bills that said that there shall be submitted to the members of the General Assembly on or before February 1, 1978 a plan providing for the reduction of expenditures by a minimum of 5 percent with the fiscal year beginning July 1, 1978 under the appropriations for the fiscal year July 1, 1977. It goes on to talk about all of the departments that are required to submit their report and that each plan submitted shall contain a detailed accounting of expenditures anticipated, together with a proposed reduction figure, the overall reduction for each department shall be no less than 5 percent, et cetera.

It seems, Mr. Speaker, that we are requiring the departments, prior to the beginning of the next fiscal year, to come back to this legislature and tell us how they propose to reduce their expenditures by a minimum of 5 percent. That seems to me to make some sense in that we are giving them some time to come up with the cuts and where they intend to make them, rather than this so-called shotgun approach which arbitrarily

and automatically reduces all the expenditures by 5 percent this year, which together with the other 5 percent in effect would be a 10-percent reduction, and I am not so sure that we can live with that. I think that the Bud George amendment that was inserted in the two budget bills deals with the problem that some of us are attempting to get at, and that is that we will, by the beginning of next fiscal year, have from the departments themselves a planned reduction of at least 5 percent in expenditures. I think we ought to stay with that, go with that plan and we ought to defeat this amendment.

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

Mr. R. R. FISCHER. Mr. Speaker, I rise to support my colleague's amendment. I do not think that this amendment was presented without thought. I do not think it is a thoughtless amendment at all. I think my colleague is speaking for many of us who feel that this kind of reduction should take place, and in making this kind of reduction, it would force each of those budget agencies that enter into the budget process to come in and justify their needs to us.

If this cut is made now, these people will then have to come back and defend their operations and do what we have all talked about as we campaigned, and that is, begin to enact some sunset legislation, some zero-base budgeting. This would force that. We have not been able to enact those concepts. This, I think, would bring on some of those concepts and make them come back in here if they have genuine needs, as my colleague across the aisle spoke of, and they would have to come in here and ask us for additional funding to complete the year and then justify it. I think that is the concept we have got to go to. I think my colleague's amendment is a very fine one and I hope all of us will support it.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—75

Anderson	Gallen	Meluskey	Smith, E.
Armstrong	Goebel	Miller	Smith, L.
Bittle	Greenleaf	Moehlmann	Spencer
Brandt	Halverson	Mowery	Spitz
Brown	Hamilton	Noye	Stairs
Burd	Hasay	O'Connell	Sweet
Caltagirone	Haskell	Pancoast	Taddonio
Cessar	Hayes, D. S.	Peterson	Taylor, E.
Cimini	Hayes, S. E.	Pitts	Vroon
DeVerter	Hutchinson, W.	Polite	Wass
DeWeese	Klingaman	Pott	Wenger
Dietz	Knepper	Pyles	Wilson
Dorr	Kolter	Ruggiero	Wilt
Fischer, R. R.	Lehr	Ryan	Wright, J. L.
Fisher, D. M.	Mackowski	Scheaffer	Yohn
Foster, A.	Madigan	Scirica	Zearfoss
Foster, W.	McClatchy	Seltzer	Zeller
Freind	McGinnis	Shuman	Zord
Fryer	Mebus	Sirianni	

NAYS—115

Abraham	Gallagher	Manderino	Rieger
Arthurs	Gamble	Manmiller	Ritter

Barber	Garzia	McCall	Scanlon
Bellomini	Gatski	McIntyre	Schmitt
Beloff	Geesey	McLane	Schweder
Bennett	Geisler	Milanovich	Shelton
Berlin	George, C.	Milliron	Shupnik
Berson	George, M.	Miscevich	Stapleton
Bittinger	Giammarco	Morris	Stewart
Borski	Gleeson	Mrkoncic	Stuban
Brunner	Goodman	Mullen, M. P.	Taylor, F.
Burns	Gray	Mullen, M. M.	Tenaglio
Caputo	Greenfield	Musto	Thomas
Cassidy	Harper	Novak	Trello
Cianciulli	Helfrick	O'Brien, B.	Valicenti
Cohen	Hoefel	O'Keefe	Wagner
Cole	Itkin	Oliver	Wansacz
Cowell	Johnson	Parker	Wargo
Davies	Jones	Petrarca	White
DeMedio	Kelly	Piccola	Wiggins
DiCarlo	Kowalshyn	Pievsky	Williams
Dininni	Kukovich	Pratt	Wise
Dombrowski	Laughlin	Prendergast	Wright, D.
Donatucci	Letterman	Rappaport	Yahner
Doyle	Levi	Ravenstahl	Zitterman
Duffy	Levin	Reed	Zwilk
Dumas	Lincoln	Renwick	
Englehart	Livengood	Rhodes	Irvis,
Fee	Logue	Richardson	Speaker
Flaherty			

NOT VOTING—12

Gillette	Hopkins	Kernick	O'Donnell
Grieco	Hutchinson, A.	Lynch	Salvatore
Honaman	Katz	O'Brien, D.	Weidner

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

On the question recurring,

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

Mr. MOWERY offered the following amendments:

Amend Bill, page 18, by inserting between lines 21 and 22

Section 3. The act is amended by adding a section to read:

Section 10.1. (a) To assure the orderly carrying out of the services and programs of the Commonwealth, the Commonwealth should be able to provide continual support in periods when the budget for the fiscal year has not been enacted. In order to provide sufficient time for adequate consideration of the budget while also permitting services and assistance to continue, the General Assembly hereby establishes a process to permit the previous fiscal year budget to apply to the new fiscal year until such time as that fiscal year budget is enacted and further insure that taxes should be raised only as a last resort in solving budgetary problems.

(b) In the event a general appropriation bill is not finally enacted by the first day of the fiscal year to which it relates, the general appropriation bill finally enacted for the preceding fiscal year shall be hereby reenacted and remain in full force and effect until the general appropriation act for the next succeeding year takes effect subject to any amendments to such general appropriation bill and subject also to the Governor's certifying to the availability of revenue and surplus for the ensuing fiscal year. If sufficient funds are not estimated to be available, each appropriation shall be reduced by its prorata

share of the entire general appropriation available for the preceding fiscal year. Such reenactment shall be sufficient authority for the State Treasurer to make disbursements of funds.

(c) In the event a general appropriation act for any fiscal year has not been enacted into law ten days prior to the commencement of that fiscal year, the Governor shall cause to be published in the Pennsylvania Bulletin prior to the termination of the current fiscal year a statement of the details of the general appropriation act and its amendments that shall be extended into the new fiscal year, with a certification that either sufficient revenues are available to cover such appropriation for the entire fiscal year or a statement of the mandatory reduction of each appropriation. A copy of the statement and certification hereinbefore required shall be mailed to each member of the General Assembly by certified or registered mail ten days prior to the beginning of the new fiscal year.

(d) Appropriations authorized pursuant to this act shall remain in full force and effect until the enactment into law of a new general appropriation act.

(e) This section shall not lapse unless repealed.

Amend Sec. 3, page 18, line 22, by striking out "3." and inserting 4.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. Mr. Speaker, this amendment is nonpartisan. It deals strictly with the budget-making process to allow you and me, who are coming to an end of a long 6 months, who have watched our leadership attempt to lead us into a tax increase—which looks to be very successful at this point—and yet the rank-and-file members of this House have not had the opportunity to really express themselves.

My amendment very simply provides that if we have not passed the budget, if it is not signed by the Governor on June 30, then automatically we will reenact the former year's budget, and no longer will the leadership on either side be able to hold hostage the state employees, welfare checks and institutions. This is a bill that is a people amendment that I think can do an awful lot to help all of us, and I think we can all agree that none of us at this point have looked too good back home where our voters are analyzing everything we do.

I would appreciate very much that when we come to germaneness that you say this is germane. This relates to the budget-making process. As far as to the constitutionality of this, there is no question that it is constitutional because of the word "re-enactment" of the previous year's budget, which has already been signed once by the Governor. And I believe that you will have an opportunity to give our people back home a much deserved Christmas present and that we will not be here next year doing what we have been attempting to do not too successfully on either side this year. I thank you for your support.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly I rise to oppose the amendment.

The gentleman suggests that there are no constitutional problems. I beg to differ with him. The Senate of Pennsylvania sent us SB 968 which speaks to a constitutional amendment to accomplish what the gentleman is talking about, and I think that that is the proper way to go. That bill should be considered. Let me say to you that what you are doing and the real problems with such an amendment, putting automatically last year's budget into effect, is, first, every other fiscal year you will have a budget enacted by a different Assembly. People who are here now, yes, will be here next year, but the following year there may be a whole new set of characters in here, and what you are saying is, this set of characters will put in effect the budget for people who will be elected. And I think that is a bad principle, a bad way to go even talking in those terms.

We ended up this year with budget cuts in almost every line item of general government. We are below last year's level. We would not have solved the problem of this year's budget with what the gentleman suggests because with the moneys that we spent in other areas that we deemed necessary, we could not fund the general fund operations and the general government operations of this Commonwealth at last year's level. We really ended up in most of the areas below last year's level. That is the kind of thing you have to do. And just to put this automatic matter into effect is no safeguard whatsoever, and I think it is going down the wrong path. It will get us in more trouble than facing the issue and continuing to face the issue until we, as 203 men, come to a consensus and solve it. I strongly oppose this amendment, Mr. Speaker.

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

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

Mr. Speaker, I speak in favor of Mr. Mowery's amendment. The majority leader stated that this amendment will get us into more trouble than we have found ourselves in this year, and I do not believe there is anybody in Pennsylvania who would agree with that statement. There is probably nothing that we could do here this afternoon that would get us in more trouble than we have experienced this year, 1977, as far as fiscal matters are concerned. At least there is a hope that we can do something better.

As far as this amendment making it impossible for future General Assemblies to take action which it believes proper, is a bunch of hogwash. Future General Assemblies can do what the future General Assemblies want to do. We pass laws here every year which commit a General Assembly and its people to a particular act of this legislature, and that act is binding on future General Assemblies and the members of that General Assembly represented until it is changed, and Mr. Mowery is not suggesting anything different than that.

This General Assembly is not unduly restrictive as far as future General Assemblies are concerned and it brings, if not complete sunshine to this problem, at least a sunbeam upon the budget process. It is an effort to stop the practice of holding people and their institutions hostage during a political battle here in this General Assembly, a fiscal battle.

There is language in this amendment which does look forward beyond the present fiscal year where it states, "This sec-

tion shall not lapse unless repealed." I believe this General Assembly should go on record today expressing its intent.

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

Mr. RITTER. Mr. Speaker, I rise to oppose the amendment for a number of reasons. Under the amendment, in section 10.1, part of the language says, "... and further insure that taxes should be raised only as a last resort in solving budgetary problems."

I submit, Mr. Speaker, that there are no taxes levied or raised under an appropriations bill, and so that language does not even apply. I think the problem that Mr. Manderino alluded is a real one. I am concerned about the constitution which says that no money shall be paid out of the treasury except on appropriations made by law. And it seems to me that by attempting to continue with a prior year's budget into a new fiscal year without further appropriations is in violation of the constitution. That is why, when we do not have a budget, we pass stop-gap appropriations, but we reenact them.

Mr. Speaker, for that reason and a few others, I would like to challenge the constitutionality of the amendment.

QUESTION OF CONSTITUTIONALITY RAISED

The SPEAKER. The gentleman, Mr. Ritter, has raised the question of constitutionality. This question is to be resolved by a vote of the House of Representatives.

The question is in the positive: Is the amendment offered by the gentleman, Mr. Mowery, constitutional?

On that question, the Chair recognizes the gentleman from Cambria, Mr. Englehart.

Mr. ENGLEHART. Mr. Speaker, I rise to support the gentleman, Mr. Ritter, in his contention that this amendment is a violation of our constitution. Article 8, section 12, details the procedure to go through each year to adopt a budget. It requires the Governor to submit the budget, the proposed expenditures for a given fiscal year at a certain time, including the capital budget. It requires a financial plan for the next succeeding 5 years. This is not the way you can amend the constitution.

The Senate has taken the correct course to adopt what the gentleman, Mr. Hayes, and the proposer of the amendment requests. Senate bill 968 was just passed in the Senate and sent to us. It is a proposed constitutional amendment. Whether you agree or disagree with the method and with the idea, the way to go is to change the constitution and not try to clutter up a budget bill. I, therefore, support the gentleman, Mr. Ritter, and request a "no" vote on constitutionality.

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

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

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

Mr. ENGLEHART. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Englehart, indicates that he will stand for interrogation. The Chair reminds the

gentleman, Mr. Ryan, that he is limited to 2 minutes.

Mr. RYAN. Mr. Speaker, would the gentleman tell me where in that section of the constitution he cites there is any mandate on the General Assembly, but rather is it not true that that simply suggests that the Governor has to present a budget?

Mr. ENGLEHART. Mr. Speaker, it is true that that section does not mandate that this is wrong, but section 12 of Article VIII mandates how a budget must be adopted, and you cannot use the trick of saying, we are going to adopt last year's budget and avoid the mandate of section 12 because it does avoid it.

Mr. RYAN. Would you read that, Mr. Speaker?

Mr. ENGLEHART. Would I what?

Mr. RYAN. Read that section.

Mr. ENGLEHART. "Section 12. Annually, at the times set by law, the Governor shall submit to the General Assembly: (a) A balanced operating budget . . . (b) A capital budget . . . (c) A financial plan . . . which plan shall include . . . (i) Projected operating expenditures . . . (ii) Projected expenditures for capital projects . . ."

Then section 13 says that appropriations shall be made by the General Assembly for the ensuing fiscal year.

Mr. RYAN. Mr. Speaker, I know the time clock runs quickly with Mr. Englehart using up some of my time, I suppose, but we have all been here when the Governor has neglected to provide us with that budget. I do not think that is the problem with this bill that is before us. We can consider this bill, as it is proposed by Mr. Mowery, as a budget. It is a budget from the preceding year, but it is a budget that we are considering.

The other objection that was raised before is that the Governor has a shot at this because he can, by his certification of revenues, affect the amount. In the second part of this amendment, there is a provision that if the certification of revenues is insufficient, then it will be reduced pro rata.

The SPEAKER. The Chair regrets the gentleman has expended his 2 minutes.

The question is on the constitutionality of the Mowery amendment. The Chair recognizes the gentleman from Delaware, Mr. Zearfoss.

Mr. ZEARFOSS. Mr. Speaker, on the constitutionality it does not seem to me that there is any requirement in the constitution that this General Assembly enact an annual budget. We could probably enact, if we wanted to, a biannual budget. The constitution does require that the Governor make certain suggestions to the General Assembly, which the Governor could do in any event whether we are going to act on an annual or biannual basis.

What is being suggested here does not seem to me to require a constitutional amendment. The fact that the Senate has chosen this method to go and has proposed an amendment to the constitution does not necessarily require us to say that therefore a constitutional amendment is required. There is no prohibition in the constitution as to a biannual budget. It seems to me that if we want to take the route of saying the budget enacted by this year's General Assembly will continue into another fiscal year until that General Assembly—it may be the same or it may be another General Assembly—enacts another budget, that that is not a violation of any constitutional provi-

sion that I can find. It would seem to me that the next General Assembly would have the authority to enact a new budget, and what we are saying to them is, do the job; enact that budget. And if they do, this amendment would not come into play. But there is no prohibition in the constitution, that I can find, that says that this General Assembly may not make an appropriation that would carry on beyond one fiscal year. And until that is pointed out, it does not seem to me that this amendment can be held to be unconstitutional.

The SPEAKER. On the question of constitutionality, the Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, it seems to me that this amendment is clearly constitutional.

The only argument that has been made and cited is section 12 of the constitution. It has already been pointed out but I just want to underscore the point that section 12 has nothing whatsoever to do with the General Assembly. It is a mandate only on the Governor. I know that that point has been made, but I just want to underscore it.

The only obligation, it seems to me, that we have constitutionally is the adoption of a balanced budget. In that connection I want to argue strongly in favor of the constitutionality here because we have not yet even adopted a budget for final purposes; and, second, we have permitted people to spend money they did not have and then come back here because they know the whole thing is up for grabs again at the beginning of the fiscal year. The only way to serve notice on them that that cannot be is for us to observe our constitutional duty and I think to vote in favor of the constitutionality of this.

The SPEAKER. On the question of constitutionality, the Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. I would just like to draw to the attention of Representative Ritter that "3285" is the corrected amendment that was passed out today or late last evening. I do not know which, that corrects some of the areas that Representative Ritter was concerned about.

I would just like to make one other statement also. We have done many things here in these past months that I guess could be questioned as far as whether or not it is right or wrong constitutionally. Therefore, I would suggest that each of you think very seriously about whether or not we are going to try and put down what is good for all people in Pennsylvania because of a point that has not been proven but just brought up. I suggest to you that you vote "yes" on this amendment and give the people a break this Christmas.

The SPEAKER. For the information of the members, because we are involved in a new rule, the gentleman, Mr. Mowery has not spoken twice on the same issue. He spoke once on the issue of whether or not we should adopt his amendment and he spoke once on the issue of constitutionality, so he is not in violation of the temporary rule.

On the question of constitutionality, the Chair recognizes the gentleman from York, Mr. Foster.

Mr. A. C. FOSTER. Mr. Speaker, earlier in the year I intro-

duced HB 1584 which purports to do essentially what the Mowery amendment attempts to do today.

At the time I introduced the legislation, I took painstaking care to get a legal opinion that such an approach would be constitutional and that a constitutional amendment was not required. I realize you can go to two attorneys and get two diametrically opposed opinions, but the information that I have—which, unfortunately, I do not have on the floor with me today—strongly supports the constitutionality of this approach. I would urge the members to support the constitutionality of this amendment, because let me assure you the public supports this position.

When I introduced the bill and when I brought it before my constituents, the response was overwhelmingly favorable. And as one gentleman said, “Peck, it makes so much sense, you will never get it through.” I hope you will prove that point wrong today, but please support the constitutionality of this constitutional amendment.

The SPEAKER. It sounds as if at least one of your constituents has been watching us.

On the question of constitutionality, the Chair recognizes the gentleman from Allegheny, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I have been watching with a lot of humor during the ensuing debate and I have observed the speaker pro and con on the issue. I just have a copy of the vote on SB 782 yesterday. It passed yesterday clearly with an unconstitutional violation of the Senate in providing a revenue raiser. I look and I see how they voted on the constitutionality of that question where very clearly it says that the Senate is prohibited, or I should say that the House of Representatives has the exclusive right of raising revenues. I look at it and I see that Englehart, Manderino, O'Donnell and Ritter all thought the other one was constitutional. Now, today, they all think that this is unconstitutional. Clearly they got their yes's mixed up with their no's. This should be constitutional.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, Article VIII, in sections 12 and 13, clearly, Mr. O'Donnell and Mr. Itkin, speaks to the General Assembly on adopting budgets. The General Assembly has that power to adopt budgets; the General Assembly, under the constitution, must enact a budget. What you are asking be done can be done at the end of any fiscal year when the budget deadline gets to us. When it is the wisdom of the gentlemen in the General Assembly not to do that, that is the wisdom that should prevail, not the wisdom of the Assembly that was before, the preceding year. Each man elected to this office has a constitutional duty to uphold the constitution. Each member of this Assembly has the right to speak to the budget which he is going to be responsible for and not for what the previous General Assembly did. I suggest that there certainly is a question of constitutionality. I think to say otherwise is begging the issue. And maybe, Mr. Foster, when you concluded your remarks and said, please vote for the constitutionality of this constitutional amendment, you knew exactly what you were saying.

The SPEAKER. On the question of constitutionality, the

Chair recognizes the gentleman, Mr. Hayes, who has not yet spoken.

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

A lot of people have been talking about Article VIII, section 12, and what it does and what it does not do. There have been those who said it is the constitutional law which the Governor must follow and the General Assembly is not encumbered by that language, and there are others who say, yes, the General Assembly is encumbered by that language.

Let me suggest to you that that particular section of the constitution states something else, and I am speaking now to those who said this General Assembly cannot do something that affects another General Assembly with respect to fiscal matters. Article VIII, section 12, subparagraph (c) states: “A financial plan for not less than the next succeeding five fiscal years. . .”, and I suggest to you that all Mr. Mowery is suggesting is a fiscal plan for 1 year beyond the present year. The constitution states 5 years, but Mr. Mowery wants a plan that will get us at least into the next year without the fiscal chaos that has occurred this year.

I support Mr. Mowery's amendment on the basis of constitutionality and urge all members to do so as well.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Dr. Pancoast, on the question of constitutionality.

Mr. PANCOAST. Mr. Speaker, no legislative body can bind its successors. But this is not a constitutional issue. What we are talking about is the establishment of guidelines for one legislative body to follow, perhaps rules and regulations, that were established by a previous body. We have many mandated programs. There is nothing to preclude this legislative body from doing away with any mandated program that we follow year after year after year.

I submit, Mr. Speaker, that what the majority leader was talking about was not constitutionality at all. This proposal that has been made is constitutional. If it is adopted, a legislative body, if it saw fit, could repeal this before the end of that particular fiscal year if it chose to do so. But it certainly should be established, I believe, as a guideline for future legislative bodies.

Thank you, Mr. Speaker.

On the question,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—120

Abraham	Fryer	Manmiller	Salvatore
Anderson	Gallen	McClatchy	Scheaffer
Armstrong	Gamble	McGinnis	Scirica
Berson	Gatski	Mebus	Seltzer
Bittle	Geesey	Meluskey	Shuman
Brandt	George, C.	Miller	Sirianni
Brown	George, M.	Milliron	Smith, E.
Burd	Goebel	Moehlmann	Smith, L.
Burns	Greenleaf	Morris	Spencer
Caltagirone	Grieco	Mowery	Spitz
Cassidy	Halverson	Mrkonic	Stairs

Cessar	Hamilton	Noye	Stapleton
Cimini	Hasay	O'Brien, B.	Stewart
Cohen	Haskell	O'Brien, D.	Taddonio
Cowell	Hayes, D. S.	O'Connell	Taylor, E.
Davies	Hayes, S. E.	O'Donnell	Taylor, F.
DeVerter	Helfrick	O'Keefe	Thomas
DeWeese	Hoefel	Pancoast	Vroon
DiCarlo	Hutchinson, W.	Parker	Wagner
Dietz	Itkin	Peterson	Wass
Dininni	Katz	Piccola	Wenger
Dorr	Klingaman	Pitts	Wilson
Doyle	Knepper	Polite	Wilt
Duffy	Kukovich	Pott	Wright, D.
Fischer, R. R.	Lehr	Pyles	Wright, J. L.
Fisher, D. M.	Letterman	Ravenstahl	Yohn
Flaherty	Levi	Reed	Zearfoss
Foster, A.	Logue	Richardson	Zeller
Foster, W.	Mackowski	Ruggiero	Zord
Freind	Madigan	Ryan	Zwinkl

NAYS—74

Arthurs	Garzia	McIntyre	Schweder
Barber	Geisler	McLane	Shelton
Bellomini	Giammarco	Milanovich	Shupnik
Beloff	Gleeson	Miscevich	Stuban
Bennett	Goodman	Mullen, M. P.	Sweet
Berlin	Gray	Mullen, M. M.	Tenaglio
Bittinger	Greenfield	Musto	Trello
Borski	Harper	Novak	Valicenti
Brunner	Johnson	Oliver	Wansacz
Caputo	Jones	Petrarca	Wargo
Cianciulli	Kelly	Pievsky	White
Cole	Kolter	Pratt	Wiggins
DeMedio	Kowalshyn	Prendergast	Williams
Dombrowski	Laughlin	Rappaport	Wise
Donatucci	Levin	Renwick	Yahner
Dumas	Lincoln	Rieger	Zitterman
Englehart	Livengood	Ritter	
Fee	Manderino	Scanlon	Irvis,
Gallagher	McCall	Schmitt	Speaker

NOT VOTING—8

Gillette	Hopkins	Kernick	Rhodes
Honaman	Hutchinson, A.	Lynch	Weidner

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

On the question recurring,

Will the House agree to the amendments?

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

Mr. ZEARFOSS. Mr. Speaker, the Mowery amendment would provide for Pennsylvania the same procedure that is provided now and has been for years in the Federal Congress. We would have a continuing budget until a new budget was adopted, either by amendment to the existing budget or by adoption of an entirely new budget.

It seems to me that this is a sensible procedure for us to have in Pennsylvania. To be very frank about it, what it would do, in my view, is take away a lot of the pressure that the Executives can put on the legislature. If you do not want to do it, I do not think you should vote for the amendment, but I personally think it is unreasonable for the Executives to have the kind of pressure available that is there now that can be applied to the

legislature to make us take action, it seems to me, that we do not want to take and we have not had an opportunity to think out what we want to do. It seems to me that this amendment would provide us the climate here in Harrisburg in the legislature to adopt a reasonable budget every year. We can do it before the end of the fiscal year or, if we do not, at least we have removed a lot of the pressure to adopt an unreasonable budget.

I think the Mowery amendment would be a great step forward in bringing fiscal sanity to the Commonwealth and I think we ought to adopt it.

The SPEAKER. On the Mowery amendment, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise in opposition to the Mowery amendment. In as clear terms as I can, I would like to impress upon the members of the General Assembly the folly of the Mowery amendment.

Each General Assembly has the responsibility to enact a program for the ensuing fiscal year, and I will predict that we will never again face the issue squarely of when increases in the budget are necessary and when decreases in the budget are necessary, because it is just simply easier to run away from the task than to do the hard job that you must do when you are elected as a member of this Assembly.

Many of the members have indicated, what is the fuss? This is only good for one fiscal year. It is going to lapse at the end of the fiscal year because the appropriation bill is only good for a fiscal year. It is not so. I call your attention to subsection (e) in the Mowery amendment which says: "This section shall not lapse unless repealed." Enact the Mowery amendment into law and you will forever continue the budget of the previous year without having a chance to look at what has to be done; what programs have to be changed; what appropriations need increase; what appropriations should be withdrawn, decreased. You will never face the hard problems that we faced just this summer. Many of you, I am sure, view what we did since the time that we should have adopted the budget this summer as very agonizing and an experience you would rather not go through. But the alternative to that is simply taking what you have done in the previous year or, more than likely, what somebody else has done in the previous fiscal year and fold your hands and run away from the tough decisions, because that is what I predict will happen.

Mr. Seltzer, who has for many years chaired the Appropriations Committee for the minority and the majority, when they were in the majority, I am sure cannot philosophically agree with the contents of the Mowery amendment. I am not sure how he will vote, but I know that given the pure and simple question: Is it better for this General Assembly or any General Assembly elected by the people to sit down and work out its budget or accept the previous year's budget? I know what his choice would be, and it should be the choice of every member. We have the responsibility to sit down and work out that budget. And merely saying that last year's budget will be in effect when we cannot come to a consensus does not really give you anything better than we had this summer.

Let me recall for you that when the minority proposed

amendments during the summer to continue in stopgaps the entire welfare budget, not as it was in last year's budget but as we had proposed it in HB 1349, even they would not have accepted for the Department of Welfare last year's budget because they knew the figures were wrong. They knew that things had to be changed and they were willing to accept the figures that we were using in HB 1349 rather than enact a pure stopgap. That is just the tip of the iceberg, because this will happen in the budget of every agency and every department that we fund. To simply continue last year's appropriations is putting your head in the sand and running away from the problems that we must face and we must finally resolve.

It is not merely a question of this General Assembly mandating the budget for next year's General Assembly, which may be a whole new set of elected officials; it is really avoiding that tough task that has to be faced when new revenues are needed.

All through the budget debate we talked about having to readjust the rates of the tax structures that bring funds to the Commonwealth of Pennsylvania so we can operate the programs that we operate. That readjustment is necessary from time to time, as painful as it may be, and I predict that we will never again have the courage to readjust rates, and the services provided to the people of Pennsylvania will go one way—downhill—if you enact this amendment.

In the strongest terms I ask all members of this Assembly on both sides of the aisle who know the budget process, who know the appropriation process, to reject this amendment.

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

Mr. FLAHERTY. Thank you, Mr. Speaker.

Mr. Speaker, as a member of the House Labor Relations Committee and as a member that grew up in a union family and has always fought for the rights and the convictions of the workingman, I feel that my casting my vote today for the Mowery amendment is the most meaningful thing that I will have done for the working person in the 3 years that I have been up here.

This past summer there were quite a few of our state employees who were faced with the anguish and anxiety of when their next paycheck should come, and I do not think coercion should ever be a priority in this General Assembly. I urge everyone to support the Mowery amendment.

Thank you, Mr. Speaker.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I agree wholeheartedly with the majority leader that this legislature should react to pressures and adjust tax rates and budgets when pressure is brought to bear from the public, if that is genuine pressure, Mr. Speaker. What we saw this summer was totally arbitrary and artificial pressure which was brought to bear by the Governor's office and other leadership positions specifically to enact a particular bill to the exclusion of all others. This is what the Mowery amendment is designed to avoid; it is designed to keep our focus on the natural pressures of the people of this Commonwealth and not the artificial ones created when people are not being paid their salaries and when

welfare recipients do not receive their stipends. I support the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, Mr. Piccola lifted some of the words I wished to express. This summer I think is the best example we have of why this amendment is needed.

Mr. Manderino made reference to the fact that the welfare budget, which we suggested be funded fully, was not adopted. It was not adopted for political purposes. The reason it was not adopted was so that the welfare recipients and the state employees could be held hostage for an increased, inflated budget that brought about the tax package we just worked on.

For 10 out of the last 15 years we have "stopgapped," which means that for 10 out of the last 15 years the people of the Commonwealth who depend on the checks of the Commonwealth had bad moments and in many cases no paydays.

If Mowery's amendment does nothing else, it makes us somewhat responsible in an objective way, because if we have true reform, be it increased or decreased spending, we have got to sell it not on the basis of crisis but on the basis of quality of proposal, because without a quality proposal to back up either an increase or decrease, we are going to have the same thing we had the year before. It puts the budget on a salesmanship basis rather than on a crisis, arm-twisting basis.

Mr. Manderino makes reference to the fact that we have to face the hard problem, and with this type of amendment we will not do it. I disagree. If we are going to be responsible, then let us be responsible with responsive and responsible legislation, not legislation by crisis, which has been the hallmark of this House for too many years.

I think that Mr. Mowery, being a first-term member—

The SPEAKER. The Chair regrets that the gentleman has expended his time.

Mr. RYAN. —in finishing, has struck a vital chord that we should support.

Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I have to agree that I believe the Mowery amendment is one of the landmarks in the amendments we have today to move with and to vote for because we saw the actions this summer. I like the words "arbitrary" and "artificial" actions that were taken by public employees, union bosses and various groups that were sent in here by the Governor. The pressure was put on us so badly that the tail was wagging the dog, using groups as hostages, such as our colleges. The pressure tactics that were used I think were disgraceful. The long length of time of the wheeling and dealing all summer long I think had the public disgusted.

So, therefore, I feel that in order for us to get down to some kind of sensibility, we adopt the budget we had if we cannot meet it by June 30 and allow ourselves to be able to relax a little bit as far as the pressure from the various pressure groups and listen to our constituents, our constituents who are hollering and asking for help. But as long as you allow the pressure

groups to force you into it, we are not going to get anywhere and that is exactly what happened — ripping out phones, coming into our rooms, having to have policemen to protect us. I think it was outrageous. The leadership knew it was happening; the Governor knew it was happening. I think it is about time we stop it. It is about time we get on with something sensible.

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

Mr. RITTER. Mr. Speaker, what I am concerned about if you adopt the Mowery amendment—

The SPEAKER. The Chair has to interrupt the gentleman. The gentleman has already spoken on the Mowery amendment.

Mr. RITTER. No, sir, Mr. Speaker; that was on the question of constitutionality.

The SPEAKER. The Chair has the gentleman recorded on the amendment itself, having followed the gentleman, Mr. Hayes, in the discussion. Is the gentleman absolutely certain?

Mr. RITTER. Mr. Speaker, when I was up I raised the question of constitutionality on the amendment.

The SPEAKER. All right. The Chair recognizes the gentleman, making that distinction. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, I am concerned that if we adopt the Mowery amendment, we are going to be faced with a problem. When we passed the school subsidy bill just a few months ago, there was an escalator clause in that subsidy bill which increases the appropriation by \$50 million by next year. There is a problem we may face with public employees' contracts which may cost us more money. Insurance costs may go up. Social security payments are going to go up. And this legislature may decide in its wisdom to simply not take any action whatsoever on a budget which means we would continue the spending at last year's level. What happens to those mandated programs which we have passed which call for the expenditure of more money next year? When are we going to face that situation?

It seems to me that no matter when it comes up, whether it be in February or March or June or July or August or September, the pressure is still going to be here, and what we are liable to be doing is to continue programs at last year's level that we may very well have wanted to cut back on and at the same time not properly funding those programs for which we should have been increasing the spending.

I am concerned about some of those things, Mr. Speaker, and I am also concerned. Frankly, about the fact that we can arbitrarily by an amendment to a bill reduce appropriations without having to take any action on our part, mandating something on the State Treasurer, which I am convinced is in violation of the constitution, and at the same time not allowing the Governor his prerogative of vetoing what we may or may not do in this General Assembly.

It is for those reasons, Mr. Speaker, that I am in opposition to the Mowery amendment and would ask for its defeat.

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

Mr. ITKIN. Mr. Speaker, I support the Mowery amendment.

I would like to apologize to Representatives Englehart, Man-

derino, Ritter and O'Donnell for making ill-tempered remarks on the constitutionality of the amendment. I do not wish to personalize the issue. I think the issue stands on its own. I would also like to apologize to Representative Zeller for the remarks I made earlier.

Mr. Speaker, I think this amendment is a good amendment. I introduced amendments of this nature in bill form in several past sessions of the General Assembly. I think it will go far toward eliminating the confusion and the conflicts we have every year in the budget process which destroy this General Assembly from making wise decisions in almost every other matter. This entire year we have debated nothing more than money and the budget. I think there is a lot of good legislation that has been stymied because of this thing. I would appeal to all members of the House on both sides of the aisle to support the Mowery amendment.

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

Mr. REED. Mr. Speaker, I rise in support of the Mowery amendment. Being the Representative from the Capital City, I am probably very cognizant, more so than many other legislators, about what happens when there are payless paydays. But I would submit for all the Representatives who have a concentration of state employment in their districts that they will find that the economy of that district is very substantially and adversely affected by the holding up of paychecks. Moreover, when the state holds payment on paychecks, it also holds back payments on everything else, including vendor payments. You will find that as a direct result of our inaction this past summer, the Commonwealth of Pennsylvania now has higher costs in dealing with all of its vendors because the price of doing business with the state went up a marginal percentage to reflect the extra amount of time it takes for those payments to be received by the vendors. There is an interest payment added on to that, and let us not kid ourselves. That was one of the costs attributable to our delay.

The enactment of the Mowery amendment would prohibit the additional increases, such as I have outlined, in the future. The Mowery amendment will not eliminate pressure on the legislature. This past summer we found that the threat of layoffs of many thousands of people created much more pressure, really, in the long run than did the question of payless paydays.

We found also that while the local banks were able to make loans to the welfare recipients at no interest rate, they were unable to do the same for state employees. It is an unfair burden on public servants whom we employ to do a full-time job for the Commonwealth.

For these as well as other reasons, I believe that while the amendment will not eliminate all the pressure, it will at least permit the legislature to operate in a more orderly manner without holding—as a direct effect of the budget delay—victim the state employees, the vendors and the other persons who depend upon the flow of cash money from the Commonwealth treasury. I think the Mowery amendment is a good one, well conceived, constitutional, and ought to be adopted as a budget reform.

Thank you.

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

Mr. DiCARLO. Mr. Speaker, I rise also to support the Mowery amendment.

Had I been able to gaze into a crystal ball perhaps in the months of July and August, I would not have been one of those 102 votes to pass that budget, had I known the pressures and the problems and the crises that we witnessed during the last 6 months would come to pass as they did.

I witnessed colleagues of mine, close friends, men of principle, who had some concern about that budget-making process, sacrifice those principles simply for the sake of partisan politics. I have seen many members of this legislature suffer mental anguish, physical anguish, members being forced to come down and sit in this chamber who were not in good health and participate simply because we were backed into a corner of our perhaps careless and relentless action.

When I go home, Mr. Speaker, my constituents do not understand that I am one of 203 members in this body and they do not understand the infighting that we have on both sides of the aisle. The question they constantly ask me is, why can you not solve the problem? We elected you to go down there. Why do we have to have the crises and why do people have to suffer?

I have been down here for three terms and on two different occasions I have seen the budget being extended past its June 30 deadline. I have seen payless paydays because of state strikes and because of our inability to pass a budget. Now is the first time that I have had the opportunity to do something about it. And even though it may be unpopular, I think it is the right thing to do, and I am going to cast my vote in the affirmative.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Mr. Speaker, I am sure that the leaders on this side of the aisle share a great responsibility for what has happened this year.

A great deal of the pressures that were brought to bear here and the action which we saw, some of which I was literally as well as figuratively involved in, was the result of pressures that were created.

I think that if we adopt an amendment such as the Mowery amendment, we will eliminate these artificial pressures and pressures which are unnecessary and be subjected only to those pressures which are legitimate.

We will adopt a budget because there will be legitimate demands whether they be from schoolteachers or state workers or from whatever source. But we will not use all of these employees as tools in order to get illegitimate ends.

Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—132

Abraham	Gallen	McCall	Salvatore
Anderson	Gamble	McClatchy	Scheaffer

Armstrong	Gatski	McGinnis	Scirica
Bellomini	Geesey	Mebus	Seltzer
Bittle	George, C.	Meluskey	Shuman
Brandt	George, M.	Miller	Sirianni
Brown	Giammarco	Milliron	Smith, E.
Burd	Goebel	Miscevich	Smith, L.
Burns	Greenleaf	Moehlmann	Spencer
Caltagirone	Grieco	Morris	Spitz
Cassidy	Halverson	Mowery	Stairs
Cessar	Hamilton	Mrkoncic	Stapleton
Cimini	Hasay	Novak	Stewart
Cohen	Haskell	Noye	Stuban
Cole	Hayes, D. S.	O'Brien, B.	Sweet
Cowell	Hayes, S. E.	O'Brien, D.	Taddonio
Davies	Helfrick	O'Connell	Taylor, E.
DeVertter	Hoeffel	O'Donnell	Taylor, F.
DeWeese	Hutchinson, W.	O'Keefe	Tenaglio
DiCarlo	Itkin	Pancoast	Thomas
Dietz	Katz	Parker	Trello
Dininni	Klingaman	Peterson	Vroon
Dombrowski	Knepper	Petrarca	Wagner
Dorr	Kowalshyn	Piccola	Wass
Doyle	Kukovich	Pitts	Wenger
Duffy	Lehr	Polite	Wilson
Fischer, R. R.	Levi	Pott	Wilt
Fisher, D. M.	Lincoln	Pyles	Wright, J. L.
Flaherty	Livengood	Ravenstahl	Yahner
Foster, A.	Logue	Reed	Zearfoss
Foster, W.	Mackowski	Richardson	Zeller
Freind	Madigan	Ruggiero	Zord
Fryer	Manmiller	Ryan	Zwinkl

NAYS—61

Arthurs	Gallagher	Manderino	Schweder
Barber	Garzia	McIntyre	Shelton
Beloff	Geisler	McLane	Shupnik
Bennett	Gleeson	Milanovich	Valicenti
Berlin	Goodman	Mullen, M. P.	Wansacz
Berson	Gray	Musto	Wargo
Bittinger	Greenfield	Oliver	White
Borski	Harper	Pievsky	Wiggins
Brunner	Hutchinson, A.	Pratt	Williams
Caputo	Johnson	Prendergast	Wise
Cianciulli	Jones	Rappaport	Wright, D.
DeMedio	Kelly	Renwick	Zitterman
Donatucci	Kolter	Rieger	
Dumas	Laughlin	Ritter	Irvis,
Englehart	Letterman	Scanlon	Speaker
Fee	Levin	Schmitt	

NOT VOTING—9

Gillette	Kernick	Mullen, M. M.	Weidner
Honaman	Lynch	Rhodes	Yohn
Hopkins			

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

On the question recurring,

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

Mr. DeVERTER offered the following amendments:

Amend Sec. 1 (Sec. 2), page 9, lines 26 through 30, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 10, lines 2 through 4, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 18, by inserting between lines 8 and 9

Miscellaneous

For the payment to the counties in reimbursement of the direct costs incurred by the

counties in the administration and operation of all courts and for offices of justices and judges of the Supreme, Superior and Commonwealth Courts in the county of their residence. Costs incurred by the counties in the administration and operation of all courts means costs as reported to the Department of Community Affairs in the county's annual financial report forms under the heading (a) "Judicial," but confined to the subheading: (160) courts, excluding capital outlay. If a city coterminous with a county does not report on the Department of Community Affairs' form, its figures from the same subheading, set forth in the department forms, shall be used: Provided, That such payments shall be made to the county treasurer and in cities of the first class coterminous with counties of the first class to the city treasurer: And, provided further, That in the event the amount herein appropriated is not sufficient to reimburse all such costs, payments shall be made to the counties in the proportion which the costs of each county bears to the total costs of all counties during the most recently completed fiscal year: And, provided further, That in making allocations and payments hereunder, the Court Administrator of Pennsylvania shall, except for county offices of justices and judges of the Supreme, Superior and Commonwealth Courts, exclude all costs which are not properly reportable under the heading hereinabove specified.

[24,000,000]
22,600,000

On the question,

Will the House agree to the amendments?

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

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, my amendment addresses itself to three sections of the Department of Environmental Resources and attempts to restore it to the level of spending that was in Act 11A or HB 1349. The three sections are the state parks appropriation, the forestry appropriation, as well as the gypsy-moth appropriation.

The money for placing these amounts back to the level that is in Act 11A is to be taken from the miscellaneous items spelled out in the general fund appropriations, which is for the payment of court costs to the tune of \$24 million. As you recall, the \$24 million in court costs was duplicated in the general fund budget in so far as this member is concerned. There is \$24 million for that in the federal revenue-sharing bill. I would ask the members' support in adoption of this amendment.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—79

Anderson	Gallen	Manmiller	Sirianni
Armstrong	Geesey	McClatchy	Smith, E.
Bellomini	George, C.	McGinnis	Smith, L.
Bittle	George, M.	Mebus	Spencer

Brandt	Goebel	Miller	Spitz
Burd	Greenleaf	Moehlmann	Taddonio
Burns	Grieco	Morris	Taylor, E.
Cassidy	Halverson	Noye	Taylor, F.
Cessar	Hasay	O'Connell	Thomas
Cimini	Haskell	Pancoast	Vroon
Davies	Hayes, D. S.	Parker	Wagner
DeVerter	Hayes, S. E.	Peterson	Wass
Dietz	Helfrick	Piccola	Wenger
Dininni	Hutchinson, W.	Pitts	Wilson
Dorr	Klingaman	Polite	Wilt
Fischer, R. R.	Knepper	Pyles	Wright, J. L.
Fisher, D. M.	Lehr	Ryan	Yohn
Foster, A.	Levi	Scheaffer	Zearfoss
Foster, W.	Mackowski	Scirica	Zord
Freind	Madigan	Seltzer	

NAYS—115

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

NOT VOTING—8

Englehart	Hopkins	Lynch	Stairs
Honaman	Kernick	Mowery	Weidner

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

REMARKS ON VOTE

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

Mr. REED. Mr. Speaker, on the DeVerter amendment, A3322, none of us sitting in my row had a copy of it and I therefore voted "no." I would like the record to be changed that had I seen it I would have voted "yes."

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

On the question recurring,
Will the House agree to the bill as amended on third consideration?

Mr. DeVERTER offered the following amendment:

Amend Bill, page 18, by inserting between lines 8 and 9

Miscellaneous

For the payment to the counties in reimbursement of the direct costs incurred by the counties in the administration and operation of all courts and for offices of justices and judges of the Supreme, Superior and Commonwealth Courts in the county of their residence. Costs incurred by the counties in the administration and operation of all courts means costs as reported to the Department of Community Affairs in the county's annual financial report forms under the heading (a) "Judicial," but confined to the subheading: (160) courts, excluding capital outlay. If a city coterminous with a county does not report on the Department of Community Affairs' form, its figures from the same subheading, set forth in the department forms, shall be used: Provided, That such payments shall be made to the county treasurer and in cities of the first class coterminous with counties of the first class to the city treasurer; and, Provided further, That in the event the amount herein appropriated is not sufficient to reimburse all such costs, payments shall be made to the counties in the proportion which the costs of each county bears to the total costs of all counties during the most recently completed fiscal year; and, Provided further, That in making allocations and payments hereunder, the Court Administrator of Pennsylvania shall, except for county offices of justices and judges of the Supreme, Superior and Commonwealth Courts, exclude all costs which are not properly reportable under the heading hereinabove specified

[24,000,000]
1,000,000

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

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

Mr. DeVERTER. Mr. Speaker, I suspect this amendment will have about as much success as the prior amendment. However, I see we are willing to knock down the gypsy-moth program in this Commonwealth and that is extremely unfortunate.

This one, however, will take out the court costs that I had indicated to the tune of \$24 million and leave a \$1-million appropriation for increased costs to the court system rather than the \$24 million that is encompassed in the general fund bill as well as the Federal revenue-sharing bill, which is a double appropriation or double dip.

Thank you.

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

The following roll call was recorded:

YEAS—73

Anderson	Gallen	Manmiller	Seltzer
Armstrong	Geesey	McClatchy	Sirianni
Bellomini	George, C.	McGinnis	Smith, E.

Bittle	Goebel	Mebus	Smith, L.
Brandt	Greenleaf	Miller	Spencer
Burd	Grieco	Moehlmann	Spitz
Burns	Halverson	Mowery	Stairs
Cassidy	Hasay	Noye	Taylor, E.
Cimini	Haskell	O'Connell	Thomas
Davies	Hayes, D. S.	Pancoast	Vroon
DeVerter	Hayes, S. E.	Peterson	Wagner
Dietz	Helfrick	Piccola	Wass
Dininni	Hutchinson, W.	Pitts	Wenger
Dorr	Klingaman	Polite	Wilson
Fischer, R. R.	Lehr	Pyles	Wilt
Fisher, D. M.	Levi	Ryan	Wright, J. L.
Foster, A.	Mackowski	Scheaffer	Yohn
Foster, W.	Madigan	Scirica	Zearfoss
Freind			

NAYS—121

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

NOT VOTING—8

Beloff	Gillette	Hopkins	Lynch
Englehart	Honaman	Kernick	Weidner

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Kowalyszyn.

Mr. KOWALYSHYN. Mr. Speaker, I would like to request a notation be entered regarding my vote on the DeVerter amendment restoring gypsy-moth moneys. I did not have a copy of the amendment and was not aware of the fact that Mr. DeVerter was proposing to restore gypsy-moth moneys. I, therefore, voted in error. I would like to have the notation in the record show that had I had the information, I would have voted in favor of restoring gypsy-moth moneys.

Thank you, Mr. Speaker.

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

The Chair recognizes the gentleman from Mifflin, Mr. De-Verter.

Mr. DeVERTER. Mr. Speaker, I suspect there have not been two amendments passed faster and I hope we can continue at this same pace.

On the question recurring,

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

Mr. MELUSKEY offered the following amendment:

Amend Sec. 1 (Sec. 2), page 2, line 23, by striking out all of said line and inserting 1,900,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Meluskey, on the amendment.

Mr. MELUSKEY. Thank you, Mr. Speaker.

I rise to speak on behalf of amendment number A3349 which proposes a 5-percent reduction in the appropriations to the Governor's Office, reducing the line item sequence No. 2 on the computer printout from \$2 million to \$1,900,000.

While the proposed reduction represents a very small percentage of the general fund budget, I believe that the amendment is, nevertheless, important for the following reasons: First, the amendment seeks to continue a process already begun by the General Assembly. Referring to the computer printout of the general appropriations bill, I would point out that the budget passed in August contained a line-item appropriation of \$2,100,000 to the Governor's Office general government operations' cost. That was reduced in the Senate to \$2,060,000, and by our House Appropriations Committee and the Pievsky amendment to \$2 million. My amendment seeks to further that process by reducing by 5 percent that line item.

Although the dollar amount again may represent a small percentage of the total budget, I offer the amendment to reduce that line item for another very important reason. I supported the Bud George amendment earlier this summer, in August, calling for recommendations on the executive branch of the administration for a 5-percent reduction in the cost of the operations of the departments in this state. I did so because I believe that it was a very important and necessary step and an important first step in the right direction. However, I had some concern at that time about the likelihood of the administration coming back with, in fact, realistic and possible pragmatic and worthwhile suggestions for those reductions.

I believe one way to further demonstrate the commitment on the part of the General Assembly—

The SPEAKER. The gentleman will yield. The gentleman has expended his time.

Mr. MELUSKEY. I hope you support this amendment.

Thank you, Mr. Speaker.

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

Mr. PIEVSKY. Mr. Speaker, I rise to oppose the gentleman's amendment. The office of the Governor has been cut three times as of now. I think it is too late in the fiscal year to absorb any more cuts. I rise to oppose the amendment and to urge my colleagues on both sides of the aisle to vote "no."

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—111

Anderson	Fryer	Mebus	Seltzer
Armstrong	Gamble	Meluskey	Shuman
Barber	Geesey	Miller	Sirianni
Bellomini	George, M.	Moehlmann	Smith, E.
Bittle	Goebel	Morris	Smith, L.
Brandt	Greenleaf	Mowery	Spencer
Brown	Grieco	Mrkonic	Spitz
Burd	Halverson	Novak	Stairs
Burns	Hamilton	Noye	Stuban
Caltagirone	Hasay	O'Brien, D.	Sweet
Cassidy	Haskell	O'Connell	Taddonio
Cessar	Hayes, D. S.	O'Donnell	Taylor, E.
Cimini	Hayes, S. E.	Pancoast	Taylor, F.
Cowell	Helfrick	Parker	Thomas
Davies	Hutchinson, W.	Peterson	Vroon
DeVerter	Katz	Piccola	Wagner
DeWeese	Klingaman	Pitts	Wass
DiCarlo	Knepper	Polite	Wenger
Dietz	Kowalshyn	Pott	Williams
Dininni	Kukovich	Pyles	Wilson
Dorr	Lehr	Reed	Wilt
Duffy	Levi	Richardson	Wright, J. L.
Fischer, R. R.	Lincoln	Ruggiero	Yohn
Fisher, D. M.	Mackowski	Ryan	Zearfoss
Flaherty	Madigan	Salvatore	Zeller
Foster, A.	Manmiller	Scheaffer	Zord
Foster, W.	McClatchy	Schmitt	Zwikl
Freind	McGinnis	Scirica	

NAYS—82

Abraham	Garzia	Manderino	Ritter
Arthurs	Gatski	McCall	Scanlon
Beloff	Geisler	McIntyre	Schweder
Bennett	George, C.	McLane	Shelton
Berlin	Giammarco	Milanovich	Shupnik
Berson	Gleeson	Milliron	Stapleton
Bittinger	Goodman	Miscevich	Stewart
Borski	Gray	Mullen, M. P.	Tenaglio
Brunner	Greenfield	Mullen, M. M.	Trello
Caputo	Harper	Musto	Valicenti
Cianciulli	Hoeffel	O'Brien, B.	Wansacz
Cohen	Hutchinson, A.	O'Keefe	Wargo
Cole	Itkin	Oliver	White
DeMedio	Johnson	Petrarca	Wiggins
Dombrowski	Jones	Pievsky	Wise
Donatucci	Kelly	Pratt	Wright, D.
Doyle	Kolter	Prendergast	Yahner
Dumas	Letterman	Rappaport	Zitterman
Englehart	Levin	Ravenstahl	
Fee	Livengood	Renwick	Irvis,
Gallagher	Løgue	Rieger	Speaker

NOT VOTING—9

Gallen	Hopkins	Laughlin	Rhodes
Gillette	Kernick	Lynch	Weidner
Honaman			

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

On the question recurring,
Will the House agree to the bill as amended on third consideration?

Mr. MELUSKEY offered the following amendments:

Amend Sec. 1 (Sec. 2), page 13, by inserting between lines 5 and 6

For salaries, wages and all necessary expenses for the proper administration of the Department of Labor and Industry, including regulation of consumer products and promotion of fair business practice, accident prevention, occupational health and safety, income maintenance, and industrial relations stability

[12,100,000]
11,600,000

Amend Sec. 1 (Sec. 2), page 13, line 26, by striking out all of said line and inserting 9,189,000

Amend Sec. 1 (Sec. 2), page 15, line 18, by striking out all of said line and inserting 48,310,000

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

REQUEST TO DIVIDE AMENDMENTS

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

Mr. MELUSKEY. Thank you, Mr. Speaker.

I now rise to ask for support of amendment No. A3347 to SB 1187. I would ask, however, Mr. Speaker, that the amendment be divided. As outlined in the amendment which has already been distributed to the members, I would like to divide the proposed amendment after the amount "11,600,000," and again, dividing it a second time, after the amount "9,189,000." If that is in order, Mr. Speaker, I will ask for division at this time.

The SPEAKER. The gentleman is advised that his request for a division is permissible. Of course, it is up to the House to decide whether or not it wishes to divide the question at this point.

The gentleman moves that amendment A3347 be divided as follows: The first amendment would read: "Amend Sec. 1 (Sec. 2), page 13," and would end with the figure "11,600,000." That would be the first amendment.

The second amendment would start "Amend Sec. 1 (Sec. 2), page 13, line 26," and end with the figure "9,189,000."

The third amendment would start with "Amend Sec. 1 (Sec. 2), page 15," and end with the figure "48,310,000."

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

The following roll call was recorded:

YEAS—180

Abraham	Fryer	McCall	Schweder
Anderson	Gallagher	McClatchy	Scirica
Armstrong	Gamble	McGinnis	Seltzer
Arthurs	Garzia	McIntyre	Shelton
Barber	Gatski	Mebus	Shuman
Bellomini	Geesey	Meluskey	Shupnik
Bennett	Geisler	Miller	Sirianni
Berlin	George, C.	Milliron	Smith, E.
Berson	George, M.	Miscevich	Smith, L.
Bittinger	Giammarco	Moehlmann	Spencer
Bittle	Goebel	Morris	Spitz

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

NAYS—8

Hamilton	Levin	O'Brien, D.	Salvatore
Letterman	Milanovich	Prendergast	Wise

NOT VOTING—14

Beloff	Gleeson	Lynch	Rhodes
DeVerter	Honaman	McLane	Taylor, E.
Gallen	Hopkins	Rappaport	Weidner
Gillette	Kernick		

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

AMENDMENT DIVIDED

The SPEAKER. The question recurs, will the House agree to the following Meluskey amendment. That amendment begins: "Amend Sec. 1 (Sec. 2), page 13, by inserting between lines 5 and 6: For salaries, wages and all necessary expenses . . ." et cetera and ends with the words "relations stability" and with the figure "11,600,000."

The Chair recognizes the gentleman from Lehigh, Mr. Meluskey, on that amendment.

Mr. MELUSKEY. Thank you, Mr. Speaker.

I would like to preface my remarks by saying that none of the proposed reductions should in any way reflect adversely or negatively upon the departments in question. In fact, to some extent the proposed reductions are made precisely because the departments in question might be best able and best prepared and competent to adjust to the reduction.

The first amendment being considered at this time proposes a reduction in the line item sequence No. 346, general govern-

ment operations for the Department of Labor and Industry, in the amount of \$500,000. In proposing this reduction, I would point out that the general government costs for the Department of Labor and Industry have not been reduced over last year's spending either in the budget adopted in August or in the version adopted by the Senate in SB 1187 or before the Appropriations Committee.

I believe that since this House and indeed the Senate has already taken steps to reduce the general government operations' cost in a number of state departments and agencies, that it is in keeping with this past precedent, with this past action, to follow suit with the Department of Labor and Industry.

I would point out that even with this reduction which follows a pattern shown throughout other portions of this budget and bill, the appropriations to the department and its general government operations would still increase this current year over last year's spending.

With this in mind, Mr. Speaker, I would ask at this time that the members vote in favor of the amendment to reduce the general government operations' appropriations to the Department of Labor and Industry by pointing out that this would in no way affect the line items for occupational-disease payments, work-incentive programs, transfers of vocational-rehabilitation funds, workmen's compensation payments, each of which is listed separately in the general fund budget.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Centre, Mrs. Wise.

Mrs. WISE. Mr. Speaker, will the gentleman, Mr. Meluskey, stand for interrogation, please?

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

Mrs. WISE. Mr. Speaker, I wonder if Mr. Meluskey can indicate to this body what this amendment will mean in possible layoffs of workers in this department and what level layoffs will occur?

Mr. MELUSKEY. Mr. Speaker, I would not profess to be able to indicate at this time the exact number of layoffs, if any, that would occur under the adoption of this amendment.

I certainly believe it is safe to assume that general government costs are primarily associated with salaries paid to administrative employees, clerical employees and other employees in the department, as well as other costs of operation of the department, including materials and supplies, postage, some of the very items mentioned earlier in consideration of an amendment offered by a Representative on the other side of the aisle.

In keeping with that, there would be a certain number of positions that would be affected. Hopefully, many of these could be affected by attrition as is now being considered to be the case with other departments and agencies that have been similarly affected with the reduced appropriation in their general government cost line item rather than in specific areas having the legislature say to the departments, you must cut in this area and this area only.

I believe that it is in keeping with some of the statements expressed earlier today that this discretion be left to the adminis-

tration and to the departments. I believe that this amendment follows that thinking and, hopefully, will be carried out accordingly.

Mrs. WISE. The answer is, then, that you do not know whether there will be layoffs or not. Is that correct?

Mr. MELUSKEY. I am not the Secretary of the Department of Labor and Industry.

Mrs. WISE. I did not ask that question, Mr. Speaker.

Mr. MELUSKEY. No, I do not. None of us in this House could know.

Mrs. WISE. But this is a line item for salaries, wages, and all necessary expenses—

The SPEAKER. The Chair regrets to interrupt the lady, but the 2 minutes have been expended.

Mrs. WISE. I speak against the amendment.

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

Mr. PIEVSKY. Mr. Speaker, maybe I can help Representative Wise. The Department of Labor and Industry already laid off 47 people. And as close as we can calculate here on the floor, it would mean another 80 people to be laid off with the Meluskey amendment. I urge that the House reject the Meluskey amendment.

Thank you, Mr. Speaker.

On the question,

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

The following roll call was recorded:

YEAS—78

Anderson	Fryer	Meluskey	Smith, E.
Armstrong	Gallen	Miller	Smith, L.
Bittle	Geesey	Moehlmann	Spencer
Brandt	George, M.	Mowery	Spitz
Brown	Goebel	Mrkonic	Stairs
Burd	Greenleaf	Noye	Taddonio
Burns	Grieco	O'Connell	Taylor, E.
Caltagirone	Hasay	Pancoast	Taylor, F.
Cessar	Haskell	Parker	Thomas
Cimini	Hayes, D. S.	Peterson	Vroon
Davies	Hayes, S. E.	Pitts	Wass
DeVerter	Helfrick	Polite	Wenger
DeWeese	Knepper	Pott	Wilson
Dietz	Lehr	Pyles	Wilt
Dorr	Levi	Ruggiero	Wright, J. L.
Fischer, R. R.	Mackowski	Ryan	Yohn
Fisher, D. M.	Madigan	Scirica	Zearfoss
Foster, A.	McClatchy	Seltzer	Zeller
Foster, W.	McGinnis	Shuman	Zord
Freind	Mebus		

NAYS—115

Abraham	Garzia	Logue	Rieger
Arthurs	Gatski	Manderino	Ritter
Barber	Geisler	Manmiller	Scanlon
Bellomini	George, C.	McCall	Scheaffer
Beloff	Giammarco	McIntyre	Schmitt
Bennett	Gleeson	McLane	Schweder
Berlin	Goodman	Milanovich	Shelton
Berson	Gray	Milliron	Shupnik
Bittinger	Greenfield	Miscevich	Sirianni
Borski	Halverson	Morris	Stapleton
Brunner	Hamilton	Mullen, M. P.	Stewart
Caputo	Harper	Mullen, M. M.	Stuban

Cassidy	Hoeffel	Musto	Sweet
Cianciulli	Hutchinson, A.	Novak	Tenaglio
Cohen	Hutchinson, W.	O'Brien, B.	Trello
Cole	Itkin	O'Brien, D.	Valicenti
Cowell	Johnson	O'Donnell	Wagner
DeMedio	Jones	O'Keefe	Wansacz
DiCarlo	Katz	Oliver	Wargo
Dininni	Kelly	Petrarca	White
Dombrowski	Klingaman	Piccola	Wiggins
Donatucci	Kolter	Pievsky	Williams
Doyle	Kowalshyn	Prendergast	Wise
Duffy	Kukovich	Rappaport	Wright, D.
Dumas	Laughlin	Ravenstahl	Zitterman
Engelhart	Letterman	Reed	Zwinkl
Fee	Levin	Renwick	
Flaherty	Lincoln	Rhodes	Irvis,
Gallagher	Livengood	Richardson	Speaker
Gamble			

NOT VOTING—9

Gillette	Kernick	Pratt	Weidner
Honaman	Lynch	Salvatore	Yahner
Hopkins			

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

PART II OF AMENDMENTS WITHDRAWN

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

Mr. MELUSKEY. Mr. Speaker, I would ask that the second division within that amendment be withdrawn at this time.

The SPEAKER. The gentleman, Mr. Meluskey, withdraws from consideration of the House the second division.

On the question,

Will the House agree to Part III of the Meluskey amendments?

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

Mr. MELUSKEY. Again, Mr. Speaker, in keeping with past actions on this bill both in the Senate and in the House Appropriations Committee and earlier on this floor, I would like to point out that the line item sequence No. 406, general government operations costs for the Department of Revenue, are projected or are now given an increase of some nearly \$2 million from last year's available revenue of \$47,310,000 to the budget figure in August of \$49,310,000.

Although that figure was reduced in the Senate to \$49,110,000 and further reduced somewhat by the Appropriations Committee in the amount of \$48,810,000, I believe that the Department of Revenue is in a position to further reduce that line item in the amount listed in the amendment.

I would point out, Mr. Speaker, that again I would seek to continue a process already begun by both the Senate and the House Appropriations Committee. I believe that the Appropriations Committee knew what it was doing when it saw fit to reduce this line item by the amount that it did. However, I believe that even with this reduction proposed in the amendment, the Department of Revenue would still continue to have a line item for the general government operations' cost of an additional \$1 million over this past year's spending. I believe that that is suf-

ficient based on all available information up until this point.

I would urge the members of the House to vote in favor of this amendment which would, again, reduce the general government costs of the Department of Revenue and still provide for a \$1-million increase in those costs in this current year over last year's spending.

Thank you, Mr. Speaker.

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

Mr. MILLIRON. Thank you, Mr. Speaker.

Mr. Speaker, I have had no objections with some of the other amendments today that cut costs and cut spending. I am acquainted, however, with the Department of Revenue's problems in our own central Pennsylvania and Blair County areas, a four- or five-county area.

Due to layoffs, the Department of Revenue has started a new policy whereby rather than sending a collector and demanding the money within 30 days, they have begun to mail out notices extending the period of time, and it has seriously hurt the delinquent collections, I know, in my own county.

I received an estimate that the delinquent collections for the month of November were less than one-third of what they were from 1 year before because of the layoffs of personnel.

We are not cutting services in this department and we are not just laying people off in this department. We are drastically affecting the very ability of our state to collect the money that is owed to us.

This is going to create a very, very severe problem in the Department of Revenue. Every person who has been laid off has been either an investigator or collector. Because of this, I must ask the members to oppose this particular cut in the bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Centre, Mrs. Wise.

Mrs. WISE. Mr. Speaker, would Mr. Pievsky give us an estimate of what this might mean in layoffs in this department, please?

The SPEAKER. The gentleman, Mr. Pievsky, says he will stand for interrogation.

Mr. PIEVSKY. Mr. Speaker, at best we can guess about 80 people would be laid off in the Department of Revenue with this amendment in it.

Mrs. WISE. Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I rise in opposition to the amendment for some of the reasons Mr. Milliron pointed out. I think that we need to remember that when we passed the corporation tax increase, we also put in there a reduction of the prepayment. We changed the schedule of the tax collections.

If we finally pass and the Governor signs the utility tax bill, which now taxes the electricity sold outside the state but produced in Pennsylvania, that, Mr. Speaker, adds to the workload of the Department of Revenue.

It seems to me that when you add to the workload at the same time you subtract half a million dollars from their general gov-

ernment operations, you cannot expect any kind of efficiency. I think that in this instance we are being penny wise and pound foolish if you accept this amendment. If you accept the amendment, I do not think it is fair then to complain to the Department of Revenue because the collections are not coming in the way we had anticipated them to come in. I think that this amendment ought to be defeated on that basis.

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

Mr. ZEARFOSS. Mr. Speaker, I wonder if Mr. Pievsky would answer a question for me?

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

Mr. PIEVSKY. Yes, I will, Mr. Speaker.

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

Mr. ZEARFOSS. Mr. Speaker, what would the Meluskey amendment mean to the Department of Revenue in terms of reduced paper clips, rubber bands, paper, pens and pencils?

Mr. PIEVSKY. I can get that answer for him, Mr. Speaker.

Mr. ZEARFOSS. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to Part III of the Meluskey amendments?

The following roll call was recorded:

YEAS—69

Armstrong	Geesey	Mebus	Sirianni
Bittle	George, M.	Meluskey	Smith, E.
Brandt	Goebel	Miller	Smith, L.
Brown	Greenleaf	Moehlmann	Spencer
Burd	Grieco	Mowery	Spitz
Caltagirone	Hamilton	O'Brien, D.	Stairs
Cessar	Hasay	O'Connell	Sweet
Cimini	Hayes, D. S.	Pancoast	Taylor, E.
Davies	Hayes, S. E.	Peterson	Thomas
DeVertter	Helfrick	Pitts	Vroon
DeWeese	Katz	Pyles	Wass
Dietz	Lehr	Ruggiero	Wenger
Dorr	Levi	Salvatore	Wright, J. L.
Foster, A.	Mackowski	Scheaffer	Yohn
Foster, W.	Madigan	Scirica	Zearfoss
Freind	McClatchy	Seltzer	Zeller
Fryer	McGinnis	Shuman	Zord
Gallen			

NAYS—120

Abraham	Garzia	McCall	Rieger
Arthurs	Gatski	McIntyre	Ritter
Bellomini	Geisler	McLane	Scanlon
Beloff	George, C.	Milanovich	Schmitt
Bennett	Giammarco	Milliron	Schweder
Berlin	Goodman	Miscevich	Shelton
Berson	Gray	Morris	Shupnik
Bittinger	Greenfield	Mrkoncic	Stapleton
Borski	Halverson	Mullen, M. P.	Stewart
Brunner	Harper	Mullen, M. M.	Stuban
Burns	Haskell	Musto	Taddonio
Caputo	Hoeffel	Novak	Taylor, F.
Cassidy	Hutchinson, A.	Noye	Tenaglio
Cianciulli	Hutchinson, W.	O'Brien, B.	Trello
Cohen	Itkin	O'Donnell	Wagner

Cole	Johnson	O'Keefe	Wansacz
Cowell	Jones	Oliver	Wargo
DeMedio	Kelly	Parker	White
DiCarlo	Klingaman	Petrarca	Wiggins
Dininni	Knepper	Piccola	Williams
Dombrowski	Kolter	Pievsky	Wilson
Donatucci	Kowalyshyn	Polite	Wilt
Doyle	Kukovich	Pott	Wise
Duffy	Laughlin	Pratt	Wright, D.
Englehart	Letterman	Prendergast	Yahner
Fee	Levin	Rappaport	Zitterman
Fischer, R. R.	Lincoln	Ravenstahl	Zwinkl
Fisher, D. M.	Livengood	Reed	
Flaherty	Logue	Renwick	Irvis,
Gallagher	Manderino	Richardson	Speaker
Gamble	Manmiller		

NOT VOTING—13

Anderson	Gleeson	Kernick	Ryan
Barber	Honaman	Lynch	Valicenti
Dumas	Hopkins	Rhodes	Weidner
Gillette			

The question was determined in the negative and Part III of the Meluskey amendments was not agreed to.

On the question recurring,

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

Mr. BENNETT offered the following amendments:

Amend Sec. 1 (Sec. 2), page 4, line 30, by striking out "4,459,000" and inserting 4,609,000

Amend Sec. 1 (Sec. 2), page 5, lines 2 through 4, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 5, lines 7 through 15, by striking out all of said lines and inserting

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 19 and 20

For transfer to the
Volunteer Companies Loan
Fund. 500,000

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. The amendment is, as was indicated, A3399. Mr. Speaker, I believe that I have the amendment in the proper order as requested by the majority leader and the majority Appropriations Committee chairman. I have indicated to the House earlier that the intent of the amendment is to transfer those funds that are, at the present time, in the amount of \$11 million. Take \$500,000 of that and put \$200,000 in the Department of Community Affairs; \$150,000 in site development in the Department of Commerce, and \$150,000 into the general governmental operations in the Department of Commerce.

As I indicated earlier, Mr. Speaker, Mr. Hutchinson, who is the real father of the Volunteer Firemen's Relief Assistance Act is in agreement with what I am attempting to do. I would ask for an affirmative vote on the amendment.

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

Mr. PIEVSKY. Mr. Speaker, the Appropriations Committee

staff has checked Mr. Bennett's amendment. It does not change the bottom line. I concur in Mr. Bennett's amendment. I urge passage.

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

Mr. A. C. FOSTER. Will the gentleman, Mr. Bennett, consent to a couple of questions?

Mr. BENNETT. Yes, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, for what purpose will these funds be used when they are taken from the Volunteer Fire Companies Loan Fund?

Mr. BENNETT. Mr. Speaker, I apparently failed to indicate to the gentleman the areas in which these funds would be spent and I would repeat that: \$150,000 would be put back into site development in the Department of Commerce, a people-oriented program; \$150,000 of the \$300,000 that was cut from general governmental operations in the Department of Commerce would be put back in. In other words, half of what they had cut out would be put back into general governmental operations. Those two are in the Department of Commerce.

The other \$200,000 would go to the Department of Community Affairs for the housing problems, recreation, land grants, et cetera, et cetera.

Mr. A. C. FOSTER. Mr. Speaker, for those first couple of items, would they be part of the PIDA — Pennsylvania Industrial Development Authority — program?

Mr. BENNETT. They would, Mr. Speaker.

Mr. A. C. FOSTER. I thank the gentleman.

The SPEAKER. On the amendment offered by the gentleman, Mr. Bennett, the Chair recognizes the gentleman from Lehigh, Mr. Zeller.

Mr. ZELLER. Mr. Speaker, in regard to Mr. Bennett's move to remove the \$500,000 in the Firemen's Assistance Fund, I would like to ask him a question in regard to where the money is going to go?

Mr. BENNETT. Mr. Speaker, I had hoped that my response to Mr. Foster's interrogation indicated where the money is going. If not, I would be happy to repeat it for Mr. Zeller. Repeating: \$150,000 would go for site development, which is a PIDA program; \$150,000 would go to the Department of Commerce's general governmental operations, of which they have asked \$300,000, and we are only giving them half of it; and \$200,000 to the Department of Community Affairs. I would repeat again, Mr. Speaker, for the edification of all the members, that there will remain \$10½ million in the Volunteer Firemen's Relief Assistance Act.

Mr. ZELLER. Mr. Speaker, in comment to that, with all respect to the moneys needed by PIDA and so forth, I only wish that Mr. Bennett, who I respect very much, would have taken the money from some area other than the volunteer firemen whom we worked very hard for.

This fund has just gotten started now and is in its first year. We really need help. I would, with all respect to Mr. Bennett, ask to leave that money in there for our volunteer firemen

whom I know Mr. Manderino himself and Mr. Hutchinson have worked very hard for. I would like to see a "no" vote on this. I am sorry.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise to support the Bennett amendment. As Mr. Zeller indicated, Mr. Hutchinson, myself, Mr. Zeller and many others were instrumental in getting that fund established.

The \$500,000 that we are removing is not from the \$10-million bond issue. We are not touching that at all. All of those bonds have been floated and that fund is intact. We started a procedure last fiscal year to augment the \$10 million with \$500,000 of general fund moneys. We did it last year and we did it again this year. I insisted that it be put in. For all practical purposes, the money is not being spent and it is laying there. I told Mr. Bennett that when we looked at it and looked at the applications that there was no way it would be used in the fiscal year. I thought that that was a place that could be available without hurting the fund at all.

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

Mr. DORR. Mr. Speaker, one additional question of the gentleman, Mr. Bennett, and I would appreciate Mr. Hutchinson's comment also or a nod of his head or something on this point.

There is legislation which we hope to adopt sometime soon which would correct a provision in the law which is now preventing certain volunteer fire companies, which we all intended should benefit from this fund, from receiving those funds because of failure to amend properly the bill when it was before us last year. This deals with certain obligations that were incurred subsequent to the vote by the people but prior to the effective date of the act, as I recall it. I want to be absolutely certain that it will not be an excuse when we enact that provision of the law to correct it so that we now do not have the money to fund those things because we did away with the money here.

Mr. BENNETT. Mr. Speaker, apparently the interrogation was to me. I would yield to Representative Hutchinson at this time.

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

Mr. A. K. HUTCHINSON. Mr. Speaker, that \$500,000 is taxpayers' money, not bond money. We took our amendment—that is on the calendar now—into consideration so there will be enough money to fund that when the time comes. There is some more legislation to make it more liberal coming up, but there will be enough money there to do that.

Mr. DORR. Thank you. I appreciate the gentleman's assurance, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—184

Abraham
Anderson

Fryer
Gallagher

Manmiller
McCall

Salvatore
Scanlon

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

NAYS—9

Dietz	Meluskey	Shuman	Wagner
Gallen	Noye	Spitz	Zord
Helrick			

NOT VOTING—9

Gillette	Hopkins	Lynch	Weidner
Gleeson	Kernick	Richardson	Williams
Honaman			

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

REMARKS ON VOTE

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

Mr. RICHARDSON. Mr. Speaker, I was called away from my desk and I would like to be recorded in the affirmative on the Bennett amendment.

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

HOUSE AT EASE

The SPEAKER. The House will stand at ease for a period of 2 minutes. We are about to take up the Itkin amendments.

I would like to extend the recess until 4:15 so that a committee meeting may be called by the gentleman from Allegheny, Mr. Geisler.

STATE GOVERNMENT COMMITTEE MEETING

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

Mr. GEISLER. Mr. Speaker, I would like to call a meeting of the State Government Committee at the rear of the hall of the House.

RECESS

The SPEAKER. The House will stand at ease until 4:15 p.m.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE
AND TABLED

SB 1068, PN 1345

By Mr. GEISLER

An Act to promote the general welfare and stimulate the economy of the Commonwealth by requiring that all public bodies including the Commonwealth its political subdivisions and all authorities include in all contracts for construction reconstruction alteration repair improvement or maintenance of improvements of a permanent or temporary nature a provision that if any steel products are to be used in the performance of the contract only steel products produced in the United States shall be used and imposing liability for violation of this act.

State Government.

BILL REREPORTED FROM COMMITTEE

HB 552, PN 2464 (Amended)

By Mr. ITKIN

An Act providing for the regulation for energy conservation purposes of the construction of buildings the establishment of a Building Energy Conservation Committee and a Board on Variations appeals and for penalties.

Rereported from Committee on Mines and Energy Management.

ANNOUNCEMENT

The SPEAKER. The Chair would bring to the attention of the members of the House that on page 2 of the active calendar, the Chair passed over HB 996, PN 2422. The Chair reverses its decision, and that bill is marked over temporarily. The Chair has been requested to call this bill up for a vote today.

Likewise, on page 4, the Chair passed over SB 839. The Chair reverses its decision on that. The Chair has been advised that this bill must be voted this week. The Chair announces that this bill will be marked over temporarily. It is the intention of the Chair to call the bill up for a vote today.

RECONSIDERATION OF VOTE ON MELUSKEY AMENDMENT TO SB 1187

Mr. MANDERINO moved that the vote by which the Meluskey amendment No. A3349 to SB 1187 was agreed to on this day be reconsidered.

Mr. PIEVSKY seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—142

Abraham	Foster, A.	Manderino	Schmitt
Anderson	Fryer	Manmiller	Schweder
Arthurs	Gallagher	McCall	Scirica
Barber	Gallen	McIntyre	Seltzer
Bellomini	Gamble	McLane	Shelton
Beloff	Garzia	Mebus	Shupnik
Bennett	Gatski	Milanovich	Smith, E.
Berlin	Geesey	Milliron	Smith, L.
Berson	Geisler	Miscevich	Spencer
Bittinger	George, C.	Morris	Spitz
Bittle	George, M.	Mullen, M. P.	Stapleton
Borski	Gleeson	Mullen, M. M.	Stewart
Brunner	Goebel	Musto	Stuban
Burd	Goodman	Novak	Sweet
Burns	Gray	O'Brien, B.	Taylor, E.
Caltagirone	Greenfield	O'Connell	Taylor, F.
Caputo	Harper	O'Donnell	Tenaglio
Cassidy	Hayes, S. E.	O'Keefe	Trello
Cianciulli	Hoeffel	Oliver	Valicenti
Cohen	Hutchinson, A.	Pancoast	Vroon
Cole	Hutchinson, W.	Peterson	Wagner
Cowell	Itkin	Petrarca	Wansacz
Davies	Johnson	Pievsky	Wargo
DeMedio	Jones	Pitts	White
DeVerter	Kelly	Pratt	Wiggins
DeWeese	Kolter	Prendergast	Williams
Dombrowski	Kowalyszyn	Rappaport	Wilson
Donatucci	Kukovich	Ravenstahl	Wise
Dorr	Laughlin	Reed	Wright, D.
Doyle	Lehr	Renwick	Wright, J. L.
Duffy	Letterman	Richardson	Yohn
Dumas	Levi	Rieger	Zitterman
Englehart	Levin	Ritter	Zwinkl
Fee	Livengood	Ruggiero	
Fisher, D. M.	Logue	Ryan	Irvis,
Flaherty	Mackowski	Scanlon	Speaker

NAYS—47

Armstrong	Hamilton	Miller	Shuman
Brandt	Hasay	Moehlmann	Sirianni
Brown	Haskell	Mowery	Stairs
Cessar	Hayes, D. S.	Noye	Taddonio
Cimini	Helfrick	O'Brien, D.	Thomas
Dietz	Katz	Parker	Wass
Dininni	Klingaman	Piccola	Wenger
Fischer, R. R.	Knepper	Polite	Wilt
Foster, W.	Madigan	Pott	Zearfoss
Greenleaf	McClatchy	Pyles	Zeller
Grieco	McGinnis	Salvatore	Zord
Halverson	Meluskey	Scheaffer	

NOT VOTING—13

DiCarlo	Honaman	Lincoln	Rhodes
Freind	Hopkins	Lynch	Weidner
Giammarco	Kernick	Mrkonic	Yahner
Gillette			

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

On the question recurring,

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

Mr. ITKIN offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, lines 9 through 30; page 3, lines 1 through 30; page 4, lines 1 through 30; page 5, lines 1 through 4, by striking out all of said lines and inserting

Amend Sec. 1 (Sec. 2), page 5, lines 6 through 25, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 26 and 27

For housing and redevelopment assistance as authorized by the act of May 20, 1945 (P. L. 1633, No. 493), known as the "Housing and Redevelopment Assistance Law" and by payment of the costs of administering such act up to but not exceeding an amount equalling 2% of this appropriation. No more than 20% of the amount herein appropriated shall be allocated or granted to any one political subdivision . . . 15,950,000

Amend Sec. 1 (Sec. 2), page 5, lines 28 through 30; page 6, lines 1 through 23, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 7, by inserting between lines 24 and 25

For increase in the basic instructional and vocational education costs. . . . /100,000,000/ 50,000,000

Amend Sec. 1 (Sec. 2), page 8, lines 1 through 26, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 9, lines 6 through 30; pages 10 through 15, all of lines 1 through 30 on all of said pages; page 16, all of lines 1 through 7, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 16, line 18, by striking out all of said line and inserting 27,102,000

Amend Sec. 1 (Sec. 2), page 16, lines 20 through 30; page 17, lines 1 through 18, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 18, lines 1 through 7, by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, this is the most important amendment that I will have to offer today. If this amendment passes, all the others can be ignored.

SB 1187 failed to take care of the needs of this Commonwealth because, one, it required deep cuts in operating programs; two, it does not provide for \$14 million in nonpreferred funding still and does not provide for \$16 million in housing redevelopment money.

My amendment will take care of all of those things. It eliminates all the cuts; it provides for the Institutional Assistance Grants; it provides for housing redevelopment money and provides for the funding of every nonpreferred appropriation.

How is that done? It is done by deferring one-half of the additional school-subsidy money to the next fiscal year and provides in this budget only \$50 million instead of \$100 million.

What type of an effect will this have on the school districts? They get this additional subsidy money in June. If this amendment passes, they will get their money in July.

What does it mean? It means to every school district a reduction in June of 2 percent in their annual budget, which they will then get back in July.

The effect of this amendment is, of course, to produce \$50 million more of funding for the next fiscal year. I would like to point out that we had a \$150-million deficit this year, which we do not expect to have recovered next year. With the George amendment of recommendations of 5-percent cuts, I think it is a doable situation.

I would like to point out again, this amendment will solve everybody's problems. It makes no program cuts. It provides funding for all the nonpreferreds and provides funding for the housing redevelopment money. It just makes that minor transfer. I cannot understand—

The SPEAKER. The gentleman must yield.

MOTION TO RECESS

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

Mr. CAPUTO. Mr. Speaker, I am going to ask the Speaker to declare a recess until we get some of the members in these chambers. I think submitting anything to a vote with all the empty desks in this chamber is a farce.

The SPEAKER. The Speaker would agree certainly that it is a farce but the Speaker has no control over the will of those members. The Speaker has extended the recess beyond the normal time. The Speaker cannot force the members into their seats if they refuse to do their duty.

If the gentleman, Mr. Caputo, wishes to move to postpone the activities of the House, that motion is in order. The Speaker would not suggest it.

Mr. CAPUTO. I will make it, Mr. Speaker. I am making the motion. That is my first move. We should postpone it until the Speaker has a chance to announce, through his communications system, to the other members, who I am sure are in the Capitol, to come to the floor of the House.

The SPEAKER. The gentleman's motion to postpone the session for what length of time?

Mr. CAPUTO. I am inclined to say until tomorrow but I will say 10 minutes.

The SPEAKER. Ten minutes?

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I oppose the motion. The last 15-minute recess is what is causing the empty seats that are here. A 10-minute recess extended will just cause that many more. Let us get to the business of the House.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—17

Abraham	Geisler	Miscevich	Shupnik
Caputo	Hasay	Mrkonic	Stewart

Cohen
Duffy
Flaherty

Itkin
Logue

Ravenstahl
Rhodes

Wagner
Wargo

NAYS—165

Anderson	Garzia	McCall	Seltzer
Armstrong	Gatski	McClatchy	Sheiton
Arthurs	Geesey	McGinnis	Shuman
Bellomini	George, C.	McIntyre	Sirianni
Beloff	George, M.	McLane	Smith, E.
Bennett	Giammarco	Mebus	Smith, L.
Berlin	Gleeson	Meluskey	Spencer
Berson	Goebel	Milanovich	Spitz
Bittinger	Goodman	Miller	Stairs
Bittle	Gray	Milliron	Stapleton
Borski	Greenfield	Moehlmann	Stuban
Brandt	Greenleaf	Morris	Sweet
Brown	Grieco	Mowery	Taddonio
Brunner	Halverson	Mullen, M. P.	Taylor, E.
Burns	Hamilton	Novak	Taylor, F.
Caltagirone	Harper	Noye	Tenaglio
Cassidy	Haskell	O'Brien, B.	Thomas
Cessar	Hayes, D. S.	O'Brien, D.	Trello
Cianciulli	Hayes, S. E.	O'Connell	Valicenti
Cimini	Helfrick	O'Donnell	Vroon
Cole	Hoeffel	O'Keefe	Wansacz
Cowell	Hutchinson, A.	Pancoast	Wass
Davies	Hutchinson, W.	Parker	Wenger
DeMedio	Johnson	Peterson	White
DeVerter	Jones	Piccola	Wiggins
DeWeese	Katz	Pievsky	Williams
Dietz	Kelly	Pitts	Wilson
Dininni	Klingaman	Polite	Wilt
Dombrowski	Knepper	Pott	Wise
Donatucci	Kolter	Pratt	Wright, D.
Dorr	Kowalshyn	Pyles	Wright, J. L.
Doyle	Kukovich	Reed	Yahner
Englehart	Laughlin	Renwick	Yohn
Fee	Lehr	Richardson	Zearfoss
Fischer, R. R.	Letterman	Rieger	Zeller
Fisher, D. M.	Levi	Ritter	Zitterman
Foster, A.	Levin	Ruggiero	Zord
Foster, W.	Livengood	Ryan	Zwikl
Freind	Mackowski	Salvatore	
Fryer	Madigan	Scheaffer	Irvis,
Gallagher	Manderino	Schweder	Speaker
Gallen	Manmiller	Scirica	

NOT VOTING—20

Barber	Gillette	Lynch	Prendergast
Burd	Honaman	Mullen, M. M.	Rappaport
DiCarlo	Hopkins	Musto	Scanlon
Dumas	Kernick	Oliver	Schmitt
Gamble	Lincoln	Petrarca	Weidner

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

On the question recurring,

Will the House agree to the amendments?

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

Mr. CAPUTO. Mr. Speaker, first I want to make a comment and then I want to discuss the Itkin amendment. That is what I originally rose to.

The SPEAKER. The Chair recognizes the gentleman.

Mr. CAPUTO. I notice by the board that we have 181 members, so I guess that is enough to speak to at this time.

Mr. Speaker, I already know that the outcome is going to be

on the Itkin amendment, but I think, for the record and for the benefit of the gentlemen and ladies who are here today, I have to get something off of my mind.

There were 102 people in this House—two of them are missing today, I think—who voted for a budget. They believed at that time when they voted for the budget that we could run this Commonwealth on the money that we anticipated getting. Some people voted against the budget because they felt that we would have to pay taxes to pay for additional spending. Now we also have the taxes. We have more money than we anticipated when those 102 members voted for the budget.

Mr. Speaker, we have enough money to fund all the governmental operations that 102 people spoke for when they voted for the budget a few months ago. Mr. Itkin's amendment would solve those problems and make them stand up to the fact the either they believe in the budget or believe that we were faking on the day that they voted for it.

I would ask, at least, those 102 members who felt that we had a budget to put their "yea" vote up for it and vote for this amendment today. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—29

Caputo	Goebel	Mrkoncic	Valicenti
DeWeese	Itkin	Mullen, M. M.	White
Dombrowski	Johnson	Novak	Wiggins
Donatucci	Jones	Pratt	Zearfoss
Duffy	Kukovich	Prendergast	
Flaherty	Letterman	Ravenstahl	Irvis,
Geisler	Livengood	Shuman	Speaker
Giammarco	Logue	Taylor, F.	

NAYS—157

Abraham	Gallagher	McClatchy	Scanlon
Anderson	Gallen	McGinnis	Scheaffer
Armstrong	Garzia	McIntyre	Schmitt
Arthurs	Gatski	McLane	Schweder
Bellomini	Geesey	Mebus	Scirica
Beloff	George, C.	Meluskey	Seltzer
Bennett	George, M.	Milanovich	Shupnik
Berlin	Gleeson	Miller	Sirianni
Berson	Goodman	Milliron	Smith, E.
Bittinger	Gray	Miscevich	Smith, L.
Bittle	Greenfield	Moehlmann	Spencer
Borski	Greenleaf	Morris	Spitz
Brandt	Grieco	Mowery	Stairs
Brown	Halverson	Mullen, M. P.	Stapleton
Brunner	Hamilton	Noye	Stewart
Burd	Harper	O'Brien, B.	Stuban
Burns	Hasay	O'Brien, D.	Sweet
Caltagirone	Haskell	O'Connell	Taddonio
Cassidy	Hayes, D. S.	O'Donnell	Taylor, E.
Cassar	Hayes, S. E.	O'Keefe	Tenaglio
Cianciulli	Helfrick	Oliver	Thomas
Cimini	Hoeffel	Pancoast	Trello
Cohen	Hutchinson, A.	Parker	Vroon
Cole	Hutchinson, W.	Peterson	Wagner
Cowell	Katz	Petrarca	Wansacz
Davies	Kelly	Piccola	Wargo
DeMedio	Klingaman	Pievsky	Wass
DeVerter	Knepper	Pitts	Wenger
Dietz	Kolter	Polite	Wilson
Dininni	Kowalshyn	Pott	Wilt

Dorr	Laughlin	Pyles	Wise
Doyle	Lehr	Reed	Wright, D.
Englehart	Levi	Renwick	Wright, J. L.
Fee	Levin	Richardson	Yahner
Fischer, R. R.	Mackowski	Rieger	Yohn
Fisher, D. M.	Madigan	Ritter	Zeller
Foster, A.	Manderino	Ruggiero	Zitterman
Foster, W.	Manmiller	Ryan	Zord
Freind	McCall	Salvatore	Zwikl
Fryer			

NOT VOTING—16

Barber	Gillette	Lincoln	Rhodes
DiCarlo	Honaman	Lynch	Shelton
Dumas	Hopkins	Musto	Weidner
Gamble	Kernick	Rappaport	Williams

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 7, by inserting between lines 24 and 25

For increase in the basic instructional and vocational education costs, provided that no part of this appropriation received after December 31, 1977 shall be used for capital improvements 100,000,000

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this amendment would amend that section of Act 11-A on the \$100-million increase for basic instructional vocational course, to add that, "provided that no part of this appropriation received after December 31, 1977 shall be used for capital improvements"

What I am concerned about is when we provided this additional \$100 million to aid, what we may find developing is money being used to re-insert programs, "That go with the use to providing additional laboratory equipment and other things of that nature."

I do not think that this was the intent of the legislature when it adopted this amendment and so I would like to see the prohibition beyond this starting now, December 31, and be enforced so that the \$100 million could be used to defer taxes, could be used to provide for re-institution of programs, but could not be used to provide for capital improvements.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—26

Brown	Hamilton	O'Brien, D.	Ryan
Caltagirone	Itkin	Pott	Salvatore
Caputo	Katz	Ravenstahl	Shuman

Duffy	Kowalyszyn	Reed	Shupnik
Fryer	Kukovich	Rhodes	Zeller
Geisler	Livengood	Ritter	Zwinkl
Goebel	Meluskey		

NAYS—161

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

NOT VOTING—15

Barber	Goodman	Lincoln	Rappaport
DiCarlo	Honaman	Lynch	Weidner
Dumas	Hopkins	Mullen, M. M.	Williams
Gillette	Kernick	Pratt	

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 14, line 30; page 15, lines 1 through 5, by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this amendment would restore \$5

million in cuts in child welfare. This program, of course, if used to provide, as reimbursements to all the counties of the Commonwealth, the child-welfare cause.

As far as my home county is concerned, this is a million dollars to us. We have experienced significant problems with our status offenders in Allegheny County. Without a situation with our shelter for runaways and truants and other status offenders, they have found themselves leaving institutions because they are inadequately supervised. There have been several accounts of children leaving institutions being abducted, kidnapped, raped. We do not have any substantial recreational facilities at the shelter. I am only pointing this out because I do not think that the facilities that exist anywhere else in this state are any superior.

I think a malady of state government is that we do not take care of those who cannot represent themselves. And they do not have a strong lobbying influence. I would request that the House give serious consideration to the restoration of this \$5-million cut.

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

Mr. CAPUTO. Mr. Speaker, a few minutes ago the House took some money from the volunteer firemen and put it into Community Affairs. I am asking all members of this House to consider child welfare. We are asking for \$5 million to be restored. If you can vote against those kids and the people who take care of them, go ahead. I think we ought to adopt this amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentlemen who are voting against Mr. Caputo's \$5 million and Mr. Itkin's \$5 million are those who did not want to fund an adequate budget, and a significant portion of this delegation was in that category.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—31

Burd	Itkin	Mullen, M. M.	Shupnik
Caltagirone	Katz	Pancoast	Taddonio
Caputo	Knepper	Parker	Trello
Cessar	Kukovich	Polite	Wagner
Dombrowski	Logue	Pott	Wilt
Duffy	McLane	Ravenstahl	
Flaherty	Mrkoncic	Rhodes	Irvis,
Geisler	Mullen, M. P.	Salvatore	Speaker
Helfrick			

NAYS—162

Abraham	Gallagher	Manmiller	Schmitt
Anderson	Gallen	McCall	Schweder
Armstrong	Gamble	McClatchy	Scirica
Arthurs	Garzia	McGinnis	Seltzer
Barber	Gatski	McIntyre	Shelton
Beloff	George, C.	Mebus	Shuman
Bennett	George, M.	Meluskey	Sirianni
Berlin	Giammarco	Milanovich	Smith, E.
Berson	Gleeson	Miller	Smith, L.
Bittinger	Goebel	Milliron	Spencer

Bittle	Goodman	Miscevich	Spitz
Borski	Gray	Moehlmann	Stairs
Brandt	Greenfield	Morris	Stapleton
Brown	Greenleaf	Mowery	Stewart
Brunner	Grieco	Musto	Stuban
Burns	Halverson	Novak	Sweet
Cassidy	Hamilton	Noye	Taylor, E.
Cianciulli	Harper	O'Brien, B.	Taylor, F.
Cimini	Hasay	O'Connell	Tenaglio
Cohen	Haskell	O'Donnell	Thomas
Cole	Hayes, D. S.	O'Keefe	Valicenti
Cowell	Hayes, S. E.	Oliver	Vroon
Davies	Hoeffel	Peterson	Wansacz
DeMedio	Hutchinson, A.	Petrarca	Wargo
DeVerter	Hutchinson, W.	Piccola	Wass
DeWeese	Johnson	Pievsky	Wenger
DiCarlo	Jones	Pitts	White
Dietz	Kelly	Pratt	Wiggins
Dininni	Klingaman	Prendergast	Williams
Donatucci	Kolter	Pyles	Wilson
Dorr	Kowalyshyn	Rappaport	Wise
Doyle	Laughlin	Reed	Wright, D.
Dumas	Lehr	Renwick	Wright, J. L.
Englehart	Letterman	Richardson	Yahner
Fee	Levi	Rieger	Yohn
Fischer, R. R.	Levin	Ritter	Zearfoss
Fisher, D. M.	Lincoln	Ruggiero	Zeller
Foster, A.	Livengood	Ryan	Zitterman
Foster, W.	Mackowski	Scanlon	Zord
Freind	Madigan	Scheaffer	Zwikl
Fryer	Manderino		

NOT VOTING—9

Bellomini	Honaman	Kernick	O'Brien, D.
Geesey	Hopkins	Lynch	Weidner
Gillette			

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 12, lines 5 and 6, by striking out both of said lines

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this restores to the community advocate's office in the Department of Justice the money that was reduced in HB 1187 from Act 11-A. They are now getting \$348,000 in the bill. Under the present law they were scheduled to get \$373,000.

The \$373,000 represents a 15 percent reduction over prior years' appropriations, so they are not getting more than they got last year. They got 15 percent less in the bill than they got in the act they got last year, and now we are considering reducing their appropriation again approximately 10 percent. They have also taken a 25-percent cut in personnel complement, particularly in the western region.

I would like to point out that one of the agencies that are exposing the problems in our child-welfare situation and doing

the inquiries and trying to represent those people who cannot represent themselves adequately is the community advocate's office. And we hear from them that situations in the shelter, that I mentioned before, have to do with harassment and intimidation by residents of the shelter one on another, and that because of the inadequate supervision, we are creating this type of a climate and environment for our status offenders who have committed no criminal act.

Mr. Speaker, in order for us to ferret out these types of bad practices in our Commonwealth, sometimes it is necessary that we have people who will act in omnibudsmen capacity. And I do not think that this particular unit can support this type of a budget cut. I seek to have it restored. That is what this amendment does.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—23

Abraham	Itkin	O'Brien, B.	Stapleton
Caputo	Logue	O'Donnell	Trello
Cohen	Milanovich	O'Keefe	White
Doyle	Miscevich	Ravenstahl	
Flaherty	Mrkoncic	Rhodes	Irvis,
Geisler	Mullen, M. M.	Shupnik	Speaker
Hoeffel			

NAYS—169

Anderson	Fryer	Mackowski	Salvatore
Armstrong	Gallagher	Madigan	Scanlon
Arthurs	Gamble	Manderino	Scheaffer
Barber	Garzia	Manmiller	Schweder
Bellomini	Gatski	McCall	Scirica
Beloff	Geesey	McClatchy	Seltzer
Bennett	George, C.	McGinnis	Shelton
Berlin	George, M.	McIntyre	Shuman
Berson	Giammarco	McLane	Sirianni
Bittinger	Gleeson	Mebus	Smith, E.
Bittle	Goebel	Meluskey	Smith, L.
Borski	Goodman	Miller	Spencer
Brandt	Gray	Milliron	Spitz
Brown	Greenfield	Moehlmann	Stairs
Brunner	Greenleaf	Morris	Stewart
Burd	Grieco	Mowery	Stuban
Burns	Halverson	Mullen, M. P.	Sweet
Caltagirone	Hamilton	Musto	Taddonio
Cassidy	Harper	Novak	Taylor, E.
Cessar	Hasay	Noye	Taylor, F.
Cianciulli	Haskell	O'Brien, D.	Tenaglio
Cimini	Hayes, D. S.	O'Connell	Thomas
Cole	Hayes, S. E.	Oliver	Valicenti
Cowell	Helfrick	Pancoast	Vroon
Davies	Hutchinson, A.	Parker	Wagner
DeMedio	Hutchinson, W.	Peterson	Wansacz
DeVerter	Johnson	Petrarca	Wargo
DeWeese	Jones	Piccola	Wass
DiCarlo	Katz	Pievsky	Wenger
Dietz	Kelly	Pitts	Wiggins
Dininni	Klingaman	Polite	Wilson
Dombrowski	Knepper	Pott	Wilt
Donatucci	Kolter	Pratt	Wise
Dorr	Kowalyshyn	Prendergast	Wright, D.
Duffy	Kukovich	Pyles	Wright, J. L.
Dumas	Laughlin	Rappaport	Yahner
Englehart	Lehr	Reed	Yohn
Fee	Letterman	Renwick	Zearfoss

Fischer, R. R.	Levi	Rieger	Zeller
Fisher, D. M.	Levin	Ritter	Zitterman
Foster, A.	Lincoln	Ruggiero	Zord
Foster, W.	Livengood	Ryan	Zwinkl
Freind			

NOT VOTING—10

Gallen	Hopkins	Richardson	Weidner
Gillette	Kernick	Schmitt	Williams
Honaman	Lynch		

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 9, lines 8 through 10, by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, SB 1187 would cut \$100,000 out of the Bureau of Topographic and Geological Survey in the Department of Environmental Resources.

Actually now, as the bill is written, the appropriation provided is several percent less than they received in the prior fiscal year and is approximately \$200,000 less than what was assumed to be a proper appropriation in the beginning of the budget process this year.

I would like to point out that the bureau would affect personnel. According to the director of the bureau, this would result in two furloughs and it would defer the printing of two geological and mineral resource reports dealing with natural gas and limestone; it would also alter and cut in half the preparation of topographic maps for the Commonwealth which, in fact, formed the basis for the production of all other maps. We are in danger of losing 50-50 Federal matching moneys because of the reduction in the state's support.

I would like to point out that this Bureau is well worth its small appropriation. In fact, it was instrumental in discovering a new gas field in Indiana County, the results of which will provide benefits for the entire Commonwealth.

I cannot understand why the Appropriations Committee staff would look upon this appropriation in such poor light. I think it is an indiscriminate reduction and I would request that this appropriation be restored to at least the value that appeared in Act 11-A.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—18

Brunner	George, C.	Miscevich	Rhodes
Caputo	Itkin	Mullen, M. M.	Shupnick

Davies	Letterman	Ravenstahl	Wright, D.
DeMedio	Logue	Renwick	Yahner
Geisler	Milanovich		

NAYS—171

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

NOT VOTING—13

Bellomini	Gillette	Kernick	Musto
Flaherty	Honaman	Lynch	Weidner
Gallen	Hopkins	Mrkonic	Williams
Geesey			

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 9, lines 11 and 12, by striking out both of said lines

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this affects the cut in deep-mine safety. What it would do would be to restore the value of the dollar amount appropriated in Act 11-A. I think that this amendment was discussed in an omnibus amendment previously but never considered singularly. As a consequence, I introduced this specific amendment at this time.

I would like to point out that this will mean that several vacancies in existence in deep-mine safety are not allowed to be filled, including three mine air testers and one underground mine inspector and a clerk. This comes at a time when we are going to open new mines in the Commonwealth. In fact, immediately plants are to be opened; there are 12 mines in Greene County, two in Indiana County and two in Washington County.

I cannot understand why we would choose to cut this particular line appropriation when we are opening more coal mines in the Commonwealth and then reducing, in effect, the number of personnel to adequately inspect the mines. If that is what we want to do to provide inadequate safety for our people who work in our coal mines in Pennsylvania, I think that that is what we are doing with SB 1187.

This amendment, would, in fact, bring it back to the amount that is presently in SB 1187. I would urge your support of this amendment.

The SPEAKER. On the Itkin amendment the Chair recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, I would like to ask for support of this Itkin amendment. This is a very vital area. You know in my own county we had a tragedy in the mines this past year, and this is a program that needs to be adequately funded. I would like to ask for support of this amendment.

The SPEAKER. The Chair recognizes on the Itkin amendment the gentleman from Greene, Mr. DeWeese.

Mr. DEWEESE. Mr. Speaker, I will not burden the chamber with my remarks but I would like to express an affirmative view for Mr. Itkin's amendment and submit my remarks for the record.

REMARKS PRESENTED FOR THE RECORD

Mr. DEWEESE presented the following copy of a letter for the Legislative Journal:

H. WILLIAM DEWEESE
320 Sherman Avenue
Waynesburg, Penna. 15370

House P. O. Box 92
Harrisburg, Penna. 17120
Phones: 412/627-5583
717/783-3798

COMMITTEES
Mines and Energy
Management
Conservation
Judiciary

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

December 14, 1977.

Honorable Maurice Goddard
Secretary
Department of Environmental Resources
Evangelical Press Building, Room 202
Third and Reily Streets
Harrisburg, Pennsylvania 17105

Dear Dr. Goddard:

The Commonwealth of Pennsylvania obviously faces drastic fiscal constraints, and I am sensitive to the assignment that you have in trimming your Department's budget. I realize that you direct a large agency, and that you receive only a small percentage of the general fund appropriation. I have positive feelings about your service to the Commonwealth, and I am sympathetic to the many difficult decisions you have to make.

However, I cannot understand, and I cannot accept the fact that you have decided arbitrarily to cut money for deep mine safety, and allow money to remain in the budget for rat control and the Appalachian Trail. I realize this is a simplistic view, but if appropriations for the trail and the rat control programs were directed toward the Bureau of Deep Mine Safety, that unit of government would not face a fiscal crisis. All of us who are involved in government in Pennsylvania realize that coal is the key word in Pennsylvania's future. In order to mine that coal in the safest possible manner it is incumbent upon those of us in Harrisburg who are responsible to allow Mr. Vincinelly and his team in the Bureau of Deep Mine Safety to accomplish their mission.

Rat control and the Appalachian Trail are areas of concern for DER, but I firmly believe you cannot compare them to the vitally important task performed by the Bureau of Deep Mine Safety. We have to protect our miners! Pennsylvania must have the best mine safety performance in America! I urge you and other involved people in your Department to closely scrutinize next year's budget proposal and make certain that Deep Mine safety is adequately funded.

Respectfully yours,
H. WILLIAM DEWEESE
Member
50th Legislative District

The SPEAKER. The Chair recognizes on the Itkin amendment the gentleman from Northumberland, Mr. Helfrick.

Mr. HELFRICK. Thank You, Mr. Speaker.

I think it is imperative that I speak on this amendment too.

Since Mr. Itkin's amendment A-3333 is identical to my amendment, A-3289, I would like to withdraw my amendment A-3289 and I would like to speak to Mr. Itkin's amendment.

I think probably of anyone in the House I can speak with more authority on this than anyone else. I am certified as a miner, assistant mine foreman, and a regular mine foreman by the Mining Department of Pennsylvania. I have been active in mine rescue work, and the same gentlemen whom Mr. Goodman talked about being killed in Schuylkill County were constituents of mine.

I think the importance of restoring funds to the Office of Deep Mine Safety should be foremost in our minds.

Yesterday we ran a tax bill. I have been opposed to taxes all along in this session but yesterday I felt it was necessary to make sure the money was there for the Office of Deep Mine Safety. The record will show that yesterday I voted for taxes to insure that money would be there.

I would ask all the members to please support this most important legislation. Thank you.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I would also urge support of this amendment. The particular mine disaster in which a number of people were killed was in my district in Schuylkill County and I believe that these are certainly vitally needed funds to protect these people.

Thank you very much.

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

The following roll call was recorded:

YEAS—182

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

NAYS—11

Dininni	Gamble	Ritter	Zearfoss
Fisher, D. M.	Noye	Ruggiero	Zord
Fryer	Piccola	Shuman	

NOT VOTING—9

Gillette	Hopkins	Lynch	Weidner
Gleeson	Kernick	Rappaport	Williams
Honaman			

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 10, lines 5 through 12, by striking out all of said lines.

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this amendment would restore that which presently under the budget adopted in August is not provided: \$500,000 in vector control, which is really the extermination of rats. The appropriation staff has seen fit unilaterally to cut this appropriation of \$350,000 on the premise that rat control is not effective and therefore we do not need it.

I would like to assure you that rat-control problems are a menace, particularly in Allegheny County and a lot of other areas today where grants are not available or as in our county which has been cut in what we have been able to receive in grants and assistance from the state under this program. It is a vital program.

My county health director is very much disturbed about the eradication of, not rats, but this program that Mr. Ritter spoke to yesterday, saying, I think that this restoration is vital to all of us, particularly those who have made applications in the program. The problem is that what we have appropriated has been far too small in the past and that the \$500,000 which we did agree to accept in the budget, even though it was not enough, I think we have to be rational, but I do not think that any further cuts should be permitted. I strongly urge the adoption of this amendment to restore those vector-control cuts.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman, on the amendment.

Mr. LETTERMAN. I would like to ask a few questions of Mr. Itkin please.

The SPEAKER. Will the gentleman, Mr. Itkin, stand for interrogation? The gentleman indicates he will stand for interrogation. The gentleman, Mr. Letterman, is in order and may proceed.

Mr. LETTERMAN. Mr. Speaker, could you tell me how much Federal money came into Allegheny County for rat control in 1976?

Mr. ITKIN. Mr. Speaker, I do not have that information.

Mr. LETTERMAN. I, yesterday, attempted to cut this because we have information that there was \$7 million spent in rat control on the eastern seaboard, and your county alone received \$140,000 plus their share from the state.

I do not mind your having a little bit but I would also like to inform you that the people running the rat-control business in your county are not using the Comprehensive Employment and Training Act people, which they were told to use to run this program, and that the \$350,000 is more than enough to run the program in the entire state if the people would use the CETA people to do the job instead of hiring full-time people.

I do not mind your having your share. I will tell you, I think it is about time that the people in this damn state start buying their own rat poisons.

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

Mr. CAPUTO. Mr. Speaker, yesterday after Representative Letterman introduced his amendment, I got the figures and what is spent in Allegheny County. Four years ago this state was giving Allegheny County \$90,000 at their request for rat control. In the last 4 years it has gone down to \$41,000.

The county has continuously asked for enough money to fund a proportion of their budget for this purpose. Last year they asked for \$72,000. They got \$41,000. This \$41,000 is used in 73 different municipalities in Allegheny County. It does not include the city of Pittsburgh. Whenever the fund is cut here at the state level, it is cut in Allegheny County.

There are already applications in for seven new municipalities for the rat-control program in Allegheny County to begin on January 1. The department in Allegheny County, the Health Department, which controls and directs the services, make house-to-house inspections for rat control, put down the bait and the poison, if necessary, in public buildings and in public lands and train the people in all these various communities to participate in the program. We need the money in Allegheny County. A cut of the funds here is going to affect not only Allegheny County but the entire state, and I am not talking only for Allegheny County. I am talking for the state and I would ask for support of this amendment.

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

Mr. RITTER. Mr. Speaker, there are no Federal moneys coming to the department for vector control. I checked with the department this morning and they have had requests in the last 2 years of \$2.3 million and they have had \$500,000 of state money to spend.

In the city of Allentown, we requested, 2 years ago, \$40,000 for the rat-control program and we received \$23,000. This year we requested \$27,000 and received a little over \$5,000.

Mr. Speaker, the problem with the program is that it is for those areas in which they are going to go in and exterminate the rats but there is no money available to continue the program, which means that when the state provides some money to eliminate the rats, they are not all eliminated. And, therefore, the maintenance and the continuing problem of dealing with rats in the urban areas is less than in the municipality.

This appropriation is a cut of \$150,000 in SB 1187. As I have said to you, the department could use better than \$2 million to take care of the initial requests. They need a great deal more than that just to take care of the ongoing program. And so to answer Mr. Letterman, there is no Federal money available in this particular program for the state department. It is all state money.

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

Mr. GARZIA. Mr. Speaker, may I interrogate Mr. Itkin please?

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

Mr. GARZIA. I think it was in 1972 or 1973, when the Federal Government first started this rat program, Delaware

County I think received about \$26,000 or \$27,000 for the program. I went to a meeting to find out how we can get some of that money for the borough of Brookhaven. I found out that the first thing they did was put a director in at \$17,000 and then hired parttimers who took up all the money, so when I asked them for some money to come into the borough of Brookhaven, they ran out of funds because of the jobs they created. Mr. Itkin, my question to you is, does this program work the same way in Allegheny County where all the money went for wages and for people they hired?

Mr. ITKIN. No.

Mr. GARZIA. No? Just no? Then my question, Mr. Speaker, will be, how do they administrate the money if they do not hire anybody to administrate the money?

Mr. ITKIN. Well, obviously, they have to have an office and they have one.

Mr. GARZIA. Fine. What does the director have? How much?

Mr. ITKIN. I do not know how much the director receives.

Mr. GARZIA. If you got \$90,000 the first year, you can almost bet the director got \$20,000, and they probably hired about 2 dozen parttimers. I want to explain to you how the program works.

Mr. ITKIN. Let me explain. Mr. Speaker, the program is administered by the Allegheny County Department of Health. The administrative personnel are provided by the Department of Health.

Mr. GARZIA. Mr. Speaker, I am sure that when Delaware County started its program, I think the thing phased out and they ran out of money, I guess. I am sure Allegheny County was the same way. The money went for, I guess, jobs; you have got to have jobs. But I bet you not one-tenth of that money went down to actually kill a rat. What do you want more money for?

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

Mr. ZELLER. Mr. Speaker, I was very much involved in the vector program in Lehigh-Northampton Counties when I was mayor of Emmaus and I can tell you that if there is any amendment today that is worthy of consideration when you start talking about disease and what rats carry, all you have to do is take a look at some of the statistics.

As a matter of fact, during the garbage strike in Philadelphia, some of the fellows here can tell you, that when that garbage was piled up down there during the Bicentennial, they saw rats as big as cats running around, and that is dangerous, and a lot of kids were bitten. Do not think they were not. That is dangerous. It is very serious.

As a matter of fact, in my own area we saw scores of rats running across lawns from cornfields in areas where they were looking for food when the fields were cleared. I personally was with the teams out on the field with cyanide gas and sticking it in these holes and saw rats coming out; I never saw so many rats in my life. If you do not think they are in cornfields, ask some of these farmers. There is more food destroyed between rats and deer and individual, I should say, animals such as that, but rats especially. It is really bad, and some of these fellows talking against this sort of program, they had better start look-

ing at the problem. As a matter of fact, I think it is about time that we get with our top cat on the rat patrol, Mr. Itkin, and vote for this amendment because I think it is very worthy.

Thank you.

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, I listened to Mr. Letterman's remarks last night on this legislation and I took the opportunity to call my home county and check with them as to the expenditure of money and the availability of money. Two of the larger semi-urban communities within my district were taken away from this program this year because of the lack of money and it was then funded through our county commissioners and through their moneys that they get through revenue-sharing. So I know of the need of the money, from a practical point, and I would urge your support of the amendment.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—97

Abraham	Gamble	McLane	Schweder
Barber	Gatski	Meluskey	Shelton
Beloff	Geisler	Miscevich	Shupnik
Bennett	George, C.	Morris	Stapleton
Berlin	Giammarco	Mrkonic	Stewart
Borski	Gray	Mullen, M. P.	Sweet
Brunner	Greenfield	Mullen, M. M.	Taddonio
Caltagirone	Harper	Musto	Tenaglio
Caputo	Hasay	Novak	Trello
Cessar	Hoeffel	O'Brien, B.	Valicenti
Cianciulli	Itkin	O'Donnell	Wagner
Cohen	Johnson	O'Keefe	Wansacz
Cole	Jones	Oliver	Wargo
Cowell	Kelly	Parker	White
DeMedio	Knepper	Pott	Wiggins
DeWeese	Kolter	Prendergast	Williams
DiCarlo	Kukovich	Ravenstahl	Wise
Dininni	Laughlin	Reed	Yahner
Dombrowski	Levin	Renwick	Zeller
Donatucci	Lincoln	Rhodes	Zitterman
Duffy	Logue	Richardson	Zwinkl
Dumas	Mackowski	Rieger	
Englehart	Manmiller	Ritter	Irvis,
Flaherty	McCall	Scanlon	Speaker
Gallagher	McIntyre	Schmitt	

NAYS—97

Anderson	Garzia	McClatchy	Scheaffer
Armstrong	Geesey	McGinnis	Scirica
Arthurs	George, M.	Mebus	Seltzer
Bellomini	Goebel	Milanovich	Shuman
Berson	Goodman	Miller	Sirianni
Bittinger	Greenleaf	Milliron	Smith, E.
Bittle	Grieco	Moehlmann	Smith, L.
Brandt	Halverson	Mowery	Spencer
Burd	Hamilton	Noye	Spitz
Burns	Haskell	O'Brien, D.	Stairs
Cassidy	Hayes, D. S.	O'Connell	Stuban
Cimini	Hayes, S. E.	Pancoast	Taylor, E.
Davies	Helfrick	Peterson	Taylor, F.
DeVerter	Hutchinson, A.	Petrarca	Thomas
Dietz	Hutchinson, W.	Piccola	Vroon
Dorr	Katz	Pievsky	Wass
Doyle	Klingaman	Pitts	Wenger

Fee	Kowalyszyn	Polite	Wilson
Fischer, R. R.	Lehr	Pratt	Wilt
Fisher, D. M.	Letterman	Pyles	Wright, D.
Foster, A.	Levi	Rappaport	Wright, J. L.
Foster, W.	Livengood	Ruggiero	Yohn
Freind	Madigan	Ryan	Zearfoss
Fryer	Manderino	Salvatore	Zord
Gallen			

NOT VOTING—8

Brown	Gleeson	Hopkins	Lynch
Gillette	Honaman	Kernick	Weidner

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

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

Mr. ITKIN. To verify the count total.

The SPEAKER. Mr. Hutchinson's lever is not working. He is voting in the negative and his negative vote made the total 97.

Mr. ITKIN. Thank you, Mr. Speaker.

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 12, lines 22 through 26, by striking out all of said lines

On the question,

Will the House agree to the amendment?

ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce, before the gentleman, Mr. Itkin, begins his discussion, that the members who have been sending the pages out for food for dinner are indulging in an useless gesture, unless they wish to continue. The Chair has already ordered dinner for the members of the House to be served on the floor of the House at approximately between 6:30 to a quarter of 7.

I figure if we keep you hungry enough, you will stay here and work.

The Chair recognizes the gentleman, Mr. Itkin, on the amendment.

Mr. ITKIN. Mr. Speaker, Act 11-A provides \$249,000 for the Juvenile Court Judges Commission. The Senate reduced, in SB 1197, the figure of \$219,000, and the House Appropriations Committee staff decided to reduce it further to \$209,000.

I would like to point out that out of the seven professional staffers in the Juvenile Court Judges Commission, it is estimated by the office itself that two or three of them would now have to be furloughed. There would be, therefore, a reduction in the complements of juvenile courts as it is called for under acts passed by this General Assembly. They are also required to collect statistics on the juvenile courts under a contract with the Law Enforcement Assistance Agency, with 75-25 state matching funds. Obviously, the reduction of the state funds providing this type of matching grants will be impaired.

Last February they took over the statistics' collection from the Governor's Justice Commission with the understanding

that increased state funds would be forthcoming. In addition, the commissioner also trained 600 juvenile probation officers per year and distributes \$1.4 million in grants in aid to counties.

The cut would reduce the monitoring of how the counties are using the grant money, and for this purpose and because of the importance of the program and since we are only talking about \$40,000, I cannot understand why we should not restore the money, at least to the level of Act 11-A. And that is what this amendment does, to restore \$40,000 in state funding to the Juvenile Court Judges Commission so they can carry out the acts that we have required them to do.

Thank you.

The SPEAKER. On the question of the adoption of the Itkin amendment, the Chair recognizes the gentleman from York, Mr. Foster.

Mr. A. C. FOSTER. Mr. Speaker, will the gentleman, Mr. Itkin, consent to a brief question?

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

Mr. A. C. FOSTER. Mr. Speaker, I had difficulty in following what section you were amending. Would this be the same cut that was restored by the Rhodes amendment yesterday?

Mr. ITKIN. I am not sure whether the Rhodes amendment dealt with this particular line item on the juvenile. I thought—

Mr. A. C. FOSTER. What page and line is this, Mr. Speaker?

Mr. ITKIN. This amends page 12, lines 22 through 26, by striking out all of said lines.

Mr. A. C. FOSTER. Okay, Page 12, lines 22 through 26, by striking out — this would be a duplication then of the Rhodes amendment, essentially, would it not?

Mr. ITKIN. Mr. Speaker, if that is the amendment that passed, I will withdraw this amendment.

The SPEAKER. The Chair would inform the gentleman that that is not factual. The Rhodes amendment, which was rejected by the House, included certain substantive language which is not included in Mr. Itkin's amendment.

Mr. A. C. FOSTER. That was rejected, Mr. Speaker?

The SPEAKER. Yes. The Rhodes amendment was rejected 52 to 135.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, there were two Rhodes amendments. One of them passed, which restored \$25,000 of the amount that Mr. Itkin is now talking about. Mr. Itkin wants to restore the entire amount which is \$40,000.

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

Mr. A. C. FOSTER. That was the Rhodes amendment that I had reference to, Mr. Speaker, and that one passed.

The SPEAKER. The Chair apologizes. The Chair had only the one Rhodes amendment handed to him.

Mr. A. C. FOSTER. I thank the Speaker.

The SPEAKER. The second Rhodes amendment, A-3269, is the one that the majority leader has alluded to and that did pass, 156 to 33.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—20

Caputo	Geisler	Logue	Ravenstahl
DeMedio	George, C.	Mrkonjic	Reed
Duffy	Itkin	Mullen, M. M.	Renwick
Flaherty	Kukovich	O'Brien, B.	Rhodes
Gatski	Laughlin	Petrarca	Wagner

NAYS—171

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

NOT VOTING—11

Gillette	Hopkins	Pratt	Weidner
Gleeson	Kernick	Prendergast	Williams
Honaman	Lynch	Trello	

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 12, lines 27 through 30, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Itkin, on the amendment.

Mr. ITKIN. Mr. Speaker, this amendment would restore the \$540,000 cut from our correctional institutions.

I have received a letter from Commissioner Robinson regarding the cuts which he considers to be intolerable, and I would like to read into the record his rationale for taking that position. (Reading:)

The reduction of \$540,000 from the Correction Institutions state-owned appropriation is not in any way possible. All allocations and allotments have been prepared, approved and recorded. The institutions have planned their year spending the program priorities against the appropriation of \$71,540,000. The budget request from the Bureau of Correction for state funds was \$77,510,000 which was the amount requested in the Governor's budget. The appropriation was a decrease of \$5,970,000. A Capital Budget has not been passed since 1970 during which time our institution facilities have steadily deteriorated. During the past years we have accomplished repair projects through prudent use of funds. This year the allotted funds for major nonrecurring projects have been committed and these projects are in stages of completion. Funds have been allotted for fixed assets and these project funds have also been committed and the projects have been started.

In February 1978, the new construction at Mercer is to be completed and is to be ready for acceptance by the State. Funds for the hiring and training 101 positions, operational expenses and the purchase of kitchen equipment, cell equipment, office furniture, office machines and dispensary equipment have been allocated. All this is needed and the funds had to be taken from the appropriation that was passed to operate the current eight institutions. The allocation for Mercer is \$615,126. Any reduction would hamper the opening of this institution. By standing idle and unoccupied, this facility would require additional maintenance expenditures prior to being put in operation.

The medical treatment mandated by law for our inmates requires an expenditure in excess of \$1,300,000 for this fiscal year. In addition to this amount for professional services, . . .

The SPEAKER. The Chair apologizes. The gentleman has expended his 2 minutes.

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

Mr. TRELLO. Mr. Speaker, I am going to take over where Mr. Itkin left off. (Reading:)

. . . security personnel must be furnished requiring overtime for all cases requiring outside hospitalization. Population increases have a direct relation to the services provided each inmate . . .

For this fiscal year, the Bureau of Correction has the following amounts committed: clinical services, medical, mental and dental, \$823,000; hospital care, \$341,000. The total expenditures for that is \$9.4 million. Security personnel resulting in overtime payments must be provided for inmates who are re-

quired to appear in court, outside mental consultations, special escort duty, and any other emergencies that may arise.

The maintenance of the institution for the fiscal year requires the following fund commitment. In regard to communication and so forth, it comes to \$4.6 million. Funds committed for payments of services performed by other state agencies are and that figure is \$698,000; the wages paid inmates for jobs that are assigned to them require the commitment of \$1.3 million. Support services need the following, and if I have about 15 seconds left, I can say this.

There was one inmate who committed four murders and got four life sentences, the fourth murder being committed inside the prison. Two murders were committed while he was an escapee. So what I am trying to tell you is, let us not talk about doing something about the problem; let us do something about doing something about the problem. Let us provide the proper moneys to take care of these inmates and keep them in prison where they belong.

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

Mr. CAPUTO. Mr. Speaker, the readers of the letter did not get to the point that this legislator has created a deficit of \$11,551,557 employee benefits by passing the Public Employee Law.

Now they have been cut already by \$5,970,000. This House and this legislature is going to get a mandate sentence bill. I do not know where we are going to put them. We confronted this problem last year and there was not enough money to buy new prisons. Well, if you do not pay for the people who are in there now, Mr. Speaker, you are going to need a lot more prisons and the problem is going to arise to haunt you. I urge an affirmative vote for this amendment.

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

Mr. ZELLER. Mr. Speaker, I think the members should start taking notice that first we hear the Governor wants to close Farview, which is a criminally insane mental institution. And I visited that prison not too long ago, and not as an inmate but as a viewer from the House of Representatives. There is plenty of room there to place these people, instead of the kind of conditions that I see as I travel under the Governor's Justice Commission for the Northeast Region and the Rehabilitation and Correction Division. I get into these prisons and see the country clubs they have and want to continue.

As long as we have a parole board in this state — Probation and Parole Board — that wants to turn these people loose constantly, that is why, Mr. Speaker, you have problems. Because you have got to control this so-called Probation and Parole Board. As a matter of fact, it would probably be good to get rid of that bunch and start locking these guys up, and then I can go along with you.

As long as you have judges with bleeding hearts and Probation and Parole Boards that allow these people loose without even serving their time, I feel that you are not going to get anywhere with this kind of a program.

As a matter of fact, out here in Camp Hill, I am reminded

that we have plenty of room. As long as you have got guys like Dr. Jerome Miller and a few more of these characters running around trying to turn all of these people loose, you are going to continue to have murders and also this country club effect you have in your prisons. I will go along with them if they say they are going to put them in there and throw the key away for a while. But what are you going to do when they keep turning these birds loose and they go out and commit one, two, three, four murders? Baloney on it. Let us vote this down and give the Bureau of Correction and the Probation and Parole Board a message.

The SPEAKER. The Chair recognizes, on the Itkin amendment, the majority leader.

Mr. MANDERINO. Mr. Speaker, last year available funds for this line item were \$66,948,000. The figure that we have proposed this year in SB 1187 is \$71 million; up considerably, \$4.5, \$5 million. You cannot increase beyond that point without providing the money. This is \$1.5 million we are talking about. I urge a negative vote.

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

Mr. MISCEVICH. Mr. Speaker, I just want to remind the members of the House that this is not an Allegheny concern; it is a statewide concern. We urge a "yes" vote.

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

Mr. GARZIA. Mr. Speaker, I would just like to tell Mr. Misceovich, if this is a state concern, sure as hell Allegheny County is raising all the hell to get that money. Thank you, sir. I hope they vote the amendment down.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—24

Bellomini	George, C.	Miscevich	Renwick
Caputo	Helfrick	Mrkonic	Rhodes
Dombrowski	Itkin	Mullen, M. M.	Trello
Duffy	Kukovich	Novak	Valicenti
Flaherty	Logue	Pratt	Wagner
Geisler	Milanovich	Ravenstahl	Yahner

NAYS—167

Abraham	Fryer	McClatchy	Scirica
Anderson	Gallagher	McGinnis	Seltzer
Armstrong	Gamble	McIntyre	Shelton
Arthurs	Garzia	McLane	Shuman
Barber	Gatski	Mebus	Shupnik
Beloff	Geesey	Meluskey	Sirianni
Bennett	George, M.	Miller	Smith, E.
Berlin	Giammarco	Milliron	Smith, L.
Berson	Goebel	Moehlmann	Spencer
Bittinger	Goodman	Morris	Spitz
Bittle	Gray	Mowery	Stairs
Borski	Greenleaf	Mullen, M. P.	Stapleton
Brandt	Grieco	Musto	Stewart
Brown	Halverson	Noye	Stuban
Brunner	Hamilton	O'Brien, B.	Sweet
Burd	Harper	O'Brien, D.	Taddonio

Burns	Hasay	O'Connell	Taylor, E.
Caltagirone	Haskell	O'Donnell	Taylor, F.
Cassidy	Hayes, D. S.	O'Keefe	Tenaglio
Cessar	Hayes, S. E.	Oliver	Thomas
Cianciulli	Hoeffel	Pancoast	Vroon
Cimini	Hutchinson, A.	Parker	Wansacz
Cohen	Hutchinson, W.	Peterson	Wargo
Cole	Johnson	Petrarca	Wass
Cowell	Jones	Piccola	Wenger
Davies	Katz	Pievsky	White
DeMedio	Kelly	Pitts	Wiggins
DeVerter	Klingaman	Polite	Wilson
DeWeese	Knepper	Pott	Wilt
DiCarlo	Kolter	Prendergast	Wise
Dietz	Kowalyszyn	Pyles	Wright, D.
Dininni	Laughlin	Rappaport	Wright, J. L.
Donatucci	Lehr	Reed	Yohn
Dorr	Letterman	Richardson	Zearfoss
Doyle	Levi	Rieger	Zeller
Dumas	Levin	Ritter	Zitterman
Engelhart	Lincoln	Ruggiero	Zord
Fee	Livengood	Ryan	Zwilk
Fischer, R. R.	Mackowski	Salvatore	
Fisher, D. M.	Madigan	Scanlon	Irvis,
Foster, A.	Manderino	Scheaffer	Speaker
Foster, W.	Manmiller	Schweder	
Freind	McCall		

NOT VOTING—11

Gallen	Greenfield	Kernick	Weidner
Gillette	Honaman	Lynch	Williams
Gleeson	Hopkins	Schmitt	

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

On the question recurring,

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

Mr. ITKIN offered the following amendment:

Amend Sec. 1 (Sec. 2), page 17, lines 9 through 14, by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, may I have some order, please? I think a lot of the members might be interested in this one.

The SPEAKER. The gentleman may now proceed.

Mr. ITKIN. Mr. Speaker, under the Pennsylvania Public Television Network Commission, we appropriated two separate line items, one for the general operations of the commission and the second as program services.

Both have been cut in SB 1187 from what they were provided in Act 11A, which is the budget act. This means a \$156-million decrease in moneys provided for the maintenance of the general operations of the network, but, more importantly, it means a \$300,000 decrease in program services.

Now I have discussed to representatives of the commission about the situation that developed because of SB 1187. At times of trying to be as frugal as possible, we come to the position that the commission could probably not buy additional equipment this year and save and save and allow for the cuts of

\$156,000. But what they cannot tolerate and what they cannot accept is a \$300,000 cut in programming from \$2 million to \$1.7 million.

The reason that is so is because they have already contracted or committed all of the \$2 million, with the exception of \$40,000. I would like to point out that the filming of this House is provided in that appropriation. If this cut passes, one of the direct consequences of our actions will be that the production of that film that is produced on PPTN, the People's Business, will have to be severely curtailed, perhaps only twice a week, once a month.

Now it is interesting to note that during the budget debate that we had, a whole show—

The SPEAKER. The Chair regrets to interrupt the gentleman, he has expended his time.

The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson, on the Itkin amendment.

Mr. W.D. HUTCHINSON. Mr. Speaker, I rise in support of the Itkin amendment. The reasons that Mr. Itkin has given are accurate. The Public TV Networks were required and did contract before for the educational part of the program. If this appropriation is not restored, it will cause them very serious problems.

I think it is a worthy program. They have done a fine job and it should be supported. I urge all the members to vote in favor of the amendment.

The SPEAKER. The Chair recognizes the majority leader, on the Itkin amendment.

Mr. MANDERINO. Mr. Speaker, the amount appropriated for this line item is exactly the same amount as appropriated last year, exactly the same. A lot of you liked that idea earlier today. Cuts have to be made. We are not cutting from last year's amount; we are simply cutting from the more adequate budget that I would have liked to have seen but we do not have the money for it.

The exact amount of last year is what is being appropriated. That is what we ought to support. We should not support an increase in this kind of an appropriation when every agency of government, every department of government, is below last year's level.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—32

Burns	Geisler	Mrkonic	Schweder
Caputo	Goodman	Novak	Sirianni
Cohen	Greenleaf	O'Brien, B.	Valicenti
Davies	Hutchinson, W.	Pancoast	Wagner
Dombrowski	Itkin	Parke	Wise
Flaherty	McCall	Reed	Wright, J. L.
Gatski	McLane	Rhodes	Zeller
Geesey	Meluskey	Ritter	Zwinkl

NAYS—159

Abraham	Fryer	Manderino	Scirica
---------	-------	-----------	---------

Anderson	Gallagher	Manmiller	Seltzer
Armstrong	Gamble	McClatchy	Shelton
Barber	Garzia	McGinnis	Shuman
Bellomini	George, C.	McIntyre	Shupnik
Beloff	George, M.	Mebus	Smith, E.
Bennett	Giammarco	Milanovich	Smith, L.
Berlin	Gleeson	Miller	Spencer
Berson	Goebel	Milliron	Spitz
Bittinger	Gray	Miscevich	Stairs
Bittle	Greenfield	Moehlmann	Stapleton
Borski	Grieco	Morris	Stewart
Brandt	Halverson	Mowery	Stuban
Brown	Hamilton	Mullen, M. P.	Sweet
Brunner	Harper	Mullen, M. M.	Taddonio
Burd	Hasay	Musto	Taylor, E.
Caltagirone	Haskell	Noye	Taylor, F.
Cassidy	Hayes, D. S.	O'Brien, D.	Tenaglio
Cessar	Hayes, S. E.	O'Connell	Thomas
Cianciulli	Helfrick	O'Donnell	Trello
Cimini	Hoeffel	O'Keefe	Vroon
Cole	Hutchinson, A.	Oliver	Wansacz
Cowell	Johnson	Peterson	Wargo
DeMedio	Jones	Petrarca	Wass
DeVerter	Katz	Piccola	Wenger
DeWeese	Kelly	Pievsky	White
DiCarlo	Klingaman	Pitts	Wiggins
Dietz	Knepper	Polite	Wilson
Dininni	Kolter	Pott	Wilt
Donatucci	Kowalshyn	Prendergast	Wright, D.
Dorr	Kukovich	Pyles	Yahner
Doyle	Laughlin	Rappaport	Yohn
Duffy	Lehr	Ravenstahl	Zearfoss
Dumas	Letterman	Renwick	Zitterman
Englehart	Levi	Richardson	Zord
Fee	Levin	Rieger	
Fischer, R. R.	Lincoln	Ruggiero	Irvis,
Fisher, D. M.	Livengood	Ryan	Speaker
Foster, A.	Logue	Salvatore	
Foster, W.	Mackowski	Scanlon	
Freind	Madigan	Scheaffer	

NOT VOTING—11

Arthurs	Honaman	Lynch	Weidner
Gallen	Hopkins	Pratt	Williams
Gillette	Kernick	Schmitt	

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

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

Does the gentleman have any other additional amendments?

Mr. ITKIN. Mr. Speaker, that completes the amendments that I wish to offer at this time.

Thank you, thank you very much. I appreciated having the opportunity to visit with you and to present some of the ideas that I have. I appreciate the cooperation and attention that you provided me. Thank you so very much.

On the question recurring,

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

Mr. DiCARLO offered the following amendment:

Amend Sec. 1 (Sec. 2), page 12, by inserting between lines 20 and 21

Consumer Protection Office — Erie 150,000

On the question,

Will the House agree to the amendment?

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

Mr. DiCARLO. Yes, basically, Mr. Speaker, I am dealing with the same problem as the legislators from Scranton did earlier this afternoon and also this summer as the legislators from the Lehigh Valley area.

Because of the cuts in the Department of Justice, particularly, the Bureau of Consumer Protection, which has an office in Erie, I am attempting to line-item the Erie office in the budget for the appropriation of \$150,000. The reason for that is because attempts have been made to reduce that staff and also to eliminate that office in the Erie area.

I would like to submit to the membership that that is the only office that serves northwest Pennsylvania. It has been up there, I believe, for 3½ or 4 years. If this office is phased out, the closest office to us would be in Allegheny County.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I oppose the amendment. I have a personal problem on the question of the Bureau of Consumer Protection in the Commonwealth of Pennsylvania. On many occasions I have sent what I felt were very responsible individuals to them who had serious complaints, and to this day I have yet to find them accept and investigate any cases sent.

Personally, I cannot understand just what they do in that department, because they always have a good explanation that that does not fall under their jurisdiction to examine. If this is the case statewide, I think we are wasting a lot of our money by expanding these branch offices throughout the Commonwealth. I oppose the amendment.

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

Mr. PITTS. Mr. Speaker, you need to correct the number on the board.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, what the amendment proposes to do is a little different than what some of the other members have done in line-iteming offices in their area. This money is not taken out of the general total. It, in effect, increases the budget by \$150,000 to ensure operation of that particular office. Again, although meritorious as an amendment such as this might be, when it increases the budget, I must oppose it because we do not have in the tax moneys that this General Assembly has been willing to raise this year enough moneys to fund everything that we funded last year.

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

Mr. DOMBROWSKI. Mr. Speaker, I wonder if the majority leader would grant us the same thing he did to a Representative earlier and give us time to correct amendments so that we do not put any more moneys into it, so that we can do it the same way as the earlier amendment.

The SPEAKER. The majority leader indicates that he will do so.

If the gentleman, Mr. DiCarlo, wishes to withdraw the amendment temporarily.

DiCARLO AMENDMENT WITHDRAWN TEMPORARILY

Mr. DiCARLO. Yes, I do, Mr. Speaker.

The SPEAKER. It is granted, and the gentleman has withdrawn his amendment temporarily. We will return to the gentleman's amendment at a later time.

On the question recurring,

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

Mr. DiCARLO offered the following amendments:

Amend Sec. 1 (Sec. 2), page 14, line 20, by striking out the brackets before and after "494,180,000"

Amend Sec. 1 (Sec. 2), page 14, lines 21 through 25, by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. DiCARLO. Mr. Speaker, what I am attempting to do with this amendment is to repeal the substantive language that was placed by the Senate in SB 1187 granting general assistance to students in the Commonwealth of Pennsylvania.

I do it for three reasons: First of all, we do have a general appropriations bill before us. And the constitution is very specific in stating that no substantive language shall be introduced in this bill and it shall only deal with revenues.

The second thing, we have a couple of problems. If we do pass this existing language that is before us, this appropriation bill expires June 30 of 1978.

Next week, the Health and Welfare Committee will be meeting. There will be welfare bills on the calendar. Any changes such as this should be amended to the Welfare Reform Act of 1976. That can be done there.

Thirdly and the last reason, if this should go into effect, it indeed is going to cause a hardship for the 2,700 people who are enrolled in college in Pennsylvania and it would force them to withdraw out of school and get their higher education in mid-semester or midterm. So I am asking for consideration of this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—40

Bellomini	Geisler	McIntyre	Scanlon
Berson	Giammarco	McLane	Schweder
Caputo	Gray	Milanovich	Shelton
Cassidy	Harper	Mullen, M. M.	White
Cianciulli	Hutchinson, A.	Oliver	Wiggins
Cohen	Johnson	Petrarca	Williams
DeMedio	Kelly	Pievsky	
DiCarlo	Kukovich	Rappaport	Iris,
Dombrowski	Laughlin	Ravenstahl	Speaker
Donatucci	Lincoln	Richardson	
Gallagher	Logue	Rieger	

NAYS—152

Abraham	Gallen	McClatchy	Scirica
Anderson	Gamble	McGinnis	Seltzer
Armstrong	Garzia	Mebus	Shuman
Arthurs	Gatski	Meluskey	Shupnik
Beloff	Geesey	Miller	Sirianni
Bennett	George, C.	Milliron	Smith, E.
Berlin	George, M.	Miscevich	Smith, L.
Bittinger	Goebel	Moehlmann	Spencer
Bittle	Goodman	Morris	Spitz
Borski	Greenfield	Mowery	Stairs
Brandt	Greenleaf	Mrkonc	Stapleton
Brown	Grieco	Mullen, M. P.	Stewart
Brunner	Halverson	Musto	Stuban
Burd	Hamilton	Novak	Sweet
Burns	Hasay	Noye	Taddonio
Caltagirone	Haskell	O'Brien, B.	Taylor, E.
Cessar	Hayes, D. S.	O'Brien, D.	Taylor, F.
Cimini	Hayes, S. E.	O'Connell	Tenaglio
Cole	Helfrick	O'Donnell	Thomas
Cowell	Hoeffel	O'Keefe	Valicenti
Davies	Hutchinson, W.	Pancoast	Vroon
DeVerter	Itkin	Parker	Wagner
DeWeese	Jones	Peterson	Wansacz
Dietz	Katz	Piccola	Wargo
Dininni	Klingaman	Pitts	Wass
Dorr	Knepper	Polite	Wenger
Doyle	Kolter	Pott	Wilson
Duffy	Kowalyshyn	Pratt	Wilt
Dumas	Lehr	Prendergast	Wise
Englehart	Letterman	Pyles	Wright, D.
Fee	Levi	Reed	Wright, J. L.
Fischer, R. R.	Levin	Renwick	Yahner
Fisher, D. M.	Livengood	Ritter	Yohn
Flaherty	Mackowski	Ruggiero	Zearfoss
Foster, A.	Madigan	Ryan	Zeller
Foster, W.	Manderino	Salvatore	Zitterman
Freind	Manmiller	Scheaffer	Zord
Fryer	McCall	Schmitt	Zwinkl

NOT VOTING—10

Barber	Honaman	Lynch	Weidner
Gillette	Hopkins	Rhodes	
Gleeson	Kernick	Trello	

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

On the question recurring,

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

Mr. DeMEDIO offered the following amendments:

Amend Sec. 1 (Sec. 2), page 13, line 16, by striking out all of said line and inserting 7,800,000

Amend Sec. 1 (Sec. 2), page 13, line 19, by striking out all of said line and inserting 600,000

On the question,

Will the House agree to the amendments?

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

Mr. DeMEDIO. Mr. Speaker, there should be absolutely no opposition to this amendment. It does not request a nickel. It does not change the bottom line. It merely redistributes the money that has been allocated to the Department of Military and Veterans Affairs.

It takes \$200,000 from Hollidaysburg and adds to the general

operation of the department. It cuts \$200,000 from \$800,000 that is presently appropriated to Hollidaysburg soldiers' home, cutting that to \$600,000, and increases the general amount that is for department operation from \$7.6 million to \$7.8 million.

We are not increasing the allocation. We are merely redistributing the funds.

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

Mr. PIEVSKY. Mr. Speaker, I rise to support the DeMedio amendment. There is a surplus at Hollidaysburg. He does not change the bottom line. I urge the members to support the amendment.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—168

Abraham	Gamble	Manmiller	Ryan
Anderson	Gatski	McCall	Salvatore
Armstrong	Geesey	McClatchy	Scanlon
Arthurs	Geisler	McGinnis	Scheaffer
Bellomini	George, C.	McIntyre	Scirica
Beloff	George, M.	Mebus	Seltzer
Bennett	Giammarco	Meluskey	Shelton
Berlin	Goebel	Milanovich	Shuman
Berson	Goodman	Miller	Shupnik
Bittinger	Gray	Miscevich	Sirianni
Bittle	Greenfield	Moehlmann	Smith, E.
Borski	Greenleaf	Morris	Smith, L.
Brandt	Grieco	Mowery	Spencer
Brown	Halverson	Mrkonc	Stairs
Brunner	Hamilton	Mullen, M. P.	Stapleton
Burd	Harper	Mullen, M. M.	Stewart
Burns	Hasay	Musto	Stuban
Caltagirone	Haskell	Novak	Sweet
Caputo	Hayes, D. S.	O'Brien, B.	Taddonio
Cessar	Helfrick	O'Brien, D.	Taylor, E.
Cianciulli	Hoeffel	O'Connell	Taylor, F.
Cimini	Hutchinson, A.	O'Donnell	Tenaglio
Cohen	Hutchinson, W.	O'Keefe	Thomas
Cole	Itkin	Oliver	Valicenti
Cowell	Johnson	Pancoast	Vroon
Davies	Jones	Parker	Wagner
DeMedio	Katz	Peterson	Wargo
DeVerter	Kelly	Petrarca	Wenger
DeWeese	Klingaman	Piccola	Wiggins
DiCarlo	Knepper	Pievsky	Wilson
Dininni	Kolter	Polite	Wilt
Donatucci	Kowalyshyn	Pott	Wise
Dorr	Kukovich	Pratt	Wright, D.
Doyle	Laughlin	Pyles	Wright, J. L.
Duffy	Lehr	Rappaport	Yohn
Englehart	Letterman	Ravenstahl	Zeller
Fee	Levi	Reed	Zitterman
Fisher, D. M.	Levin	Renwick	Zwinkl
Flaherty	Lincoln	Rhodes	
Foster, A.	Livengood	Richardson	Irvis,
Foster, W.	Logue	Rieger	Speaker
Freind	Madigan	Ritter	
Gallagher	Manderino	Ruggiero	

NAYS—20

Cassidy	Garzia	Pitts	White
Dietz	Hayes, S. E.	Schweder	Williams
Dombrowski	McLane	Spitz	Yahner

Fischer, R. R. Fryer	Milliron Noye	Wansacz Wass	Zearfoss Zord
-------------------------	------------------	-----------------	------------------

NOT VOTING—14

Barber	Gleeson	Lynch	Trello
Dumas	Honaman	Mackowski	Weidner
Gallen	Hopkins	Prendergast	
Gillette	Kernick	Schmitt	

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

On the question recurring,

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

Mr. RENWICK offered the following amendments:

Amend Sec. 1 (Sec. 2), page 9, line 11, by striking out the brackets before and after "2,300,000"

Amend Sec. 1 (Sec. 2), page 9, line 12, by striking out all of said line

Amend Sec. 1 (Sec. 2), page 9, line 16, by striking out all of said line and inserting 2,100,000

Amend Sec. 1 (Sec. 2), page 9, line 23, by striking out all of said line and inserting 6,035,000

Amend Sec. 1 (Sec. 2), page 9, line 29, by striking out the brackets before and after "500,000"

Amend Sec. 1 (Sec. 2), page 9, line 30, by striking out all of said line

Amend Sec. 1 (Sec. 2), page 10, line 2, by striking out the brackets before and after "19,894,000"

Amend Sec. 1 (Sec. 2), page 10, line 3, by striking out all of said line

Amend Sec. 1 (Sec. 2), page 10, line 12, by striking out all of said line and inserting 492,000

Amend Sec. 1 (Sec. 2), page 13, line 26, by striking out all of said lines and inserting 9,789,000

Amend Sec. 1 (Sec. 2), page 17, line 25, by striking out the brackets before and after "2,500,000"

Amend Sec. 1 (Sec. 2), page 17, line 26, by striking out all of said line

Amend Sec. 1 (Sec. 2), page 17, line 28, by striking out the brackets before and after "3,000,000"

Amend Sec. 1 (Sec. 2), page 17, line 29, by striking out all of said line

On the question,

Will the House agree to the amendments?

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

Mr. RENWICK. Mr. Speaker, you know in my days of watching budgets come and go—and there have been a number of them—I cannot help but be amazed at this one here the way it has worked out. I watched the Senate cut \$2 million from the Department of Environmental Resources, whose budget was at bottom when it left here. Then it came back to the House of Representatives and another \$2 million was cut.

Of course, you may say, well, why not? You know, I am like Russ Letterman. I feel that water, land and air are something that we have got to watch in this Commonwealth of Pennsylvania.

When we are destroying this department, it just amazes me, the thinking behind some of these people. Of course, you know the Appropriations Committee is practically all from Phila-

delphia or Pittsburgh, all of the big cities, and they could care less about us in the rural areas and about environmental resources.

So what my amendment does is restore practically \$2 million of this. I might say this to you: I am like Gil DeMedio — I am just shifting around funds. So we are not going to be in the red when we get done, if you agree to my amendment.

What I do is restore \$156,000 to deep mines, \$100,000 to surface mine reclamation, \$200,000 to community environmental control, \$100,000 to gypsy moth, \$1 million back to state parks—get that, \$1 million back to state parks—for vector and rat control, \$142,000 will go back. Of course, the Board of Probation and Parole gets \$100,000.

You know the Department of Environmental Resources, I want to say this to you gentlemen, brings money into the Commonwealth of Pennsylvania. You do not see this in any budget because all of the money they take in naturally goes into the general fund. We sell trees; you know that. We sell lumber. We sell stumpage, wood. We have licenses and things that we distribute, many, many items that bring money into the Commonwealth. Yet, we here in the legislature are always ready and willing to cut them. Every time you turn around there is a cut in this department. I think it is about time that we—

The SPEAKER. The gentleman will yield. His 2-minute time has been expended.

The Chair would advise the gentleman that before we proceed further, it would be wise for the gentleman to compare the first two parts of his amendment in which he strikes out brackets before and after "2,300,000" and strikes out all of line 12 on page 9.

With the amendment already agreed to on the part of the House, offered to the House by the gentleman, Mr. Itkin, which took page 9, lines 11 and 12, and struck out both of said lines from the bill. Now that means, in effect, as of now, those lines do not exist in the bill. They are not there because the House by amendment has stricken those lines.

Not only that, but in the opinion of the Chair—and the Chair is subject to being overruled on this matter by the fiscal experts on the floor of the House—when the House accepted the amendment offered by the gentleman, Mr. Itkin, and struck out those lines, this bill from that point on is moot as to the total amount of money, which means, in effect, that we have now dropped back to the act which carries \$2.300 million in it.

Now if the Speaker is correct—and the Speaker believes that he is—then there is no need for the gentleman to repeat or attempt to repeat an action already accepted by the House.

Does the gentleman understand the rationale of the Speaker on this matter?

Mr. RENWICK. Well, Mr. Speaker, then let us separate and we will take those lines out.

Mr. SPEAKER. I would suggest to the gentleman that your amendment be divided in such a way as to elide "Amend Sec. 1 (Sec. 2), page 9, line 11," "Amend Sec. 1 (Sec. 2), page 9, line 12," and drawing a line under the words "by striking out all of said line."

The Chair, of course, cannot make that motion, but the Chair

would suggest that that might solve the problem for the gentleman.

AMENDMENT DIVIDED

Mr. RENWICK. Mr. Speaker, I so move.

The SPEAKER. It has been moved by the gentleman, Mr. Renwick, that amendment A3344 be divided by drawing a line under the words: "Amend Sec. 1 (Sec. 2), page 9, line 12, by striking out all of said line".

On the question,

Will the House agree to the motion?

Motion was agreed to.

PART I OF RENWICK AMENDMENTS WITHDRAWN

The SPEAKER. The gentleman, Mr. Renwick, withdraws from consideration of the House the first part of the amendment, which has now been divided and which means that the House no longer has in front of it the words:

Amend Sec. 1 (Sec. 2), page 9, line 11, by striking out the brackets before and after "2,300,000"
Amend Sec. 1 (Sec. 2), page 9, line 12, by striking out all of said line

Those words are withdrawn now from the consideration of the House. The gentleman, Mr. Renwick, offers the remainder of the amendment for the consideration of the House.

REQUEST DO DIVIDE

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

Mr. ZELLER. Mr. Speaker, if I may, I would like to further divide, if I am in order, the amendment. I would like to have it divided—

The SPEAKER. Where would the gentleman suggest the further division?

Mr. ZELLER. The area referring to probation and parole. I think this is a catchall sort of an amendment. It agonizes me to have to vote against Mr. Renwick, but with that in there I certainly cannot support him.

The line "Amend Sec. 1 (Sec. 2), page 13, line 26, by striking out all of said line and inserting 9,789,000" I have been informed is the section—

The SPEAKER. Page 13? Where would the gentleman request that the additional amendment be divided?

Mr. ZELLER. After "492,000".

The SPEAKER. After "492,000".

Mr. ZELLER. And down to and including "9,789,000".

The SPEAKER. And then after "9,789,000".

Mr. ZELLER. If I may, Mr. Speaker—

The SPEAKER. If you will just wait for a moment so the Speaker has a chance to check this and see if it is divisible at that point.

The Chair is of the opinion that the amendment is divisible at the point suggested by the gentleman. Does the gentleman move that the House consider whether it should be divided at that point?

Mr. ZELLER. Yes, Mr. Speaker, I would appreciate it.

RENWICK AMENDMENT PART II DIVIDED

The SPEAKER. The House will be at attention, please, so that you know what you are voting on.

The gentleman, Mr. Zeller, has moved that the Renwick amendment be further divided by drawing a line under the figure "492,000" and by drawing a line under the figure "9,789,000". Therefore, if the House were to vote in favor of this motion, those words within those two lines would constitute a separate amendment if they were, in fact, to be offered.

The question now is whether the House wishes to so divide the amendment.

On that question, the Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I will agree to that division and request that the House support Mr. Zeller's proposal.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—183

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

Fryer Gallagher Gamble	Manmiller McCall	Salvatore Scanlon	Irvis, Speaker
------------------------------	---------------------	----------------------	-------------------

NAYS—3

Dietz	Taddonio	Wilt
-------	----------	------

NOT VOTING—16

Arthurs	Gillette	Hopkins	Pratt
Bittinger	Gleeson	Kernick	Rappaport
Cohen	Hayes, D. S.	Lynch	Weidner
Gallen	Honaman	Pievsky	Williams

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

The SPEAKER. The gentleman, Mr. Renwick, now offers for consideration of the House all of the amendment with the exception of those words included between the lines "Amend Sec. 1 (Sec. 2), page 13, line 26," and ending with the figure "9,789,000". Those words and that figure are no longer before the House for consideration.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, again, all of the programs that the gentleman is offering for increase are worthy programs. They cost money. We are talking about increasing the budget that we have before us in SB 1187 by \$2½ million. We cannot afford that because we do not have enough money in the tax program that we have raised. Someone has to suffer. All of the departments are suffering. Dr. Goddard's department is just another department that is suffering along with all the others. I urge a negative vote.

The SPEAKER. On the Renwick amendment, the Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, would the gentleman from Elk stand for a period of interrogation?

Mr. RENWICK. Yes, I will, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, there is some question in my mind as to whether this requires additional funding. The majority leader has stated it does. I have gathered from the gentleman from Elk that it does not.

Would the gentleman from Elk take 2 minutes of prime-Fryer time to explain this matter?

Mr. RENWICK. Mr. Speaker, I will be glad to.

What I have done with my amendments, if all of you have not already read them is I have taken the money from the legislative department which had increased—you know, I told you it is a matter of priorities how they go about taking this money—the salaries and wages for per diem and sessions of officers and employees, including returning officers. They increased that by \$412,000. For the salaries of salaried employees of the House of Representatives, they increased it by \$1,386,000. All that I am doing is taking that increase and giving that to DER — Department of Environmental Resources. I think this is a very worthy amendment and I ask your support.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, the gentleman is entirely incorrect. On page 17 of the bill, if the gentlemen and ladies will turn to page 17 of the bill, there are two appropriations to the House of Representatives which appear to be increased in this particular legislation. The one is salaries and wage of per diem sessions officers and employees including returning officers. It would appear that that is increased and that that line item is going up \$412,000. In the next line item it would appear that we are increasing the appropriation by \$1.3 million.

Neither of those appearances are fact. The moneys that we need to pay the statutory employees are the figures that are underlined, the \$2,912,000 and the \$4,386,000. We had used smaller figures in the budget bill that we passed because we were using the remainder of prior years' appropriations because they did not lapse. We were making use of what was still there and just appropriating enough money to make it through this year.

This particular bill lapses, on the last page, all prior years' appropriations. So anything that was left in those accounts is being taken away by this bill. It was necessary to reappropriate what we thought we would be able to use from last year. There are no increases. To adopt this amendment would be cutting one-third of our legislative employees right out of the ball park.

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

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

I urge all members on this side of the aisle to vote "no."

Thank you.

On the question,

Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—33

Arthurs	Fee	Letterman	Stewart
Bittinger	Foster, W.	Milanovich	Stuban
Brown	Fryer	Mullen, M. P.	Sweet
Brunner	Geisler	Petrarca	Wise
Burd	George, C.	Pratt	Yahner
Caltagirone	Gray	Ravenstahl	Zeller
Caputo	Helfrick	Reed	
DeMedio	Kowalyszyn	Renwick	
Englehart	Kukovich	Rieger	

NAYS—152

Abraham	Geesey	McLane	Seltzer
Anderson	George, M.	Mebus	Shuman
Armstrong	Giammarco	Meluskey	Shupnik
Barber	Gleeson	Miller	Sirianni
Bellomini	Goebel	Milliron	Smith, E.
Beloff	Goodman	Miscevich	Smith, L.
Bennett	Greenfield	Moehlmann	Spencer
Berlin	Greenleaf	Morris	Spitz
Bittle	Grieco	Mowery	Stairs
Borski	Halverson	Mrkonie	Stapleton
Brandt	Hamilton	Mullen, M. M.	Taddonio
Burns	Harper	Musto	Taylor, E.
Cassidy	Hasay	Novak	Taylor, F.
Cessar	Haskell	Noye	Tenaglio
Cianciulli	Hayes, S. E.	O'Brien, B.	Thomas
Cimini	Hoeffel	O'Brien, D.	Trello
Cole	Hutchinson, A.	O'Connell	Valicenti
Cowell	Hutchinson, W.	O'Donnell	Vroon

Davies	Johnson	O'Keefe	Wagner
DeVerter	Jones	Oliver	Wansacz
DeWeese	Katz	Pancoast	Wargo
DiCarlo	Kelly	Parker	Wass
Dietz	Klingaman	Peterson	Wenger
Dininni	Knepper	Piccola	White
Dombrowski	Kolter	Pitts	Wiggins
Donatucci	Laughlin	Polite	Wilson
Dorr	Lehr	Pott	Wilt
Doyle	Levi	Prendergast	Wright, D.
Duffy	Levin	Pyles	Wright, J. L.
Dumas	Lincoln	Richardson	Yohn
Fischer, R. R.	Livengood	Ritter	Zearfoss
Fisher, D. M.	Logue	Ruggiero	Zitterman
Flaherty	Mackowski	Ryan	Zord
Foster, A.	Madigan	Salvatore	Zwinkl
Freind	Manderino	Scanlon	
Gallagher	Manmiller	Scheaffer	Irvis,
Gamble	McCall	Schmitt	Speaker
Garzia	McClatchy	Schweder	
Gatski	McGinnis	Scirica	

NOT VOTING—17

Berson	Honaman	Lynch	Rhodes
Cohen	Hopkins	McIntyre	Shelton
Gallen	Itkin	Pievsy	Weidner
Gillette	Kernick	Rappaport	Williams
Hayes, D. S.			

The question was determined in the negative and Part II of the amendment was not agreed to.

REMAINDER OF AMENDMENT WITHDRAWN

The SPEAKER. Does the gentleman, Mr. Renwick, desire to offer the remainder of his amendment? There is a part of the amendment not yet offered. That is the section that the motion by Mr. Zeller removed, but it did not remove it from consideration.

If the gentleman wishes, he has another amendment which reads:

Amend Sec. 1 (Sec. 2), page 13, line 26, by striking out all of said line and inserting 9,789,000

Mr. RENWICK. I will withdraw that, Mr. Speaker.

The SPEAKER. The gentleman withdraws the amendment from consideration.

The Chair thanks the gentleman.

On the question recurring,

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

Mr. REED offered the following amendments:

Amend Title, page 1, line 7, by removing the period after "appropriations" and inserting; and providing for general appropriation acts.

Amend Bill, page 18, by inserting between lines 21 and 22 Section 3. The act is amended by adding a section to read: Section 10.1. (a) Failure by the General Assembly to enact a general appropriation act by the first day of the fiscal year shall result in the permanent forfeiture of the salary, expenses and benefits of each Legislator for that period between the first day of the fiscal year and that date on which a general appropriation act is finally adopted by the General Assembly.

(b) Should the General Assembly be unable to enact a general appropriation act by the first day of the fiscal year, the

General Assembly shall postpone all business, committee meetings, hearings and other activities unrelated to the deliberation and enactment of a general appropriation bill. It shall become the primary and sole duty of the General Assembly to enact an appropriations bill.

(c) Should the General Assembly be unable to enact a general appropriation act by the first day of the fiscal year, the General Assembly shall be obligated to meet in session every day thereafter until such date as a general appropriation bill shall be enacted.

Amend Sec. 3, page 18, line 22, by striking out "3." and inserting 4.

On the question,

Will the House agree to the amendments?

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

Mr. REED. Mr. Speaker, this is a minor technical amendment to the bill.

The SPEAKER. Yes, the Chair is aware of that.

This minor technical amendment ought to stir at least some degree of interest.

Mr. REED. Yes, it is controversial. It has a lot of impact and it is strongly worded.

It provides basically three things, and I know that there are some serious questions about it but I believe that the matter has to be presented on the floor.

The first would be that if the General Assembly fails to enact a budget by the first day of the new fiscal year that three things would happen.

Number one, in addition to the Mowery amendment that we already passed, it would mean that the salaries, expenses and benefits of all members of the General Assembly would not be paid for that period from the first day of the fiscal year to whatever date that the budget was finally enacted.

Number two, it would provide that no other business could be conducted by the House and the Senate during that period of time. That we would have to spend our time strictly on the budget.

Number three, that we would remain in continuous session until such time as we would pass the budget.

I personally feel—and I realize that there are some reservations about this amendment for personal reasons, and I personally feel—that this kind of law would cause the rank-and-file membership of the House and Senate to cause and force the leadership into a position that the budget does in one form or another get enacted by June 30 each year.

Thank you.

The SPEAKER. The Chair was thinking about the possible conflict between this and the Mowery amendment, but the Chair does not see that there is that conflict at the moment.

The Chair recognizes the gentleman from Berks, Mr. Brown, on the amendment offered by the gentleman, Mr. Reed.

Mr. BROWN. Thank you, Mr. Speaker.

I know we only have a few days to go before Christmas and we are still debating the budget. Now to those of you who think that Mr. Reed's amendment may not work, I would just like to

ask you to give it a try this one time.

If we are successful with Mr. Reed's amendment, we will never have to worry about not receiving our paychecks, not receiving our expense account money, and not being here next Christmas at this time. I urge a favorable vote.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Schweder, on the Reed amendment.

Mr. SCHWEDER. Mr. Speaker, would the gentleman, Mr. Reed, consent to a brief interrogation?

The SPEAKER. Will the gentleman, Mr. Reed, consent to a brief interrogation? The gentleman indicates that he will consent. The gentleman, Mr. Schweder, is in order and may proceed.

Mr. SCHWEDER. Mr. Speaker, do members of the legislature forfeit their salary if the budget is not enacted under this bill?

Mr. REED. No. They do not forfeit their salary as a per annum situation. What they do is they do not receive salary for that period of time from July 1 to whatever date the budget gets passed.

Mr. SCHWEDER. Thank you, Mr. Speaker.

Mr. Speaker, if I may, I would like to make a statement on this.

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

Mr. SCHWEDER. First of all, I would like to say that in other legislation that I researched, there are at least 100 different court cases that do not legally allow anyone to do this. You may not garnish anyone's wages or take them away for time that is spent on the job. So from a legal viewpoint, this cannot be legally done because of court decisions.

The other thing I have to say about this is that I am duly impressed by pious solutions that are made to problems such as this by individuals who are not in the same situation as a lot of the others of us who work at this job full time and are married and have children and have to provide for a family by the salary they earn here.

Thank you, Mr. Speaker.

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

Mr. ZEARFOSS. Mr. Speaker, this amendment may sound good on its face, but the reason we passed the Mowery amendment—at least the reason I voted in favor of the Mowery amendment—was to remove unreasonable pressures from the legislature so the budget could be passed sanely and with due consideration. And removing the external factors, it would force us to do something that has not been properly considered.

If you think the welfare recipients up here or the state employees up here without pay is pressure on the legislature, I think we ought to think about how it felt when we were not receiving our checks back in July, even knowing that we were going to get them eventually. The Reed amendment would not even give it back to us eventually.

So if you want pressure and if you want to force yourselves to do something that is wrong in adopting a budget, you should vote for the Reed amendment. I personally am going to vote against it.

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

Mr. RITTER. Mr. Speaker, I do not intend to be a political grandstander nor do I intend to be a phony hero back home.

This is the only income I have, Mr. Speaker. By damn, I am not going to vote for this amendment. I think anybody who does ought to have their head examined.

CONSTITUTIONAL POINT OF ORDER

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

Mr. WAGNER. Thank you, Mr. Speaker. I hope we do not have to vote on it, also.

I would like to challenge the constitutionality of it. I believe there is a provision in the Constitution which prohibits the reduction in salary during our terms of office. I do not know the section and the article number. We are looking for it.

The SPEAKER. It was moved by the gentleman, Mr. Wagner, that the Reed amendment A3359 be declared unconstitutional.

The question is on the motion.

The Chair now recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Is the previous motion debatable?

The SPEAKER. There is a point of order raised by the gentleman, Mr. Wagner. It is not debatable. The question must be placed before the House.

Mr. GEORGE. Would I be permitted to make a statement?

The SPEAKER. The Chair regrets that you may not do so. The point of order is not debatable. It must be decided.

Mr. GEORGE. Thank you, Mr. Speaker.

The SPEAKER. The question is a question of constitutionality.

Mr. MANDERINO. Just a point of clarification. Are you saying that whether or not something is constitutional it is not debatable?

The SPEAKER. No. The motion is not debatable.

Once I place the question before the House: Is the Reed amendment constitutional? Then any member may be recognized one time for no more than 2 minutes to speak to that question.

If that is what the gentleman, Mr. George, wishes to do, then the Chair will recognize him after the Chair has placed the question.

Mr. GEORGE. I will await your decision.

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

REQUEST TO DIVIDE

Mr. REED. Mr. Speaker, I do not know if it is in order at this time, but I would like to divide that amendment for the purpose of deleting part (a), and then just consider parts (b) and (c) and vote on that?

The SPEAKER. Only if the gentleman, Mr. Wagner, withdraws his point of order. Because the only thing—

The gentleman refuses to withdraw his point of order.

The question recurs: Is the Reed amendment constitutional?

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

The Chair recognizes the gentleman from Clearfield, Mr. George, on the question.

Mr. GEORGE. Thank you, Mr. Speaker.

I have taken this floor, Mr. Speaker, on many occasions with the personal feeling of what I brought before this General Assembly was important to someone back home or someone in your home.

Many times we have had the question of whether something is constitutional or unconstitutional. It has been said many times that this is where the decision must be made. I do not know how long that the people back in my legislative district will agree that I am the one who should serve them, but I believe that as far as the people I serve, they do not want to be patronized. They want action.

I am embarrassed that I must vote on whether something of this nature is constitutional or unconstitutional. Because I will say to you, Mr. Speaker, that if I vote "no," which I intend to do, and I do not come back here because of this vote, then I do not deserve to be the legislator of the 74th district.

I am not here to patronize. I am here to do something. This is a vicious game and this should not be brought forward.

I urge us to decide whether it is constitutional. And if you do, let us vote this thing down.

PARLIAMENTARY INQUIRY

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

Mr. YOHN. I rise to a parliamentary inquiry.

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

Mr. YOHN. Mr. Speaker, I believe that I understand that this bill is a general appropriations bill for the 1977-78 fiscal year. Is that correct?

The SPEAKER. Yes, it is an amendment to the act, the general appropriations bill, which became Act 111, I believe.

Mr. YOHN. Right.

As such, would it have any effect if this language were put into the bill—

The SPEAKER. Act 11-A. It became Act 11-A.

Mr. YOHN. Right.

The SPEAKER. The gentleman may proceed.

Mr. YOHN. As such, would this language have any effect if it were put in the bill and the bill became law beyond June 30, 1978?

The SPEAKER. No, it could not.

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

I would submit then that this language that is being submitted is not only unfair to those members, particularly those members who are here full time, is not only unconstitutional but also is irrelevant because it would not have any effect after June 30, 1978. And we already have a general appropriations bill passed for that year.

Thank you.

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

Mr. GARZIA. Mr. Speaker, I intend to vote to make this constitutional. I think it is. I think we should vote for it.

I would like to tell the prime sponsor and also the other Representatives who got up to express their feelings on how good this amendment is. I really want to tell them why I think I am on the floor of this House.

Thank you.

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

Mr. REED. Mr. Speaker, I do believe that the amendment is constitutional. I also believe that, as a result of the Mowery amendment, this language and all other language contained in the general budget would remain in effect past June 30, 1978, if we again fail to pass a budget on time. But inasmuch as it is quite apparent to me that this matter does not have the support of the General Assembly, I withdraw the amendment.

MOTION AND AMENDMENT WITHDRAWN

The SPEAKER. The Chair is unable to permit the gentleman to withdraw the amendment until the point of order is either conceded or withdrawn.

The gentleman, Mr. Wagner, has said he would not withdraw the point of order. The gentleman will now withdraw the point of order?

The gentleman, Mr. Reed, is, therefore, recognized to withdraw the amendment. The gentleman, Mr. Reed, does not offer the amendment.

On the question recurring,

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

Mr. WHITE offered the following amendment:

Amend Sec. 1 (Sec. 2), page 12, lines 5 and 6, by striking out both of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. White, on amendment A3351.

Mr. WHITE. Mr. Speaker, the amendment that I am offering this evening is one that would restore \$25,000 to the Justice Department Community Advocate Unit.

We spent a considerable amount of time this summer debating the issue. The figure that we ended up appropriating to them was some \$373,000. The House Appropriations Committee amendment before us—

POINT OF ORDER

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

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

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

Mr. RITTER. Mr. Speaker, I think just a few minutes ago Mr. Itkin offered a very same, identical amendment and it was de-

feated. As worthy as the program may be, I do not believe that Mr. White can offer the amendment since it was already defeated.

The SPEAKER. The Chair does not recall that amendment. We will check through Mr. Itkin's amendment.

Perhaps this is faster. The gentleman, Mr. Itkin, is on the floor.

Did the gentleman, Mr. Itkin, offer an amendment to page 12, lines 5 and 6?

Mr. ITKIN. I cannot lie, Mr. Speaker. I did.

The SPEAKER. Was that amendment defeated?

Mr. ITKIN. Regrettably so.

The SPEAKER. The gentleman, Mr. Ritter, is absolutely correct. The Chair apologizes.

The gentleman, Mr. White, is informed that the amendment offered by him has already been defeated under the rules of the House and may not be voted again. I was defeated by a vote of 21-143. So that would mean there is no sense in making a reconsideration motion on such an amendment. The Chair apologizes to the gentleman.

Does the gentleman have a second amendment?

Mr. WHITE. I have a second amendment, Mr. Speaker. It has been drafted twice and each time there have been mistakes in it done by the Legislative Reference Bureau. If it could be added further down on the list, I would hope that we would be able to reconsider it at that particular time.

The SPEAKER. The Chair will add the gentleman's name to the list, which is now growing, of members who have had to have their amendments redrafted.

On the question recurring,

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

Mr. MILLIRON offered the following amendments:

Amend Sec. 1 (Sec. 2), page 10, by inserting between lines 21 and 22

For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance	/12,500,000/ 12,475,000
---	----------------------------

Amend Sec. 1 (Sec. 2), page 15, by inserting between lines 9 and 10

For the Blair County Society for Crippled Children and Adults.	25,000
--	--------

On the question,

Will the House agree to the amendments?

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

Mr. MILLIRON. Thank you, Mr. Speaker. Mr. Speaker, this is a transfer of funds from the general operations of the Department of Health to a line item for an equal amount of \$25,000 to the Department of Welfare.

For the last number of years, Mr. Speaker, in Blair County we have a facility, the only facility between Pittsburgh and Harrisburg which has a treatment center for physical therapy,

speech therapy, and diagnostic clinics for crippled children and adults. We have received a grant from the state for the last several years.

We were informed late this year, in the middle of October or early November, that because of various budget cuts in the Department of Health that they would no longer fund the program. After reviewing several other of the programs that the Department of Health does fund, I feel that this is an extreme priority in all of central Pennsylvania. It services approximately 20 to 25 counties. It provides services that are not available at any other area within 100 miles east or west.

I sincerely ask the members to support me on this amendment. It is not an additional cost. It is a transfer of money out of the general operations into a line item.

Thank you very much, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—180

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

NAYS—4

Donatucci	Itkin	Kelly	Wiggins
-----------	-------	-------	---------

NOT VOTING—18

Berson	Honaman	Mrkonic	Rhodes
Flaherty	Hopkins	Mullen, M. P.	Valicenti
Gallagher	Kernick	Pievsy	Weidner
Gillette	Lynch	Rappaport	Williams
Gleeson	Morris		

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

REMARKS ON VOTES

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

Mrs. KELLY. Mr. Speaker, I voted in error on the Milliron amendment. I wish to change my vote to "yes."

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

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

Mr. ITKIN. Mr. Speaker, I inadvertently voted in error on the Milliron amendment. I wish to be recorded as voting in the affirmative.

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

On the question recurring,

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

Mr. JOHNSON offered the following amendment:

Amend Sec. 1 (Sec. 2), page 14, line 25, by removing the period after "university" and inserting who has not participated in a Federally subsidized program for dependent children.

On the question,

Will the House agree to the amendment?

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

Mr. JOHNSON. Mr. Speaker, before I attempt to explain my amendment, I did consult with the other side of the House and I got some approval from the leadership over there. But I will explain my amendment to the members of this House and what I am intending to do.

We have put language in the bill that said we would not allow any child that is on welfare to attend college. My amendment, Mr. Speaker, says we should allow the children that were born and raised on welfare to give them a chance for the future.

Out of 792,000 people that are on welfare—the figures I got from the Welfare Department—about 2,000 of our children today are attending school. They want to uplift themselves. Whether we permit these kids to attend school or not, they will still be on welfare. I am trying to save these youngsters, Mr. Speaker, because in areas like I represent, most of the kids in that area are dope addicts, they are crime people, and they are running around and having babies.

When you find some people who want to uplift themselves, Mr. Speaker, I cannot understand why this House would deny a child that has been on welfare all of his life, a chance to escape.

It does not cost the Commonwealth one iota penny more to let that child go to school or stay home 24 hours a day.

Mr. Speaker, these are the children that I am trying to help, the ones that want to help themselves. Mr. Speaker, I do not think we should deny these youngsters who want to help themselves get a chance in life.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—111

Abraham	Englehart	Logue	Ruggiero
Armstrong	Fee	Mackowski	Scanlon
Barber	Fisher, D. M.	Manderino	Scheaffer
Bellomini	Foster, W.	McCall	Scirica
Beloff	Gallagher	McGinnis	Shupnik
Berlin	Gatski	McLane	Sirianni
Berson	Geisler	Meluskey	Stewart
Bittinger	George, C.	Miller	Sweet
Borski	George, M.	Mowery	Taddonio
Brandt	Giammarco	Mullen, M. P.	Taylor, E.
Brown	Goodman	Mullen, M. M.	Thomas
Brunner	Gray	Novak	Trello
Burns	Greenfield	Noye	Wagner
Caltagirone	Harper	O'Brien, B.	White
Caputo	Haskell	O'Brien, D.	Wiggins
Cassidy	Helfrick	O'Donnell	Williams
Cianciulli	Hoeffel	Oliver	Wilson
Cimini	Hutchinson, A.	Parker	Wilt
Cohen	Itkin	Petrarca	Wise
Cole	Johnson	Piccola	Wright, J. L.
Cowell	Jones	Polite	Yahner
DeMedio	Kelly	Pott	Yohn
DeWeese	Knepper	Ravenstahl	Zeller
DiCarlo	Kowalshyn	Reed	Zitterman
Dombrowski	Kukovich	Renwick	Zwikl
Donatucci	Laughlin	Richardson	
Doyle	Levin	Rieger	Irvis,
Duffy	Livengood	Ritter	Speaker
Dumas			

NAYS—69

Anderson	Goebel	Mebus	Shelton
Bennett	Greenleaf	Milanovich	Shuman
Bittle	Halverson	Milliron	Smith, E.
Burd	Hasay	Moehlmann	Smith, L.
Cessar	Hayes, D. S.	Musto	Spencer
Davies	Hayes, S. E.	O'Connell	Spitz
DeVerter	Hutchinson, W.	O'Keefe	Stairs
Dietz	Klingaman	Pancoast	Stuban
Dininni	Kolter	Peterson	Taylor, F.
Dorr	Lehr	Pitts	Valicenti
Fischer, R. R.	Letterman	Pratt	Vroon
Foster, A.	Levi	Prendergast	Wansacz
Freind	Lincoln	Pyles	Wass
Fryer	Madigan	Ryan	Wenger
Gallen	Manmiller	Schmitt	Wright, D.
Gamble	McClatchy	Schweder	Zearfoss
Garzia	McIntyre	Seltzer	Zord
Geesey			

NOT VOTING—22

Arthurs	Honaman	Morris	Salvatore
Flaherty	Hopkins	Mrkonic	Stapleton
Gillette	Katz	Pievsy	Tenaglio
Gleeson	Kernick	Rappaport	Wargo
Grieco	Lynch	Rhodes	Weidner
Hamilton	Miscevich		

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

On the question recurring,

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

Mr. DAVIES offered the following amendments:

Amend Bill, page 18, by inserting between lines 8 and 9 Section 2. The act is amended by adding a section to read:

Section 9.1. (a) As much of the moneys lapsed under subsection (b) of section 10 as are necessary to offset the costs of borrowing incurred by the State-related universities between July 1, 1977 and January 1, 1978 as a result of the delay in enacting their State appropriations for the 1977-1978 fiscal year, are hereby appropriated to the Department of Education for distribution to such universities. Each State-related university shall certify to the department its borrowing costs for the period July 1, 1977 to January 1, 1978 and upon approval of these costs by the department, payment shall be made to the universities. For the purposes of this section, State-related universities shall include the following institutions: Pennsylvania State University, the University of Pittsburgh, Lincoln University, and Temple University.

(b) As much of the moneys lapsed under subsection (b) of section 10 which are not used to meet the costs prescribed in subsection (a) are hereby appropriated to the State-related universities for the same purposes and subject to the same provisions, restrictions and limitations as other moneys appropriated to such universities for the 1976-1977 fiscal year. The amount of such moneys appropriated to each university shall be determined pursuant to the following formula:

<u>Amount available under</u> <u>this section to subject</u> <u>university</u>	<u>Amount received by</u> <u>subject university for fis-</u> <u>cal 1976-1977</u>
--	---

<u>Total amount of funds</u> <u>available to all universities</u> <u>under this section</u>	=	<u>Total amount of funds</u> <u>appropriated to all univer-</u> <u>sities for fiscal 1976-1977</u>
---	---	--

(c) All moneys appropriated under this section shall be in addition to any other funds appropriated to the State-related universities for fiscal year 1977-1978.

Amend Sec. 2, page 18, line 9, by striking out "2." and inserting 3.

Amend Sec. 3, page 18, line 22, by striking out "3." and inserting 4.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Mr. Speaker, I am addressing these remarks to my amendment A-3361. This amendment is designed to pay the interest on loans made by the 5 state-related universities during the period the General Assembly failed to provide the necessary funding for those institutions.

The funds would be paid to the Department of Education, thereby negating the question of constitutionality. We are not

funding nonpreferred institutions in this amendment. We are funding the Department of Education to relieve its indebtedness created by the inaction of this body over a 6-month period by an established equitable formula. The money for this payment of these financial obligations is to be taken from our own lapsed leadership funds from previous years.

I have been advised there is about \$8 million of these funds from prior years. The current interest on the loans of the state-related institutions is approximately \$1.4 million as of yesterday, according to the majority Appropriations Committee staff person's latest informal information.

Mr. Speaker, I said last summer and again last week, we are part of the problem. We created the debt by our inaction, and now I am asking you to pay this obligation out of your own prior funding. We have danced down our political dance, accompanied by chest-beating and arm-waving and twisting. Now it is time for paying the piper. In all fairness, it is an effort to restore some of the diminishing fiscal standing of this body.

I repeat, the constitutional question on this amendment is resolved by making the funds payable to the Department of Education. The department will pay the incurred interest, as stated in an equitable formula under section (b). I would ask members on both sides of the aisle to support the amendment as a matter of conscientiousness and fiscal integrity.

The SPEAKER. The Chair recognizes the majority leader, on the Davies amendment.

Mr. MANDERINO. Mr. Speaker, subsection (b) of the Davies amendment, if I understand it, talks about the balance of the money that might not be needed to pay interest. It says, "As much of the moneys lapsed under subsection (b) of section 10 which are not used to meet the costs prescribed in subsection (a) are hereby appropriated to the State-related universities for the same purposes and subject to the same provisions, restrictions and limitations as other moneys appropriated" So his amendment is, as I read, doing 2 things: Not only paying interest but appropriating the balance of the \$8 million that he says that is available.

In any event, Mr. Speaker, I rise to suggest the unconstitutionality of the Davies amendment. The Constitution of Pennsylvania, as we are all aware, indicates that any moneys appropriated to agencies that are not state agencies, that are private institutions that we call nonpreferred appropriations, must be appropriated by a two-thirds vote of the General Assembly and must be appropriated by a separate bill. Each one must be in a separate bill, and that is exactly why we have, when we run the nonpreferred appropriations, a separate bill for the University of Pennsylvania, for Pitt, for Temple, for Penn State, for the planetariums, for the Museum of Art, each one is in a separate bill because the Constitution prescribes that.

Every dollar that we appropriate in the nonpreferred appropriations is delivered through the Department of Education. What he is attempting to do here is no different than what we do in the nonpreferred appropriations. Placing the Department of Education as the recipient of these moneys to pass it on to the universities cannot get around the Constitution of Pennsylvania, which says that any moneys appropriated must be in

separate bills and must pass by a two-thirds vote.

I think it is clearly unconstitutional to do it in this manner. I think Mr. Davies recognizes that there is a valid constitutional question that can be raised. He comes down with solving that question by putting it through the Department of Education. I do not think it would meet constitutional muster and I would ask that the question be put to the House on constitutionality.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The question has been raised by the majority leader as to the constitutionality of amendment A-3361 submitted to the House by the gentleman, Mr. Davies. The question is, Is the Davies amendment submitted to SB 1187 constitutional? The debate now must center on that question.

On that question, the Chair recognizes the gentleman, Mr. Davies.

Mr. DAVIES. Mr. Speaker, I admit to the statement of the majority leader that I did state the question as such, that it was a *matter of trying to get the payment through the department* and have the department, by an equitable formula, pay those particular interests after applying that formula, and this is the standard for the legalistic method by which we would try to resolve the question of constitutionality. I said that in my original statement and I maintain that as the basis for the constitutionality of this amendment.

Thank you, sir.

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

Mr. ITKIN. Mr. Speaker, as much as I would like to support this amendment, I must agree with the majority leader in this instance that this particular amendment is unconstitutional.

On the question,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—62

Anderson	Foster, A.	Manmiller	Sirianni
Armstrong	Freind	McGinnis	Smith, E.
Bittle	Gallen	Mebus	Smith, L.
Brandt	Garzia	Miller	Spencer
Brown	Geesey	Milliron	Stairs
Burd	Greenleaf	Moehlmann	Taddonio
Burns	Hasay	Noye	Taylor, E.
Caltagirone	Haskell	O'Connell	Thomas
Cassidy	Hayes, D. S.	Peterson	Vroon
Cole	Hayes, S. E.	Pitts	Wenger
Davies	Helfrick	Polite	Wilson
DeVerter	Hutchinson, W.	Pyles	Wilt
Dietz	Lehr	Ryan	Wright, J. L.
Dininni	Levi	Scirica	Yohn
Dorr	Livengood	Seltzer	Zearfoss
Fischer, R. R.	Madigan		

NAYS—128

Abraham	Gatski	McIntyre	Ruggiero
---------	--------	----------	----------

Arthurs	Geisler	McLane	Scanlon
Barber	George, C.	Meluskey	Scheaffer
Bellomini	George, M.	Milanovich	Schmitt
Beloff	Giammarco	Miscevich	Schweder
Bennett	Goebel	Morris	Shelton
Berlin	Goodman	Mowery	Shuman
Berson	Gray	Mrkonic	Shupnik
Bittinger	Greenfield	Mullen, M. P.	Spitz
Borski	Grieco	Mullen, M. M.	Stapleton
Brunner	Halverson	Musto	Stewart
Caputo	Hamilton	Novak	Stuban
Cessar	Harper	O'Brien, B.	Sweet
Cianciulli	Hoefel	O'Brien, D.	Taylor, F.
Cimini	Hutchinson, A.	O'Donnell	Tenaglio
Cohen	Itkin	O'Keefe	Trello
Cowell	Johnson	Oliver	Valicenti
DeMedio	Jones	Pancoast	Wansacz
DeWeese	Katz	Petrarca	Wargo
DiCarlo	Kelly	Piccola	Wass
Dombrowski	Klingaman	Pievsky	White
Donatucci	Kolter	Pott	Wiggins
Doyle	Kowalyszyn	Pratt	Wise
Duffy	Kukovich	Prendergast	Wright, D.
Dumas	Laughlin	Rappaport	Yahner
Englehart	Letterman	Ravenstahl	Zeller
Fee	Levin	Reed	Zitterman
Fisher, D. M.	Lincoln	Renwick	Zord
Flaherty	Logue	Richardson	Zwikl
Foster, W.	Mackowski	Rieger	
Fryer	Manderino	Ritter	Irvis,
Gallagher	McCall	Salvatore	Speaker
Gamble	McClatchy		

NOT VOTING—12

Gillette	Hopkins	Lynch	Wagner
Gleeson	Kernick	Parker	Weidner
Honaman	Knepper	Rhodes	Williams

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were declared unconstitutional.

On the question recurring,

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

Mr. CAPUTO offered the following amendment:

Amend Sec. 1 (Sec. 2), page 13, lines 21 through 27, by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. CAPUTO. Mr. Speaker, we have had, despite Joe Zeller's remarks, some comments and some praise for our Board of Probation and Parole.

This amendment would seek to give them a few bucks to keep doing a good job.

POINT OF ORDER

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

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

The SPEAKER. The gentleman may state his point of order.

Mr. ZELLER. Mr. Speaker, did not the Itkin amendment, as well as the Renwick amendment, deal with this subject?

The SPEAKER. To answer the gentleman, we are checking it here at the desk. The Renwick amendment had similar language but it was withdrawn. It was never offered so it was never decided by the House. As far as the Itkin amendment is concerned, will the gentleman, Mr. Itkin, advise the Chair?

Mr. ITKIN. I never offered an amendment of this nature.

The SPEAKER. You never offered the amendment?

Mr. ITKIN. That is right.

The SPEAKER. Although there has been discussion about this issue and even opinions offered, the House has never officially had this for decision. Therefore, the amendment is in order and the question occurs, Will the House agree to the amendment?

The Chair recognizes the gentleman, Mr. Zeller, on the amendment.

Mr. ZELLER. Mr. Speaker, would my time to interrogate Mr. Caputo go against my time for comment?

The SPEAKER. No.

Mr. ZELLER. Mr. Speaker, would you mind if I interrogated you?

Mr. CAPUTO. I do not mind, Mr. Speaker.

Mr. ZELLER. Mr. Speaker, would you tell us what this bill does, please?

Mr. CAPUTO. It increases the amount that goes to the Board of Parole back to the previous figure.

Mr. ZELLER. Mr. Speaker, we have been advised by Mr. Caputo that this amendment of his would restore the funds back to its original state, and this is the feeling I have had.

Anyone can just take the Philadelphia news on the front page and get a little idea of what some of these people on the Probation and Parole Board have been releasing and the attitude they have in dealing with the Justice Commission, and I have been working very closely with these people and I will tell you it is a nightmare.

I would like to very, very well give a message that I do not approve this amendment and also the recent action taken by the Probation and Parole Board and how they handled their members, asking them to resign so they could re-appoint them through the Senate program. I think it was terrible. As a matter of fact, it was one of the most insulting things that ever happened to this state and any of you people who know what happened, for that Probation and Parole Board, as far as I am concerned, the day of reckoning is about here. So I feel that we should vote it down unanimously.

Thank you.

The SPEAKER. The House will stand at ease. The Chair has had its memory jogged, and the Rhodes amendment, which the Chair recognizes that the House already adopted, added \$25,000 back into the Parole and Probation Board's appropriation. We now have to see what would happen if the House were to adopt the Caputo amendment, so the House will stand at ease.

CAPUTO AMENDMENT WITHDRAWN

The SPEAKER. Under the Rhodes amendment already adopted by the House, the House has returned to the Pennsyl-

vania Board of Probation and Parole \$100,000. The Caputo amendment, if it were adopted, would simply return another \$50,000, and the gentleman, Mr. Caputo, has therefore withdrawn his amendment.

Mr. CAPUTO. That is right, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Englehart. Does the gentleman have amendments to offer? Have the amendments been duplicated?

Mr. ENGLEHART. Mr. Speaker, the actual printing of this amendment has not been duplicated. However, it is the same as part of the Letterman amendment which was considered yesterday.

The SPEAKER. I think it would be wiser, Mr. Englehart, if the amendment were to be duplicated. The hour is growing late and the members are getting tired and it would be much better if we had that duplicated, so let us pass over—

Mr. ENGLEHART. As tired as they are, Mr. Speaker, they would probably feel better about voting "yes" if we did it now before they read it.

The SPEAKER. The Chair will recognize the gentleman at a later time.

MELUSKEY AMENDMENT

The SPEAKER. The gentleman, Mr. Meluskey, offered amendment A-3349. That amendment had the effect of cutting down the Governor's Office budget to the figure of \$1,900,000. It was passed by a vote of 111-82. A motion to reconsider that vote has already been offered to the House, and the vote has been reconsidered. The question recurs, therefore, will the House agree to Meluskey amendment A-3349?

The Chair recognizes, on the Meluskey amendment, the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, the majority leader offered the reconsideration motion for the \$100,000 that was cut from the Office of the Governor because the majority leader recognizes that on the next to the last page of the bill there are two figures being appropriated to the General Assembly which, although they are not increases, are there and subject to the blue line of the Governor. And I do not want to take any chances on getting blue-lined on these two accounts of the General Assembly, and, frankly, I think that we have reduced the Governor's budget and I would urge all members of the Assembly to consider restoring or at least defeating the Meluskey amendment so that \$100,000 would remain as it is in SB 1187, which already represents a substantial cut to the Governor's office.

The SPEAKER. Does the gentleman, Mr. Meluskey, ask for recognition at this time? The Chair recognizes the gentleman from Lehigh, Mr. Meluskey.

Mr. MELUSKEY. Thank you, Mr. Speaker.

The majority leader's remarks notwithstanding, I would, nevertheless, urge the 111 House members, who earlier this afternoon supported the amendment, to again indicate their support for it.

I respect and acknowledge the statements of the majority

leader and admit the fact that what the majority leader has said may in fact develop. However, I would again refer to the nearly unanimous support given earlier this year, in fact on August 20, for the Bud George amendment and indicate that I would view this and hope that the members of the House view this amendment perhaps as the final indication of this House and this General Assembly's support of that concept with less than 3 months left before the Governor submits his budget for the next fiscal year.

I think that this would hopefully signal some indication to the Governor of the General Assembly's feeling and, at the same time, the reduction in that line item is a mere 2½ percent. Certainly, by any stretch of the imagination, that is not extreme and it is not radical. I think it is a modest, moderate reduction and I would again ask the members to support it.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Wilson, on the Meluskey amendment.

Mr. WILSON. Mr. Speaker, will the majority leader consent to a question?

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman, Mr. Wilson, is in order and may proceed.

Mr. WILSON. Mr. Speaker, in your comments on this particular amendment, please clarify for me, if you would, when I think you suggested that the Governor had indicated to you that he would veto any legislative slush funds if we did in fact cut his appropriation. Is that a correct statement or did I misinterpret your comments?

Mr. MANDERINO. No, Mr. Speaker. We have cut the Governor's budget below what the Governor's budget was last year. And I am simply saying to you that that is so even if the \$100,000 was not cut out. Even if this \$100,000 that the Meluskey amendment cuts out was not adopted, the Governor still has suffered a cut. And I simply said that with one sitting in the Governor's chair with a blue pen, if this General Assembly forces his budget to be cut, I fear that our budget certainly may get cut.

Mr. WILSON. The Governor's budget is cut over last year or cut over what he requested? I think you will find there is a 24-percent increase.

Mr. MANDERINO. Mr. Speaker, last year the Governor had available \$1,958,000.

Mr. WILSON. Less than last year?

Mr. MANDERINO. No, \$1,958,000 is the total appropriation to general government operations. The Meluskey amendment would cut that back to \$1,900,000 and cut \$58,000 from the Governor's Office.

Mr. WILSON. Right. Does the Governor's Office still contain an increase of roughly 20 percent over last year? Yes? Well, disregard the percentile, but it still would call for an increase of funds for the Governor's Office even with the Meluskey amendment?

Mr. MANDERINO. No, incorrect. It is a decrease.

Mr. WILSON. Over last year?

Mr. MANDERINO. Yes. The Governor's Office last year had appropriated to it \$1,958,000. What we appropriated this year

in SB 1187 is \$2 million even, a \$42,000 increase in the \$2 million budget. The Meluskey amendment takes that \$42,000 increase and also it takes \$58,000 more.

Mr. WILSON. I thank the gentleman.

The SPEAKER. On the Meluskey amendment, the Chair recognizes the gentleman from Montgomery, Dr. Pancoast.

Mr. PANCOAST. Mr. Speaker, I think the argument being presented by the majority leader is not a very good one, however, because to the threat that there may be some retaliation on the part of the Governor's Office, we can always reply by saying that it is possible for us to override a gubernatorial veto.

In the 20th century, up to 1970, there was exactly one gubernatorial veto overridden. Since 1970 we have had 10 gubernatorial vetoes overridden by this body, so I think we have some experience in that particular area. I support the Meluskey amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—105

Anderson	Gamble	Mebus	Scirica
Armstrong	Geesey	Meluskey	Seltzer
Bittle	George, M.	Miller	Shuman
Brandt	Goebel	Moehlmann	Sirianni
Brown	Greenleaf	Morris	Smith, E.
Burd	Grieco	Mowery	Smith, L.
Burns	Halverson	Mrkonic	Spencer
Caltagirone	Hamilton	Noye	Spitz
Cassidy	Hasay	O'Brien, D.	Stairs
Cessar	Haskell	O'Connell	Sweet
Cimini	Hayes, D. S.	O'Donnell	Taddonio
Cowell	Hayes, S. E.	Pancoast	Taylor, E.
Davies	Helfrick	Parker	Taylor, F.
DeVerte	Hutchinson, W.	Peterson	Thomas
DeWeese	Katz	Piccola	Vroon
Dietz	Klingaman	Pitts	Wass
Dininni	Knepper	Polite	Wenger
Dorr	Kowalshyn	Pott	White
Duffy	Kukovich	Pyles	Wilson
Fischer, R. R.	Lehr	Reed	Wilt
Fisher, D. M.	Levi	Renwick	Wright, J. L.
Flaherty	Mackowski	Richardson	Yohn
Foster, A.	Madigan	Ruggiero	Zearfoss
Foster, W.	Manmiller	Ryan	Zeller
Freind	McClatchy	Salvatore	Zord
Fryer	McGinnis	Scheaffer	Zwikl
Gallen			

NAYS—86

Abraham	Fee	Lincoln	Ritter
Arthurs	Gallagher	Livengood	Scanlon
Barber	Garzia	Logue	Schweder
Bellomini	Gatski	Manderino	Shelton
Beloff	Geisler	McCall	Shupnik
Bennett	George, C.	McIntyre	Stapleton
Berlin	Giammarco	McLane	Stewart
Berson	Gleeson	Milanovich	Stuban
Bittinger	Goodman	Milliron	Tenaglio
Borski	Gray	Miscevich	Trello
Brunner	Greenfield	Mullen, M. P.	Valicenti
Caputo	Harper	Mullen, M. M.	Wagner
Cianciulli	Hoefel	Musto	Wansacz
Cohen	Hutchinson, A.	Novak	Wargo
Cole	Itkin	O'Brien, B.	Wiggins
DeMedio	Johnson	O'Keefe	Wise

DiCarlo	Jones	Oliver	Wright, D.
Dombrowski	Kelly	Petrarca	Yahner
Donatucci	Kolter	Pievsky	Zitterman
Doyle	Laughlin	Prendergast	
Dumas	Letterman	Ravenstahl	Irvis,
Englehart	Levin	Rieger	Speaker

NOT VOTING—11

Gillette	Kernick	Rappaport	Weidner
Honaman	Lynch	Rhodes	Williams
Hopkins	Pratt	Schmitt	

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

On the question recurring,

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

Mr. DiCARLO offered the following amendments:

Amend Sec. 1 (Sec. 2), page 12, line 18, by striking out all of said line and inserting 1,000,000

Amend Sec. 1 (Sec. 2), page 12, by inserting between lines 20 and 21

Consumer Protection Office — Erie 85,000

On the question,

Will the House agree to the amendments?

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

Mr. DiCARLO. Mr. Speaker, this is the amendment relating to the consumer protection office in Erie. We have made the changes suggested by the majority leader. I ask for support of the General Assembly on this amendment.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. Does the gentleman rise on the DiCarlo amendment?

Mr. RICHARDSON. No, Mr. Speaker, I do not.

I have another inquiry. I would like to raise it as soon as the DiCarlo amendment is finished.

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. Levi.

Mr. LEVI. Thank you, Mr. Speaker.

This is just a transfer of funds, interdepartmental. It guarantees the consumer protection office in Erie, which I have found has been most cooperative and most beneficial to us in the northwest part of Pennsylvania. I would like the members of the House to support this because it is an even exchange of funds.

Thank you, sir.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—178

Abraham	Garzia	McGinnis	Scheaffer
Armstrong	Gatski	McIntyre	Schmitt
Barber	Geesey	McLane	Schweder
Bellomini	Geisler	Meluskey	Scirica
Beloff	George, C.	Milanovich	Seltzer

Bennett	George, M.	Miller	Shelton
Berlin	Giammarco	Milliron	Shuman
Berson	Goodman	Miscevich	Shupnik
Bittinger	Gray	Moehlmann	Sirianni
Bittle	Greenfield	Morris	Smith, E.
Borski	Grieco	Mowery	Smith, L.
Brandt	Halverson	Mrkonic	Spencer
Brown	Hamilton	Mullen, M. P.	Spitz
Brunner	Harper	Mullen, M. M.	Stairs
Burd	Hasay	Musto	Stapleton
Burns	Haskell	Novak	Stewart
Caltagirone	Hayes, D. S.	O'Brien, B.	Stuban
Caputo	Hayes, S. E.	O'Brien, D.	Sweet
Cassidy	Helfrick	O'Connell	Taylor, E.
Cianciulli	Hoeffel	O'Donnell	Taylor, F.
Cimini	Hutchinson, A.	O'Keefe	Tenaglio
Cohen	Hutchinson, W.	Oliver	Thomas
Cole	Itkin	Pancoast	Trello
Cowell	Johnson	Parker	Valicenti
Davies	Jones	Peterson	Vroon
DeMedio	Katz	Petrarca	Wagner
DeVerter	Kelly	Piccola	Wansacz
DeWeese	Klingaman	Pievsky	Wargo
DiCarlo	Kolter	Pitts	Wass
Dininni	Kowalshyn	Polite	Wenger
Dombrowski	Kukovich	Pratt	White
Donatucci	Laughlin	Prendergast	Wiggins
Dorr	Lehr	Pyles	Wilt
Doyle	Letterman	Rappaport	Wise
Dumas	Levi	Ravenstahl	Wright, D.
Englehart	Levin	Reed	Wright, J. L.
Fee	Lincoln	Renwick	Yahner
Flaherty	Livengood	Rhodes	Yohn
Foster, A.	Logue	Richardson	Zearfoss
Foster, W.	Mackowski	Rieger	Zeller
Freind	Madigan	Ritter	Zitterman
Fryer	Manderino	Ruggiero	Zwilk
Gallagher	Manmiller	Ryan	
Gallen	McCall	Salvatore	Irvis,
Gamble	McClatchy	Scanlon	Speaker

NAYS—14

Anderson	Fisher, D. M.	Mebus	Taddonio
Cessar	Goebel	Noye	Wilson
Dietz	Greenleaf	Pott	Zord
Fischer, R. R.	Knepper		

NOT VOTING—10

Arthurs	Gleeson	Kernick	Weidner
Duffy	Honaman	Lynch	Williams
Gillette	Hopkins		

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

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

Mr. RICHARDSON. Mr. Speaker, during the recess, I was just shared some information. I understand that today is your birthday. Is that correct?

The SPEAKER. Today is who's birthday?

Mr. RICHARDSON. Yours.

The SPEAKER. No; someone gave you misinformation. The Chair's birthday is on the 27th of December.

Mr. RICHARDSON. Getting close to it.

The SPEAKER. Very close. The Chair is working very hard to be home that day.

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

Mr. MORRIS. Mr. Speaker, for the information of the House, I understand it is Mr. Cowell's birthday today and we ought to sing to him.

The SPEAKER. No; the Chair does not want to start that. The Chair does not intend to start singing happy birthday songs to anybody.

Mr. LEVI. We have one more, Mr. Klingaman, also.

The SPEAKER. The Chair will congratulate those members who have birthdays, but that is the extent of it.

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

Mr. GARZIA. Mr. Speaker, did I understand you to say that your birthday was December 27?

The SPEAKER. That is correct.

Mr. GARZIA. Fine, because that was also the day of my father's birthday. Thank you.

The SPEAKER. The Speaker knew there was some real affinity between him and the gentleman, Mr. Garzia.

On the question recurring,

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

Mr. ENGLEHART offered the following amendments:

Amend Sec. 1 (Sec. 2), page 9, line 16, by striking out all of said line and inserting 2,100,000

Amend Sec. 1 (Sec. 2), page 10, line 13 by inserting a bracket before "FOR"

Amend Sec. 1 (Sec. 2), page 10, line 13, by striking out the bracket before "500,000"

Amend Sec. 1 (Sec. 2), page 10, line 14, by striking out all of said line

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Englehart.

Mr. ENGLEHART. Mr. Speaker, the purpose of my amendment is to restore \$150,000 to the Department of Environmental Resources for surface-mine reclamation. We need 14 more inspectors where vacancies have piled up during the last 6 months for men to inspect back filling of stripping operations. It is just as big a problem as it was in deep-mine safety. The money comes from the \$100,000 that is left in the appropriations for the Appalachian Trail.

It might sound bad to take \$100,000 from the Appalachian Trail, but I have the assurance of Senator Henry Jackson in the United States Department of the Interior that the Congress of the United States, beginning in 1978, expects to appropriate \$35 million for use in acquisition of the trail. And it is to be used in the states where the legislature is unwilling or unable to raise money for their own acquisition. So we are not going to hurt the trail and we are going to cure some bad strip-mining scars. I ask for a "yes" vote.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero, the champion of the Appalachian

Trail. For what purpose does the gentleman rise?

Mr. RUGGIERO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUGGIERO. Mr. Speaker, I thank you for that compliment. I do not know if I qualify for it, though.

The SPEAKER. It was meant as a compliment.

Mr. RUGGIERO. Was this identical amendment presented previously?

The SPEAKER. The Chair's recollection—it may be faulty—but the Chair recalls this amendment was included in a larger amendment offered earlier by the gentleman, Mr. Letterman. But the House did not act upon that amendment. Is that correct?

The Chair recognizes the gentleman from Cambria, Mr. Englehart.

Mr. ENGLEHART. I believe, Mr. Speaker, that we did act on it but it was part of a much larger package and we did not vote on this issue separately.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Mr. Speaker, would this amendment then not be out of order as having been encompassed in the larger amendment?

The SPEAKER. For the information of the gentleman, Mr. Ruggiero, the Chair has carefully compared the two amendments, the earlier Letterman amendment and the amendment just recently submitted to the House by the gentleman, Mr. Englehart, and there are differences in the amendments. There are differences in the lines to be stricken. The end result would be the same but the language is different. And, consequently, it is the ruling of the Chair that it is a different amendment.

On the amendment, the Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Would the gentleman, Mr. Englehart, consent to a brief interrogation?

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

Mr. ENGLEHART. For 2 minutes, Mr. Speaker.

Mr. RUGGIERO. For two minutes. It will not take long.

Mr. Englehart referred to the assurance he has from Senator Jackson concerning Federal moneys that will be made available to protect the trail. Is that assurance contained in the letter a copy of which you gave me recently?

Mr. ENGLEHART. Yes, Mr. Speaker. That he is going to support such an appropriation. The appropriation is not yet at hand in the Congress.

Mr. RUGGIERO. Right. As a matter of fact, the letter refers to two—

I thank the gentleman. I think nothing more needs to be said on that point, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I do appreciate what Mr. Englehart did in regard to making this available. I know he has al-

ways been in the open, and he did show us a copy of this photo which I have here. It does state that it is merely recommended.

Now with all respect to Mr. Englehart and what he is after, I can say this. If the track record of the boys down there, the Federal boys, is any indication that this is going to come forward, well, I am telling you, just hold your breath, because it is not going to happen. You know that yourselves. I do not think it is going to happen.

With the conditions down there, they seem to be more interested in foreign imports and foreign problems than they are about those at home. So I do not see why they are going to be going along with something like this. It is merely a recommendation and it is not a reality. So I feel that we should vote it down.

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

Mr. DeVERTER. Mr. Speaker, yesterday, I think, the gentleman, Mr. Letterman, had offered his amendment. Did it not contain the same language with respect to that appropriation?

The SPEAKER. No. The Chair has checked that carefully at the request and point of order raised by the gentleman, Mr. Ruggiero. There is a difference in the language. There are certain lines in the language that Mr. Englehart would strike out, line 16, whereas lines 15 and 16 were stricken in the earlier amendment. The Chair remembers that differentiation. There were other differentials in there.

Mr. DeVERTER. Thank you, sir.

The SPEAKER. The Chair recognizes, on the Englehart amendment, the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, the Appropriations Committee has already taken \$400,000 out of the Appalachian Trail money. It is my understanding that there is still money laying over in the Department of Environmental Resources that has not been used from past years to acquire land along the Appalachian Trail.

This amendment that Mr. Englehart has will put 14 men back to work who are much needed on this mine reclamation, and I do not know what the Appalachian Trail is going to do for us yet.

So I suggest that since there is only \$100,000 left there, I do not think that is going to help them much until they start to use the other money that is left over.

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

Mr. RITTER. Mr. Speaker, just for the edification of the members, there is about \$100,000 remaining from last year's appropriation in the department. The money has been encumbered for the purpose of acquiring property along the Appalachian Trail.

In addition, the Federal augmentation bill that was passed in August contains a \$250,000 Federal appropriation for acquisition of properties along the Appalachian Trail. So that in reality there will be, even if this \$100,000 is taken out, \$350,000 available for acquisition of properties along the Appalachian Trail.

In talking to the department this morning, they informed me that they are attempting to acquire property by negotiation rather than by eminent domain. So, therefore, they feel that they can live with the \$350,000 if that would be sufficient for the remainder of this fiscal year.

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

Mr. CAPUTO. Mr. Speaker, it seems to me that in a financial crunch confronting us, it is more important to develop our energy program in the State of Pennsylvania than to buy some land that is going to cost us more money for maintenance. I think that everybody in this House should vote for this amendment.

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

The following roll call was recorded:

YEAS—104

Abraham	Garzia	Manderino	Scanlon
Arthurs	Gatski	McCall	Schmitt
Barber	Geisler	McGinnis	Shelton
Bellomini	George, C.	McIntyre	Shupnik
Beloff	Giammarco	McLane	Stairs
Bennett	Gleeson	Milanovich	Stewart
Berlin	Goodman	Milliron	Stuban
Berson	Gray	Miscevich	Sweet
Bittinger	Greenfield	Morris	Taddonio
Borski	Halverson	Mullen, M. P.	Taylor, F.
Brunner	Harper	Mullen, M. M.	Trello
Burd	Haskell	Musto	Valicenti
Caputo	Helfrick	Novak	Wagner
Cassidy	Hutchinson, A.	O'Brien, B.	Wansacz
Cianciulli	Johnson	Oliver	Wargo
Cohen	Jones	Parker	Wass
DeMedio	Kelly	Petrarca	White
DeWeese	Knepper	Pievsky	Wiggins
DiCarlo	Kolter	Pratt	Williams
Dietz	Laughlin	Prendergast	Wilt
Dombrowski	Letterman	Rappaport	Wright, D.
Donatucci	Levi	Ravenstahl	Yahner
Duffy	Levin	Reed	Zitterman
Dumas	Lincoln	Renwick	
Englehart	Livengood	Richardson	Irvis,
Fee	Logue	Rieger	Speaker
Gallagher	Mackowski		

NAYS—90

Anderson	Gallen	Miller	Scirica
Armstrong	Gamble	Moehlmann	Seltzer
Bittle	Geesey	Mowery	Shuman
Brandt	George, M.	Mrkonc	Sirianni
Brown	Goebel	Noye	Smith, E.
Burns	Greenleaf	O'Brien, D.	Smith, L.
Caltagirone	Grieco	O'Connell	Spencer
Cessar	Hamilton	O'Donnell	Spitz
Cimini	Hasay	O'Keefe	Stapleton
Cole	Hayes, D. S.	Pancoast	Taylor, E.
Cowell	Hayes, S. E.	Peterson	Tenaglio
Davies	Hoeffel	Piccola	Thomas
DeVerter	Hutchinson, W.	Pitts	Vroon
Dininni	Katz	Polite	Wenger
Dorr	Klingaman	Pott	Wilson
Doyle	Kowalyshyn	Pyles	Wise
Fischer, R. R.	Kukovich	Ritter	Wright, J. L.
Fisher, D. M.	Lehr	Ruggiero	Yohn
Flaherty	Madigan	Ryan	Zearfoss
Foster, A.	Manmiller	Salvatore	Zeller

Foster, W.	McClatchy	Scheaffer	Zord
Freind	Mebus	Schweder	Zwikl
Fryer	Meluskey		

NOT VOTING—8

Gillette	Hopkins	Kernick	Rhodes
Honaman	Itkin	Lynch	Weidner

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

RECONSIDERATION OF VOTE ON JOHNSON AMENDMENT TO SB 1187

Mr. ZEARFOSS moved that the vote by which the Johnson amendment No. A3386 to SB 1187, PN 1530, was agreed to on this day be reconsidered.

Mr. DIETZ seconded the motion.

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

The following roll call was recorded:

YEAS—117

Anderson	Gallen	McClatchy	Sirianni
Armstrong	Garzia	McGinnis	Smith, E.
Arthurs	Geesey	Mebus	Smith, L.
Bennett	Geisler	Miller	Spencer
Berlin	George, C.	Milliron	Spitz
Berson	George, M.	Moehlmann	Stapleton
Bittle	Gleeson	Mullen, M. P.	Stewart
Brandt	Goodman	Noye	Stuban
Burd	Greenleaf	O'Brien, B.	Taylor, E.
Burns	Grieco	O'Connell	Taylor, F.
Caputo	Hasay	O'Donnell	Tenaglio
Cassidy	Haskell	O'Keefe	Thomas
Cessar	Hayes, D. S.	Pancoast	Vroon
Cimini	Hayes, S. E.	Parker	Wagner
Davies	Helfrick	Peterson	Wargo
DeVerter	Hoeffel	Pievsky	Wass
DeWeese	Hutchinson, A.	Pitts	Wenger
Dietz	Knepper	Polite	Wilson
Dininni	Kowalshyn	Pratt	Wilt
Dombrowski	Kukovich	Prendergast	Wise
Dorr	Laughlin	Pyles	Wright, D.
Doyle	Lehr	Reed	Yahner
Englehart	Letterman	Renwick	Yohn
Fee	Levi	Ritter	Zearfoss
Fisher, D. M.	Lincoln	Ryan	Zord
Foster, A.	Mackowski	Scheaffer	Zwikl
Foster, W.	Madigan	Schweder	
Freind	Manderino	Scirica	Irvis,
Fryer	Manmiller	Seltzer	Speaker
Gallagher	McCall	Shupnik	

NAYS—73

Abraham	Gamble	Logue	Rieger
Barber	Gatski	McIntyre	Ruggiero
Beloff	Giammarco	McLane	Scanlon
Bittinger	Goebel	Meluskey	Schmitt
Borski	Gray	Milanovich	Shelton
Brown	Greenfield	Miscevich	Shuman
Brunner	Halverson	Morris	Stairs
Caltagirone	Hamilton	Mowery	Sweet
Cianciulli	Harper	Mullen, M. M.	Taddonio
Cohen	Hutchinson, W.	Musto	Trello
Cole	Johnson	Novak	Valicenti
Cowell	Jones	O'Brien, D.	Wansacz
DeMedio	Katz	Oliver	White

DiCarlo	Kelly	Petrarca	Wiggins
Donatucci	Klingaman	Piccola	Williams
Duffy	Kolter	Pott	Wright, J. L.
Dumas	Levin	Ravenstahl	Zeller
Fischer, R. R.	Livengood	Richardson	Zitterman
Flaherty			

NOT VOTING—12

Bellomini	Hopkins	Lynch	Rhodes
Gillette	Itkin	Mrkoncic	Salvatore
Honaman	Kernick	Rappaport	Weidner

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

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

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

Mr. JOHNSON. Mr. Speaker, I do not know why Mr. Zearfoss wants to reconsider the motion. I would like to hear what he has to say first. If it is something I can answer for him, I would gladly do it.

The SPEAKER. Does the gentleman ask to interrogate the gentleman, Mr. Zearfoss?

Mr. JOHNSON. No, Mr. Speaker. I said I do not know why Mr. Zearfoss asked for reconsideration. I think I would like to understand.

The SPEAKER. The Chair will give Mr. Zearfoss an opportunity to explain.

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

Mr. ZEARFOSS. Mr. Speaker, the reason I asked for reconsideration of the Johnson amendment was that I think there were a number of people who voted on the amendment and voted in favor of the amendment without understanding what it did.

This amendment is very similar or it touches the same subject as the Rhodes amendment that we voted earlier today. The Rhodes amendment was defeated. It has to do with paying welfare to college students. Since I offered my reconsideration motion, I talked with Mr. Johnson, and he explained the differences in his amendment and the Rhodes amendment. I think it would be helpful to the House if Mr. Johnson would explain how his amendment differs from the Rhodes amendment.

Perhaps when it is voted again it will be voted favorably again, but I do think that there was some misapprehension. I voted without knowing fully the differences in the two amendments. I think it would be important for Mr. Johnson to explain it to the House.

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

Mr. JOHNSON. Mr. Speaker, I will try to explain it to Mr. Zearfoss. I attempted to put a cap on the people who were abusing the welfare system to go to school.

As I stated earlier when I approached the microphone, I had talked to the leadership in the other chambers, and the lan-

guage that I had put in this bill would be acceptable to the other side.

Mr. Speaker, while I am standing here today, I want you to understand why I speak the way I do. Forty years ago I happened to be a recipient of welfare because my mother and father were on welfare. I wanted to escape the same as I am trying to give the children today who are on welfare a chance to escape.

There are not many kids who wish to escape from the welfare board. We only have about 2,000-and-some-odd kids who wish to be given a chance in life.

I am hoping, Mr. Speaker, that the people who sit in this House today will allow the children of tomorrow the same opportunity that I have to stand at this microphone today. We are only talking about a small number of children who want to escape, and they say to themselves, what can I do to help myself?

There are not many of them who want to do this. In my area you have a lot of people sitting around not doing anything 24 hours a day. But here we have 2,000-some-odd kids who want to find a way in life to elevate themselves to the position that I am today. Mr. Speaker, that is the reason I have asked that this amendment be considered, because we are talking about a small number of children who would be eligible for welfare regardless of whether they go to school or hang on the corners. This amendment will allow a child who wishes to go to school—

The SPEAKER. The Chair must advise the gentleman that he has expended his 2-minute time.

The Chair recognizes the gentleman from Bradford, Mr. Dietz.

Mr. DIETZ. Thank you, Mr. Speaker.

Mr. Speaker, I want to mention a letter that I received the other day from one of my constituents who was a recipient of welfare and she has a son who is attending school. I believe he is up at the University of Indiana. What she was mainly concerned about was that she and the family who were remaining home would continue to receive her welfare. Now as far as the son was concerned, the son had a grant available, had a loan available, and also to be able to go through school was working on his own to make money to help support himself.

Now I think this is really an admirable way to go. And I just cannot quite see funding students with welfare moneys while they are attending college. I merely wanted to mention that.

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

Mr. DiCARLO. Yes, Mr. Speaker. I rise to support the Johnson amendment and I would like to clarify to this body exactly what is happening in the appropriation of funds for these students.

First of all, we are talking about students who are emancipated students. They do not have any family responsibility; their parents are not supportive of them. We are talking about students who in many cases most of them are over the age of 18, and a lot of them come from foster homes to begin with.

Secondly, we are talking about students—and I want to tell you that there are only 2,700 of them in the entire state—who

fall into this category. Ten percent of that 2,700 are between the ages of 18 and 21; the other 90 percent are over 21 years of age.

Last year when the General Assembly dealt with this issue, we mandated in law that they had to register for work first. They indeed had to do that. They had to be registered with the employment security office and be available for a job. Most of these people are either widows or widowers; there are foster children, as I mentioned, that came out of homes or institutions; there are women who are divorced; there are women who for some reason do not have any job skills at all and are going to college to get that education.

The last and important thing is, if you do not change the law, you are only fooling yourselves because you are not going to save the money. What these students will do, they cannot get work so they will just enroll in college as part-time students. They will still be eligible for public assistance, or, worse yet, you will interrupt their college education, they will drop out and they will still remain on the public dole as welfare recipients without the mobility to move off of the welfare rolls because you are taking away their education opportunities. It is because of this that I ask for support of the Johnson amendment.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, I rise in opposition to Mr. Johnson's amendment. I had a case brought to my attention last week of a student in the Coughlin High School in Wilkes-Barre who is a 16-year-old high-school student who has very good parents who want her to live at home. But this student does not want to live at home because she wants to do as she pleases. So she became emancipated and she is collecting \$384 a month on welfare, attending high school and living where she pleases. She has parents who can afford to take care of her and who want to take care of her.

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

Mr. McLANE. Mr. Speaker, I had not intended to speak on this issue and, to be perfectly frank about it, when I first heard about it this week, I intended to vote against such an amendment. But I want to tell a quick story to the House and it just happened to me the other night. Before I came here I was the Lackawanna County Headstart Director and in that capacity I had the opportunity of meeting many people who, through no fault of their own, end up on welfare.

The other night one of these women, who is the mother of two little girls that I used to have at Headstart, called me up and asked me to stop by their home. She said what she wanted to discuss she did not want to discuss on the phone. What she wanted was, she was looking for a job.

Now I have been out of the Headstart program for over 4 years, and at the time when I left, this woman was going to college. She was receiving welfare. Since last year's amendment she has gone and registered for employment at the unemployment office every week. She will receive her bachelors degree in January.

Now here was a woman who was on welfare, supporting two children through the welfare system, who had through her own initiative gone to college part time and made it. We gave her an opportunity. She ended up on welfare because her husband left her. When he left her he left her with two little girls. It was not any fault of her own. Here she is looking for employment, and if there is anything that proves that it works, there is the situation that proves it.

Thank you, Mr. Speaker.

The SPEAKER. On the Johnson amendment, the Chair recognizes the gentleman, Mr. Levin.

Mr. LEVIN. Mr. Speaker, the amendment that I have before me I believe says, "who is not participating in a federally subsidized program for dependent children." Is that the Johnson amendment that we are discussing?

The SPEAKER. That is correct, sir.

Mr. LEVIN. Well, then I call this body's attention to the fact that this is a very different amendment than what the people have been discussing.

As Mr. Johnson outlined to you earlier, to qualify, the child must come from a federally subsidized program for dependent children. We are not talking about emancipated children who have decided to go on welfare to take advantage of this system. We are talking about the small number of children who have grown up in the welfare system and who are trying to get off.

Now that is a very different amendment than that which Mr. Rhodes offered and which we rejected, and I would suggest that this body use good judgment and help those children. Look at the language. It is very restricted and it is a very limited number of people who are going to be helped.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—132

Abraham	Gallagher	Milanovich	Scanlon
Armstrong	Gatski	Miller	Schmitt
Barber	Geisler	Miscevich	Scirica
Bellomini	George, C.	Morris	Shelton
Beloff	George, M.	Mowery	Shupnik
Bennett	Giammarco	Mrkonic	Stairs
Berlin	Goodman	Mullen, M. P.	Stewart
Berson	Gray	Mullen, M. M.	Stuban
Bittinger	Greenfield	Musto	Sweet
Borski	Harper	Novak	Taddonio
Brandt	Helfrick	O'Brien, B.	Tenaglio
Brunner	Hoeffel	O'Brien, D.	Thomas
Burd	Hutchinson, A.	O'Connell	Trello
Burns	Hutchinson, W.	O'Donnell	Valicenti
Caltagirone	Itkin	Oliver	Wagner
Caputo	Johnson	Parker	Wargo
Cassidy	Jones	Petrarca	Wenger
Cianciulli	Kelly	Pievsky	White
Cimini	Kolter	Polite	Wiggins
Cohen	Kowalshyn	Pott	Williams
Cole	Kukovich	Prendergast	Wilson
Cowell	Laughlin	Pyles	Wise
Davies	Letterman	Rappaport	Wright, D.
DeMedio	Levin	Ravenstahl	Wright, J. L.
DeWeese	Lincoln	Reed	Yahner
DiCarlo	Livengood	Renwick	Yohn
Dombrowski	Logue	Rhodes	Zearfoss

Donatucci	Mackowski	Richardson	Zeller
Duffy	Manderino	Rieger	Zitterman
Dumas	McCall	Ritter	Zwikl
Englehart	McGinnis	Ruggiero	
Fee	McIntyre	Ryan	Irvis,
Fisher, D. M.	McLane	Salvatore	Speaker
Flaherty	Meluskey		

NAYS—59

Anderson	Gamble	Manmiller	Shuman
Bittle	Garzia	McClatchy	Sirianni
Brown	Geesey	Mebus	Smith, E.
Cessar	Goebel	Milliron	Smith, L.
DeVerter	Greenleaf	Moehlmann	Spencer
Dietz	Halverson	Noye	Spitz
Dininni	Hasay	O'Keefe	Stapleton
Dorr	Haskell	Pancoast	Taylor, E.
Doyle	Hayes, D. S.	Peterson	Taylor, F.
Fischer, R. R.	Hayes, S. E.	Piccola	Vroon
Foster, A.	Klingaman	Pitts	Wansacz
Foster, W.	Knepper	Pratt	Wass
Freind	Lehr	Scheaffer	Wilt
Fryer	Levi	Schweder	Zord
Gallen	Madigan	Seltzer	

NOT VOTING—11

Arthurs	Grieco	Hopkins	Lynch
Gillette	Hamilton	Katz	Weidner
Gleeson	Honaman	Kernick	

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, I would like to be recorded in the negative on the Johnson amendment to SB 1187.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

MOTION TO RECONSIDER ITKIN AMENDMENT A-3374

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

Mr. ITKIN. Mr. Speaker, I move that the vote by which the amendment number, A-3374, offered by the gentleman, Mr. Itkin, to HB 1187, PN 1530, was defeated on the 14th day of December be reconsidered.

The SPEAKER. The question is on the reconsideration. Those in favor of reconsidering the vote will vote "aye"; those opposed will vote "nay."

Does the majority leader wish to be recognized on the reconsideration?

Mr. MANDERINO. Mr. Speaker, is this the Itkin amendment that got 31 "aye" votes when it was considered?

The SPEAKER. Precisely.

Mr. MANDERINO. Thank you, Mr. Speaker.

RECONSIDERATION MOTION WITHDRAWN

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

Mr. ITKIN. Is this a debatable motion?

The SPEAKER. Yes, it is debatable.

Mr. ITKIN. Thank you.

The SPEAKER. But, of course, it would be limited to 2 minutes and one appearance.

Mr. ITKIN. Mr. Speaker, I recognize the folly of reconsidering this particular amendment at this time. However, I would like to point out to the House that I have just discussed this particular amendment with the Governor, and the Governor feels that it has considerable merit. I am putting this question now before the full House as they understand that this is not a frivolous amendment, that this amendment has substance, but I recognize, with the remarks of the majority leader, that he will speak to have it defeated.

I will withdraw the offering of the reconsideration motion at this time, Mr. Speaker, for possible subsequent reintroduction.

The SPEAKER. The gentleman, Mr. Itkin, is withdrawing the motion to reconsider the Itkin amendment A-3374. There is another reconsideration motion offered by the gentleman, Mr. Caputo.

RECONSIDERATION OF VOTE ON ITKIN AMENDMENT TO SB 1187

Mr. CAPUTO moved that the vote by which the Itkin amendment No. A-3334 was defeated on December 14, 1977, be reconsidered.

Mr. GEISLER seconded the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—160

Abraham	Gamble	McClatchy	Salvatore
Barber	Garzia	McIntyre	Scanlon
Bellomini	Gatski	McLane	Schmitt
Beloff	Geesey	Meluskey	Schweder
Bennett	Geisler	Milanovich	Scirica
Berlin	George, C.	Miller	Seltzer
Berson	George, M.	Milliron	Shelton
Bittinger	Giammarco	Miscevich	Shuman
Borski	Goodman	Moehlmann	Shupnik
Brandt	Gray	Morris	Spitz
Brown	Greenfield	Mrkonic	Stapleton
Brunner	Greenleaf	Mullen, M. P.	Stewart
Burns	Grieco	Mullen, M. M.	Stuban
Caltagirone	Hamilton	Musto	Sweet
Caputo	Harper	Nowak	Taddonio
Cassidy	Hasay	O'Brien, B.	Taylor, F.
Cessar	Haskell	O'Brien, D.	Tenaglio
Cianciulli	Hayes, D. S.	O'Connell	Thomas
Cimini	Hayes, S. E.	O'Donnell	Trello
Cohen	Helfrick	O'Keefe	Valicenti
Cole	Hoeffel	Oliver	Wagner
Cowell	Hutchinson, A.	Pancoast	Wansacz
Davies	Itkin	Parker	Wargo
DeMedio	Johnson	Peterson	Wass
DeWeese	Jones	Petrarca	White
DiCarlo	Katz	Pievsky	Wiggins
Dininni	Kelly	Polite	Williams
Dombrowski	Knepper	Pott	Wilt
Donatucci	Kolter	Pratt	Wise
Dorr	Kowalyszyn	Prendergast	Wright, D.
Doyle	Kukovich	Pyles	Yahner
Duffy	Laughlin	Ravenstahl	Yohn
Dumas	Lehr	Reed	Zearfoss

Englehart	Levi	Renwick	Zeller
Fee	Levin	Rhodes	Zitterman
Flaherty	Lincoln	Richardson	Zord
Foster, A.	Livengood	Rieger	Zwinkl
Freind	Logue	Ritter	
Fryer	Manderino	Ruggiero	Irvis,
Gallagher	Manmiller	Ryan	Speaker
Gallen	McCall		

NAYS—33

Anderson	Goebel	Mebus	Smith, L.
Armstrong	Halverson	Mowery	Spencer
Bittle	Hutchinson, W.	Noye	Stairs
Burd	Klingaman	Piccola	Taylor, E.
DeVerter	Lettermann	Pitts	Vroon
Dietz	Mackowski	Scheaffer	Wenger
Fischer, R. R.	Madigan	Sirianni	Wilson
Fisher, D. M.	McGinnis	Smith, E.	Wright, J. L.
Foster, W.			

NOT VOTING—9

Arthurs	Honaman	Kernick	Rappaport
Gillette	Hopkins	Lynch	Weidner
Gleeson			

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

On the question recurring,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this was the amendment that was considered by the House earlier today and defeated on a tie vote. This is the amendment that was considered by the House earlier today and defeated on a tie vote. This is the amendment that would restore \$150,000 for vector control or rat-extermination programs throughout the state.

I really would like you to think about what you are doing by withdrawing this \$150,000 from the budget adopted in August. It is a modest appropriation. Consider my county with \$41,000 now appropriated, which would be eliminated almost when divided among 70 to 80 municipalities. It would be \$500 a municipality. It is not very much really to provide the necessary support.

I would hope, therefore, that I can appeal to the House, like with deep-mine safety and other things, the importance of eradicating rats in our Commonwealth. The more that we kill, the more healthy and more secure the people in our Commonwealth will be.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—104

Abraham	Flaherty	Miller	Schweder
Arthurs	Gamble	Miscevich	Scirica
Barber	Geisler	Morris	Shelton
Bellomini	George, C.	Mrkonic	Shupnik
Beloff	Giammarco	Mullen, M. P.	Stapleton
Bittinger	Gray	Mullen, M. M.	Stewart
Borski	Greenfield	Musto	Sweet

Brandt	Hamilton	Novak	Taddonio
Brunner	Harper	O'Brien, D.	Tenaglio
Caltagirone	Hasay	O'Donnell	Trello
Caputo	Helfrick	O'Keefe	Valicenti
Cessar	Hoefel	Oliver	Wagner
Cianciulli	Hutchinson, A.	Parker	Wansacz
Cohen	Itkin	Petrarca	Wargo
Cowell	Johnson	Piccola	White
Davies	Jones	Pott	Wiggins
DeMedio	Kelly	Ravenstahl	Williams
DeWeese	Knepper	Reed	Wise
DiCarlo	Kolter	Renwick	Yahner
Dininni	Kukovich	Rhodes	Zeller
Dombrowski	Laughlin	Richardson	Zitterman
Donatucci	Levin	Rieger	Zord
Duffy	Logue	Ritter	Zwinkl
Dumas	Mackowski	Salvatore	
Englehart	Manmiller	Scanlon	Irvis,
Fee	McIntyre	Schmitt	Speaker
Fisher, D. M.	McLane		

NAYS—89

Anderson	Garzia	McCall	Scheaffer
Armstrong	Gatski	McClatchy	Seltzer
Bennett	Geesey	McGinnis	Shuman
Berlin	George, M.	Mebus	Sirianni
Berson	Goebel	Meluskey	Smith, E.
Bittle	Goodman	Milanovich	Smith, L.
Brown	Greenleaf	Milliron	Spencer
Burd	Grieco	Moehlmann	Spitz
Burns	Halverson	Mowery	Stairs
Cassidy	Haskell	Noye	Stuban
Cimini	Hayes, D. S.	O'Brien, B.	Taylor, E.
Cole	Hayes, S. E.	O'Connell	Taylor, F.
DeVerter	Hutchinson, W.	Pancoast	Thomas
Dietz	Katz	Peterson	Vroon
Dorr	Klingaman	Pievsky	Wass
Doyle	Kowalshyn	Pitts	Wenger
Fischer, R. R.	Lehr	Polite	Wilson
Foster, A.	Letterman	Pratt	Wilt
Foster, W.	Lincoln	Prendergast	Wright, D.
Freind	Livengood	Pyles	Wright, J. L.
Fryer	Madigan	Ruggiero	Yohn
Gallagher	Manderino	Ryan	Zearfoss
Gallen			

NOT VOTING—9

Gillette	Hopkins	Levi	Rappaport
Gleeson	Kernick	Lynch	Weidner
Honaman			

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

On the question recurring,

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

Bill as amended 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?

On the final passage of the bill, the Chair recognizes the gentleman from Allegheny, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, we have been debating this bill for quite some time now. Nothing substantially has been changed in the bill. Therefore, I am rising now to oppose on final passage SB 1187. Let me explain the reasons why.

You can laugh about it, but the majority leader will bring you here in January, February, March and April to correct the error that you will be making tonight. Let me tell you why you will be here in the spring while you should be out campaigning. This bill does not do the job. The unfortunate thing is that, yes, we did provide additional subsidies for schools, in our generosity, when it was conceived that we would have the votes for taxes. It is true, and I give the majority leader tremendous credit for doing what he did, but he was not able to secure enough revenue.

We are placed in the position now of being \$30 million shy with this bill with all the ramifications of balancing and everything else. We do not have money for all the nonpreferreds. Right now there is \$14 million outstanding, and the executive branch told me that they will not provide the \$14 million in a Mickey-Mouse approach. They do not have the \$14 million. So I am telling you right now that if you vote this, you will have a \$30 million—

The SPEAKER. The Chair regrets it must interrupt the gentleman. He has expended his 2-minute period.

MOTION TO SUSPEND 2-MINUTE RULE

Mr. ITKIN. Mr. Speaker, I would move to suspend the temporary 2-minute rule on final passage.

The SPEAKER. The gentleman has a right to make the motion.

It has been moved by the gentleman, Mr. Itkin, that on final passage of SB 1187, PN 1530, as amended, the temporary 2-minute rule, one single appearance, be suspended.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, is this debatable?

The SPEAKER. Yes, it would be debatable.

Mr. RYAN. Mr. Speaker, I want to get out of here as badly as anyone else, but I agree with Mr. Itkin that we should be permitted to debate at length at this time despite the fact that the hour is late. This is final passage. This is not the handling of amendments one after another. It has been a complicated day with complicated amendments, looking at the whole package. I, for one, agree with Mr. Itkin that the temporary rule should now be suspended and we should go back to our regular rules.

The SPEAKER. The Chair advises the members that in substance what the House will be doing would be eliminating the vote which the House instituted by better than 102 votes. It would be required, if the House wishes to change that rule, that the same vote would be required to change it as was required to institute it.

PARLIAMENTARY INQUIRY

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

Mr. ITKIN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ITKIN. Mr. Speaker, could you have the minute clerk check to see exactly what we suspended the rule on, because it

may be that we only suspended the rules with respect to the offering of amendments. I think that was what we did.

The SPEAKER. The Chair's recollection is that the House never suspended the rule. What the House did was to append a temporary rule which was for the duration of any debate, whether it be on the bill, amendments thereto or procedural motions thereto.

If the gentleman wishes to destroy the temporary rule, then it is the opinion of the Chair that he must do so either by permanently suspending, which removes it entirely, or temporarily suspending it. To do that requires 102 votes.

Mr. ITKIN. When I made an inquiry of the Chair, it was to find out whether or not the temporary rule adopted by this House self-destructs at the completion of the amending process. That is what I wanted to know.

The SPEAKER. Yes.

Mr. ITKIN. It does?

The SPEAKER. The rule which was instituted was to be applied only to debate on SB 1187, PN 1530. Once the debate on that particular bill was over, no matter what phase of the debate, the temporary rule would disappear.

Mr. ITKIN. The question was, was that only on the amendatory process?

The SPEAKER. No, that was on the total debate. The Chair phrased it very carefully, on any debate including debate on amendments, debate on the bill or debate on any procedural steps on the bill. So if the gentleman wishes to debate at length on this, the gentleman is correct. What he should do is either move to suspend the temporary rule or move to remove it and place that decision in the hands of the House.

MOTION TO SUSPEND TEMPORARY RULE REOFFERED

Mr. ITKIN. I do not think it makes such difference whether I move to suspend or I move to remove.

The SPEAKER. It does not.

Mr. ITKIN. Either one will suffice, Mr. Speaker.

The SPEAKER. It has been moved by the gentleman, Mr. Itkin, that the temporary rule which covers debate on SB 1187, limiting the members to one appearance on any issue and for no more than a period of 2 minutes, be suspended.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—84

Abraham	Fryer	Levi	Reed
Armstrong	Gallen	Lincoln	Rhodes
Bittle	Geesey	Logue	Richardson
Brandt	Geisler	Mackowski	Ryan
Burd	George, C.	Madigan	Scirica
Caltagirone	Goebel	Manderino	Seltzer
Caputo	Goodman	Manmiller	Shuman
Cassidy	Gray	Mebus	Sirianni
Cowell	Halverson	Meluskey	Smith, L.
Davies	Hamilton	Miller	Spencer
DeVerter	Hayes, D. S.	Moehlmann	Spitz
DeWeese	Hayes, S. E.	Mrkoncic	Stairs
DiCarlo	Hoeffel	O'Brien, D.	Stapleton

Dietz	Hutchinson, W.	O'Connell	Trello
Dorr	Itkin	Pancoast	Wagner
Duffy	Klingaman	Peterson	Wargo
Fisher, D. M.	Knepper	Piccola	Wass
Flaherty	Kolter	Pitts	Wenger
Foster, A.	Kukovich	Polite	Wright, D.
Foster, W.	Laughlin	Pott	Yohn
Freind	Lehr	Ravenstahl	Zearfoss

NAYS—110

Anderson	Gamble	Miscevich	Shupnik
Arthurs	Garzia	Morris	Smith, E.
Barber	Gatski	Mowery	Stewart
Bellomini	George, M.	Mullen, M. P.	Stuban
Beloff	Giammarco	Mullen, M. M.	Sweet
Bennett	Greenfield	Musto	Taddonio
Berlin	Greenleaf	Novak	Taylor, E.
Berson	Grieco	Noye	Taylor, F.
Bittinger	Harper	O'Brien, B.	Tenaglio
Borski	Hasay	O'Donnell	Thomas
Brown	Haskell	O'Keefe	Valicenti
Brunner	Helfrick	Oliver	Vroon
Burns	Hutchinson, A.	Parker	Wansacz
Cessar	Johnson	Petrarca	White
Cianciulli	Jones	Pievsky	Wiggins
Cimini	Katz	Pratt	Williams
Cohen	Kelly	Pyles	Wilson
Cole	Kowalyshyn	Rappaport	Wilt
DeMedio	Letterman	Renwick	Wise
Dininni	Levin	Rieger	Wright, J. L.
Dombrowski	Livengood	Ritter	Yahner
Donatucci	McCall	Ruggiero	Zeller
Doyle	McClatchy	Salvatore	Zitterman
Dumas	McGinnis	Scanlon	Zord
Englehart	McIntyre	Scheaffer	Zwinkl
Fee	McLane	Schmitt	
Fischer, R. R.	Milanovich	Schweder	Irvis,
Gallagher	Milliron	Shelton	Speaker

NOT VOTING—8

Gillette	Honaman	Kernick	Prendergast
Gleeson	Hopkins	Lynch	Weidner

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

On the question recurring,
Shall the bill pass finally?

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

Mr. GALLEN. Mr. Speaker, I feel that we have been cut off in the debate on the bill all summer long up until this time.

Mr. Speaker, if I have 2 minutes, I yield to Mr. Itkin for the balance.

The SPEAKER. It is a clever ploy, but it will not work. The rule says that there can be only one appearance, and the gentleman, Mr. Itkin, has already appeared once.

The gentleman, Mr. Gallen, is clever enough to figure out what the Chair has been waiting for all evening to happen. There is a way around it but that is not the way. Let us see who has figured it out. The gentleman, Mr. Itkin, cannot be recognized.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, will the gentleman, Mr. Itkin, yield to interrogation?

The SPEAKER. The gentleman, Mr. Itkin, indicates that he would be delighted to stand for interrogation. The gentleman, Mr. Manderino, is in order and may proceed.

Mr. MANDERINO. Mr. Itkin, have you concluded your remarks on the bill?

Mr. ITKIN. No, I have not, Mr. Speaker.

Mr. MANDERINO. If you had had more time, what would you have said?

Mr. ITKIN. Thank you, Mr. Majority Leader. I appreciate the extension of time.

Mr. Speaker, as I said, this does not fund entirely the operation of the budget. It is still \$30 million shy. More importantly, however, we have transferred back into this bill \$30 million to the motor license fund, and no one seems to realize what the consequences of our actions are. We have a situation where we do not have in the Department of Transportation adequate money for maintenance. We have just transferred back \$30 million, and I can assure you that when we come back in January, the first order of business we will have to be dealing with is motor license fund revenues. You know what that means. That means a 1-cent, 2-cent, 3-cent increase in the gas tax.

A lot of the members now have the feeling that we are just going to go home and it is all over. It is not all over. That is why I feel that SB 1187 does not address the finality of this budget battle, and I am suggesting to you that if you pass this bill tonight and go home misled, it will look like a Commonwealth highway. That is the patching job this budget process has been dealt. I seriously suggest that you consider how you vote tonight, because do not come back in February and March and bitch to me that you are here debating it, because I told you so in December.

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

Mr. CAPUTO. I will be very brief, Mr. Speaker. I endorse the remarks of Mr. Itkin to the point that we have not solved the problem.

I would like to thank my colleagues for supporting some of the amendments we offered. I thank Mr. Manderino for doing what I intended to do.

I am going to vote for the bill and urge the people from Allegheny County, even though you may be dissatisfied, to vote for it so we can get on with the business of the House.

On the question recurring,
Shall the bill pass finally?

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

YEAS—179

Abraham	Gallen	McClatchy	Scheaffer
Armstrong	Gamble	McGinnis	Schmitt
Arthurs	Garzia	McIntyre	Scirica
Barber	Gatski	McLane	Seltzer
Bellomini	Geesey	Meluskey	Shelton
Beloff	Geisler	Milanovich	Shupnik
Bennett	George, C.	Miller	Sirianni
Berlin	Giammarco	Milliron	Smith, E.
Berson	Goebel	Miscevich	Smith, L.
Bittinger	Goodman	Moehlmann	Spitz

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

NAYS—13

Anderson	George, M.	Mebus	Schweder
Brandt	Itkin	Renwick	Shuman
Caltagirone	Lehr	Richardson	Wagner
Dorr			

NOT VOTING—10

Gillette	Hopkins	Rhodes	Weidner
Gleeson	Kernick	Spencer	Williams
Honaman	Lynch		

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Schweder, on SB 1187, asked me to place remarks on the record that he inadvertently voted in the negative and wanted to be recorded in the affirmative.

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

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 839, printer's No. 898, entitled:

An Act providing for the capital budget for the fiscal year 1977-1978.

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

NAYS—2

Fischer, R. R. Wilson

NOT VOTING—10

Gillette	Hopkins	Mebus	Weidner
Gleeson	Kernick	Rhodes	Williams
Honaman	Lynch		

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.

INSURANCE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 996, printer's No. 2422**, entitled:

An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled "An act regulating the writing cancellation of or refusal to renew policies of automobile insurance; ***" further providing for limitations on the cancellation and failure to write or renew certain policies.

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—189

Abraham	Fryer	Manmiller	Salvatore
Anderson	Gallagher	McCall	Scheaffer
Armstrong	Gallen	McClatchy	Schmitt
Arthurs	Gamble	McGinnis	Schweder
Barber	Garzia	McIntyre	Scirica
Bellomini	Gatski	McLane	Seltzer
Beloff	Geesey	Mebus	Shelton
Bennett	Geisler	Meluskey	Shuman
Berlin	George, C.	Milanovich	Shupnik
Berson	George, M.	Miller	Sirianni
Bittinger	Giammarco	Milliron	Smith, L.
Bittle	Goebel	Miscevich	Spencer
Borski	Goodman	Moehlmann	Spitz
Brandt	Gray	Morris	Stairs
Brown	Greenfield	Mowery	Stapleton
Brunner	Greenleaf	Mrkonic	Stewart
Burd	Grieco	Mullen, M. P.	Stuban
Burns	Hamilton	Mullen, M. M.	Sweet
Caltagirone	Harper	Musto	Taddonio
Caputo	Hasay	Novak	Taylor, E.
Cassidy	Haskell	Noye	Taylor, F.
Cessar	Hayes, D. S.	O'Brien, B.	Tenaglio
Cianciulli	Hayes, S. E.	O'Brien, D.	Thomas
Cimini	Helfrick	O'Connell	Trello
Cohen	Hoeffel	O'Donnell	Valicenti
Cole	Hutchinson, A.	O'Keefe	Wagner
Cowell	Hutchinson, W.	Oliver	Wansacz
Davies	Itkin	Pancoast	Wargo
DeMedio	Johnson	Parker	Wass
DeVerter	Jones	Peterson	Wenger
DeWeese	Katz	Petrarca	White
DiCarlo	Kelly	Piccola	Wiggins
Dietz	Klingaman	Pievsky	Wilson
Dininni	Knepper	Pitts	Wilt
Dombrowski	Kolter	Polite	Wise
Donatucci	Kowalshyn	Pott	Wright, D.
Dorr	Kukovich	Pratt	Wright, J. L.
Doyle	Laughlin	Prendergast	Yahner
Duffy	Lehr	Pyles	Yohn
Dumas	Letterman	Rappaport	Zearfoss

Englehart	Levi	Ravenstahl	Zeller
Fee	Levin	Reed	Zitterman
Fischer, R. R.	Lincoln	Renwick	Zord
Fisher, D. M.	Livengood	Richardson	Zwikl
Flaherty	Logue	Rieger	
Foster, A.	Mackowski	Ritter	Irvis,
Foster, W.	Madigan	Ruggiero	Speaker
Freind	Manderino	Ryan	

NAYS—3

Halverson Smith, E. Vroon

NOT VOTING—10

Gillette	Hopkins	Rhodes	Weidner
Gleeson	Kernick	Scanlon	Williams
Honaman	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.

REMARKS ON VOTE

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

Mr. E. H. SMITH. Mr. Speaker, I am terribly sorry but I voted the wrong way on HB 996. I would like to be recorded the other way.

The SPEAKER. In the affirmative?

Mr. E. H. SMITH. In the affirmative; that is right.

The SPEAKER. The gentleman's remarks will be recorded the other way.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1939, printer's No. 2389**, entitled:

An act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333, No. 320), further providing for candidates for political office.

On the question,

Will the House agree to the bill on third consideration?

Mr. POTT offered the following amendments:

Amend Title, page 1, line 12, by removing the period after "office" and inserting and changing official ballot residence requirements.

Amend Bill, page 1, by inserting between lines 21 and 22

Section 2. Subsection (b) of section 1002 of the act amended December 2, 1976 (P. L. 1221, No. 269), is amended to read:

Section 1002. Form of Official Primary Ballot.—* * *

(b) On the back of each ballot shall be printed in prominent type the words "OFFICIAL PRIMARY BALLOT OF PARTY FOR" followed by the designation of the election district for which it is prepared, the date of the primary and the facsimile signatures of the members of the county board of elections. The names of candidates shall in all cases be arranged under the title of the office for which they are candidates, and be printed thereunder in the order determined by the casting of lots as provided by this act. Under the title of such offices where more than one candidate is to be voted for, shall be printed "Vote for not more than" (the blank space to indicate the number of candidates to be voted for the particular of-

fice.) At the right of the name of each candidate there shall be a square of sufficient size for the convenient insertion of a cross (x) or check () mark. There shall be left and the end of the list of candidates for each office (or under the title of the office itself in case there be no candidates who have filed nomination petitions therefor) as many blank spaces as there are persons to be voted for, for such office, in which space the elector may insert the name of any person whose name is not printed on the ballot as a candidate for such office. [Opposite or under the name of each candidate, except candidates for the office of President of the United States and candidates for delegate or alternate delegate to a National Party Convention, who is to be voted for by the electors of more than one county, shall be printed the name of the county in which such candidate resides; and opposite or under the name of each candidate except candidates for delegate or alternate delegate to a National Party Convention who is to be voted for by the electors of an entire county or any congressional, senatorial or representative district within the county, shall be printed the name of the city, borough, township or ward, as the case may be, in which such candidate resides.]

Amend Sec. 2, page 1, line 22, by striking out "2." and inserting 3.

On the question,

Will the House agree to the amendments?

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

Mr. POTT. Thank you, Mr. Speaker.

To be very brief, this is a simple amendment which is an amendment to the Election Code. As you all know, on primary ballots underneath your name, the municipality of residence is recorded. For example, in the Presidency of the United States in the Democratic primary in the last election, it would say: "Jimmy Carter, Georgia"; "Milton Shapp, Pennsylvania," and so forth. In the United States Senate races on the Republican ballot, it said: "John Heinz, Allegheny County"; "Arlen Specter, Philadelphia County," and so forth. In your own legislative and senatorial and Congressional races, which some of you may be interested in, the municipality of your residence is recorded underneath your name.

There are many citizens who feel that the municipality of residence has about as much to do with your qualifications for office as age, sex, occupation or any other designation which could be used to identify you.

This amendment removes that municipal designation from your name on the primary ballot. I would encourage all the members of the General Assembly to look closely at what it does and I would hope that it would go a long way to end some of the provincial nature of voting which has been apparent in recent elections. I would hope that you would look at it in this light because this is the light in which it is offered.

Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, would Mr. Pott please stand for interrogation?

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

Mr. LAUGHLIN. Mr. Speaker, I can readily understand why

in the city of Pittsburgh or possibly the city of Philadelphia, where legislators are grouped together, you would want to delete that particular notation as to what community they are from. However, Mr. Speaker, many of us live out in the smaller communities, rural areas and semiurban areas. There is often an opportunity for those who wish to capitalize in an election campaign to place two, three and sometimes four candidates of the same name running against an individual, who conceivably could be an incumbent or nonincumbent. As a result of that, how would you protect that person who at least has the benefit of geographical location behind his name?

Mr. POTT. Under the present law the boards of election do have the power and have the responsibility in conflicting circumstances, as you indicate, Mr. Speaker, to identify for the voters some means for them to designate between the candidates. For example—

Mr. LAUGHLIN. Mr. Speaker, that does not—

Mr. POTT. Mr. Speaker, could I finish my answer?

Mr. LAUGHLIN. Go ahead.

Mr. POTT. For example, as you may recollect, in a recent election in the Allegheny County judiciary, there were two candidates of similar name. One was "Farito" and one was "Farino." The election board ruled that the candidate "Farino" was allowed to put the name "Judge" in front of his name as a designation. However, on an appeal to a higher court, that was removed. So the election bureau at the present time does have the wherewithal to correct discrepancies such as you describe, Mr. Speaker.

Mr. LAUGHLIN. Mr. Speaker, you stated that the election bureau took the opportunity to take that discretion that they apparently did not have because the court, as you indicated, removed it. Thus they did not have such ability to do that. Although "Farito" and the other name you mentioned are similar, I am talking about people who may have the exact name, in this case such as Smith, such as Jones, such as Miller, such as Pott. It can happen to anyone, sir, and I do not feel that that answer you gave answers the problem we have.

Mr. Speaker, I have finished my interrogation. I would like to make a few remarks.

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

Mr. LAUGHLIN. Mr. Speaker, I mentioned earlier that the opportunity is there for those who wish to take advantage of our election process and capitalize on the name situation. The only available situation we have for us today in the primary election is at least to have geographical location of our hometown designated so that at least the people know whom we are talking about. I would ask that that be continued and that the amendment be voted down.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I think the matter has been covered. I would urge a strong "no" vote.

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

Mr. GOEBEL. Mr. Speaker, would the gentleman, Mr. Pott,

subject himself to interrogation?

Mr. POTT. Since I sit next to you, you could have asked me in my chair.

Mr. GOEBEL. Mr. Speaker, in 30 words or less, could you tell exactly why this is necessary and why you feel this amendment should be made in the Election Code? What is the benefit to be derived from this?

Mr. POTT. I think I explained that in my remarks initially, that I think there is a definite provincial nature of votes at all levels. I think this amendment will help eliminate that provincial nature of voting.

Mr. GOEBEL. What benefit is derived?

Mr. POTT. If a candidate, for example, from Tioga County or Union County or Snyder County would want to go on the ballot statewide, those counties, let us face it, do not have as much recognition as some of the larger population area of the Commonwealth. What it does, it has people voting on the merits of the candidate as opposed to the geographic location of his residence. Just because he happens to be from a certain geographic area gives him absolutely no additional qualification for office. People should be voting for candidates based on their merit, not because they live in a certain geographic area, and that is what this amendment is designed to promote.

Mr. GOEBEL. In other words, this would be designed then to have somebody who would live, say, in a large town in a district prohibited from deriving the benefit of being from that town and having his friends and neighbors wanting somebody from the big major town in his district representing his district then. Is that correct?

Mr. POTT. I do not understand your question. Was it a comment or a question?

Mr. GOEBEL. You actually want to prohibit, then, someone from benefiting from the fact that they live in a major city or town in their district and thereby deriving more votes because of someone wanting to vote for someone from the big town in the district.

Mr. POTT. I want the most qualified candidate for office to benefit on his ability and not because he happens to be from a certain municipality.

MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. The Chair at this time turns over to the gentleman, Mr. Fryer, the gavel and asks the gentleman to preside temporarily.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goebel.

Mr. GOEBEL. I have one further question then: Would this be for statewide offices only or for local offices or every office?

Mr. POTT. If you would read the amendment, it designates which offices we are talking about — President of the United States, statewide offices and any Congressional, senatorial or legislative district within the county where there is more than one district within the county. That is on the last four or five lines of the amendment.

Mr. GOEBEL. Thank you.

GERMANENESS QUESTIONED

Mr. GOEBEL. Mr. Speaker, I would like to challenge the germaneness of this amendment.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Goebel, has challenged the germaneness of this proposed amendment. The question of germaneness is decided by the members of the House.

On the question,

Will the House agree to the germaneness of the amendments?

The following roll call was recorded:

YEAS—174

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

NAYS—19

Barber	Fischer, R. R.	Mrkonic	Richardson
Brunner	Fisher, D. M.	Musto	Rieger
Cianciulli	Goebel	Oliver	Schmitt
Donatucci	Miller	Pratt	Taylor, F.
Duffy	Moehlmann	Rhodes	

NOT VOTING—9

Arthurs
Gillette
Gleeson

Honaman
Hopkins

Kernick
Lynch

Weidner
Wiggins

The question was determined in the affirmative and the amendments were declared germane.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. Just one question of Mr. Pott, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman, Mr. Pott, consent to interrogation? The gentleman indicates that he will, and the gentleman, Mr. Brandt, is in order and may proceed.

Mr. BRANDT. Mr. Speaker, does this just relate to statewide elections?

Mr. POTT. Mr. Speaker, I believe that I answered the question for Mr. Goebel, but I will read the exact wording of the amendment into the record if you would like, Mr. Speaker. It applies to statewide elections and it applies to elections of any Congressional, senatorial or legislative district where the entire district is not within a given county.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—49

Bellomini	Foster, A.	Katz	Peterson
Beloff	Freind	Kelly	Pievsky
Bittle	Gallen	Knepper	Pott
Borski	Geisler	Kukovich	Salvatore
Brown	Goodman	Levin	Seltzer
Burd	Gray	Manderino	Taddonio
Burns	Greenfield	McIntyre	Trello
Cessar	Hamilton	Meluskey	Wilson
Cohen	Harper	Mowery	Wright, J. L.
DeWeese	Hoeffel	Noye	Yohn
DiCarlo	Hutchinson, A.	O'Brien, D.	Zearfoss
Dorr	Hutchinson, W.	O'Donnell	Zeller
Fisher, D. M.			

NAYS—141

Abraham	Gatski	Milanovich	Schmitt
Anderson	Geesey	Miller	Schweder
Armstrong	George, C.	Milliron	Scirica
Barber	George, M.	Miscevich	Shuman
Bennett	Giammarco	Moehlmann	Shupnik
Berlin	Goebel	Morris	Sirianni
Berson	Greenleaf	Mrkonic	Smith, E.
Bittinger	Grieco	Mullen, M. P.	Smith, L.
Brandt	Halverson	Mullen, M. M.	Spencer
Brunner	Hasay	Musto	Spitz
Caltagirone	Haskell	Novak	Stairs
Caputo	Hayes, D. S.	O'Brien, B.	Stapleton
Cassidy	Hayes, S. E.	O'Connell	Stewart
Cianciulli	Helfrick	O'Keefe	Stuban
Cimini	Itkin	Oliver	Sweet
Cole	Johnson	Pancoast	Taylor, E.
Cowell	Jones	Parker	Taylor, F.
Davies	Klingaman	Petrarca	Tenaglio
DeMedio	Kolter	Piccola	Thomas

DeVerter	Kowalyshyn	Pitts	Valicenti
Dietz	Laughlin	Polite	Vroon
Dininni	Lehr	Pratt	Wagner
Dombrowski	Letterman	Pyles	Wansacz
Donatucci	Levi	Rappaport	Wargo
Doyle	Lincoln	Ravenstahl	Wass
Duffy	Livengood	Reed	Wenger
Dumas	Logue	Renwick	White
Englehart	Mackowski	Rhodes	Wiggins
Fee	Madigan	Richardson	Wilt
Fischer, R. R.	Manmiller	Rieger	Wise
Flaherty	McCall	Ritter	Wright, D.
Foster, W.	McClatchy	Ruggiero	Yahner
Fryer	McGinnis	Ryan	Zitterman
Gallagher	McLane	Scanlon	Zord
Gamble	Mebus	Scheaffer	Zwinkl
Garzia			

NOT VOTING—12

Arthurs	Hopkins	Shelton	Irvis,
Gillette	Kernick	Weidner	Speaker
Gleeson	Lynch	Williams	
Honaman	Prendergast		

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, I am withdrawing the amendment if I may just have the opportunity to ask a question of Mr. DeMedio on the bill?

The SPEAKER pro tempore. Will the gentleman, Mr. DeMedio, stand for interrogation?

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

The SPEAKER pro tempore. The gentleman indicates that he will, and the gentleman, Mr. Dorr, is in order and may proceed.

Mr. DORR. Mr. Speaker, the amendment that I had proposed was an effort to clarify the language regarding whether or not a person could be a candidate of a political party other than the one in which he was registered. I want to ask you whether or not a political body is the same thing as the political party?

Mr. DeMEDIO. No, Mr. Speaker, there is a definite distinction here between a political party and a political body. The customary party would be such as Democratic, Republican or Socialist as counterposed to a body that is formed by so many signatories, for example, such as in a recent election in Allegheny County, the party for Caligiuri for mayor or some such body of that type. So there is a definite distinction and differentiation intended by this legislation as between parties and political bodies.

Mr. DORR. Thank you, Mr. Speaker.

I think that clarifies the issue that I was attempting to clarify by the amendment and I will withdraw the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. DeMEDIO offered the following amendment:

Amend Sec. 2, page 1, by striking out "in 60 days." and inserting immediately.

On the question,

Will the House agree to the amendment?

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

Mr. DeMEDIO. Mr. Speaker, I understand that this is an agreed-to amendment. This amendment merely changes the effective date from 60 days to immediately.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—178

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

NAYS—14

Borski	Gray	Richardson	Wagner
Brandt	Itkin	Smith, E.	White
Brown	Kukovich	Vroon	Zearfoss
Gallen	Pyles		

NOT VOTING—10

Arthurs	Honaman	Lynch	Irvis,
Gillette	Hopkins	Weidner	Speaker
Gleeson	Kernick	Williams	

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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 Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, I am not going to take a lot of the House's time, but in the closing moments I do not think that we ought to do something rash. What this bill does is deprive someone who is, for instance, a registered Democrat from running as a candidate of a political body, which means that, for instance, myself, I could run in a Republican primary under the Election Code and become the Republican candidate for legislature, but I could not run as an independent and become the candidate of a political body.

Now I am not going to ask the House to address the constitutional issue as a parliamentary device, but you cannot take those two categories and treat them unequally under the law. I think that is plainly unconstitutional and you are going to get into a tremendous wrangle.

I think everybody in this House with exception is either a Democrat or a Republican. I do not think we ought to feel so threatened by one guy getting elected in Pittsburgh that we are going to prevent people from running as independents. I do not think we ought to take that right away from them. I do not think it is proper; and I do not think it is constitutional.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Cessar.

Mr. CESSAR. I will yield for now, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I rise in opposition to this bill and I do so for several reasons: One, in 1971, when I first ran to be a state legislator in this body, I ran as an independent Democrat. In 1974 I did likewise and also in 1976. I think what needs to be clarified is the fact that anytime a person wants to run, they should not be deprived to do so. And I just want to echo the remarks of Representative O'Donnell by saying that if persons decide to run and certainly have a right to, they should not be deprived, through a piece of legislation, of appearing on the ballot. There are several individuals who might not ever have an opportunity to run who could run as a write-in, could run as an independent, naming his or her own individual party such as was done in the special election of the 194th district.

I think that it should be decided by the fate of the people of that particular district and not through a political maneuver to have individuals' names stricken off the ballot and not allowing them the opportunity to run.

My understanding of the Election Code, Mr. Speaker, is that a person who decides to run can, after the primary election or

during the primary election or later, file as an independent candidate, and then in the general election can run on the ticket under his or her particular party.

I think we are setting a bad precedent, Mr. Speaker. We are allowing ourselves to fall into the trap of supporting this bill without having a very clear understanding of its direction. I would say that if those individuals fear for their own particular political careers, it would seem to me that this would not be the way to answer it. It would seem to me that the way to answer would be to address himself or herself to his or her constituents.

I just think, Mr. Speaker, that in the best interest of this Commonwealth and the best interest of democracy and the best interest of principle that we as men and women of this House should principally understand that this bill, in my estimation, certainly violates the Democratic policy that so many of us have been taught, that is, for the people, by the people, et cetera. It would seem that, perhaps, before we use our judgment this evening that we would not vote in favor of this bill, maybe we should have an opportunity to study it and then come back with some other ideas. But I personally feel that this is a very badly drafted bill.

Thank you.

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

Mr. DiCARLO. Mr. Speaker, I wonder if the prime sponsor of the bill will submit to a brief interrogation?

The SPEAKER pro tempore. The gentleman, Mr. DeMedio, indicates that he will stand for a period of interrogation. The gentleman, Mr. DiCarlo, is in order and may proceed.

Mr. DiCARLO. I am just wondering, Mr. Speaker, about a point of information. The calendar indicates Mr. Manderino. Is Mr. DeMedio, indeed, the sponsor?

Mr. MANDERINO. He is my deputy.

Mr. DiCARLO. Mr. Speaker, I am really confused on the issue. Maybe you can clarify it by just having me ask you a couple of questions and pose two situations.

Let us suppose next year a member of this House of Representatives decides to run for the United States Congress in the primary election and he loses that primary election. Would he then be denied the opportunity of filing as an independent candidate to run for his House seat in the fall election if this bill would go into effect?

Mr. DeMEDIO. Would he, on the 15th of January of this coming year, be a member of a party?

Mr. DiCARLO. As an incumbent or as a Democrat or Republican, yes.

Mr. DeMEDIO. If he would be a registered Democrat, for example, and runs as a Democrat in the primary and lose the nomination, he would not be permitted to run as an independent. That is right.

Mr. DiCARLO. Mr. Speaker, let us pose another situation. Suppose a member of the House of Representatives decides to run for the state Senate against the incumbent of his same party and he loses to the incumbent senator. Would he be denied running for his House seat as an independent candidate?

Mr. DeMEDIO. If he is a registered member of a party—this

bill is intended to strengthen the party system. It will not permit a member of a party on the 15th of January of any year to later run in a general election as an independent or as a member of a political party as in contradistinction to a political party.

Mr. DiCARLO. So the fact is, Mr. Speaker, that any incumbent in this body can run for another office, and if he loses that primary election, he will also be forced to vacate any ambitions that he has to retain his present seat as an independent candidate?

Mr. DeMEDIO. No, no, no, no, no. If he is an officeholder, regardless of how he obtained that office, it has nothing to do with his aspirations to win another office. The one would not have any effect on the other. In other words, what you are saying is, if you are a member of the House and you wish to run for the Senate, would you be permitted to retain your seat in the House? That really is not related to the problem that this bill addresses itself to.

Mr. DiCARLO. Let me be very specific. Next year—

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Geisler, rise?

Mr. GEISLER. Mr. Speaker, would you mind my answering that for him? I would like to jump into that debate to answer the questions of Representative DiCarlo.

Mr. DeMEDIO. What was the question? Would you repeat your question?

The SPEAKER pro tempore. Will the gentleman, Mr. DeMedio, yield to the gentleman, Mr. Geisler?

Mr. DeMEDIO. Yes.

Mr. GEISLER. Mr. Speaker, under present law if you run for one office in the primary election and you are defeated, you cannot, under present law, run as an independent in the general election. This bill would have no effect on that at all. You cannot do it today.

Mr. DiCARLO. Mr. Speaker, the present Election Code says specifically that if I run for reelection and I am a Democrat in the Democratic primary, if I get beat in a Democratic primary, present law prohibits me from running as an independent candidate. That is present law.

Mr. GEISLER. For your seat or any other office in that next coming general election. Check the Election Code, it does. That came up in Pittsburgh this last election. There were certain candidates who ran for city council and were defeated in the city council race and they thought, perhaps, because Dick Caligiuri got into the mayor's race as an independent candidate for mayor that they would also file for mayor. They were denied that opportunity because the Election Code prohibited that from being done.

Mr. DiCARLO. Mr. Speaker, can I ask Mr. Geisler another question to clarify. Mr. DeMedio has got me confused.

The SPEAKER pro tempore. The gentleman is in order.

Mr. DeMEDIO. I agree with the statement that was just made by Mr. Geisler. That is the law.

The SPEAKER pro tempore. The gentleman, Mr. DiCarlo, is in order and may proceed.

Mr. DiCARLO. Mr. Speaker, under present law, if I decide, as an incumbent, not to run for my present House seat but I make a determination to run for the state Senate and I am beat in

that primary election, do I have the opportunity to file as an independent candidate for my House seat which I did not run for.

Mr. GEISLER. No, under present law you do not.

Mr. DiCARLO. I cannot do that?

Mr. GEISLER. No. Once you are defeated in the primary election, regardless of what office you run for, it precludes you from running as an independent in the next general election.

Mr. DiCARLO. Now I am confused, Mr. Speaker. Can you tell me then what is the purpose of this legislation?

Mr. GEISLER. The purpose of this would be to have anybody who wants to run as an independent in the general election and bypass the primary to identify themselves as an independent by the date of January 15.

Mr. DiCARLO. Otherwise they would have to have been on the ballot; they would have to be a registered independent as of January 15?

Mr. GEISLER. Not necessarily. They would not even have to be registered at all. As long as they are not registered in a political party, Republican, Democrat, or whatever, that is, a recognized political party in the State of Pennsylvania.

Mr. DiCARLO. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. DeMedio.

Mr. DeMEDIO. Just a few comments: The purpose of this legislation is to strengthen the two-party system. It will not permit a member of a party to sit out a primary and allow the members in his party to elect a standard-bearer and then he would jump in in the general election, although a Democrat or Republican can run under some other banner of a political body, and defeat a member of his party, the party of which he is a registered member. This law is patterned after the law in California, this affiliation statute. It has been upheld by the Federal courts and it brings discipline and orderliness to our two-party system. I urge all the members to vote in support of it.

The SPEAKER pro tempore. There are a considerable number of members who are seeking recognition. The Chair wishes to announce that the following members will be recognized in this order: The gentlemen: Mr. White, Mr. Burns, Mr. Cessar, Mr. Hoeffel, Mr. Itkin, Mr. Hutchinson, Mr. Morris. The gentlemen need not stand by the microphones. They will be recognized in that order.

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

Mr. WHITE. Mr. Speaker, would Mr. DeMedio stand for a brief interrogation?

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

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

Mr. WHITE. Mr. Speaker, does HB 1939 pertain to special elections held here in Pennsylvania?

Mr. DeMEDIO. This bill will pertain to all general elections held in Pennsylvania.

Mr. WHITE. Mr. Speaker, does that mean then in the event of a special election, the parties decide to support a particular

candidate under their particular party label, does that mean that I cannot run under a separate party label against the party standard-bearer in a special election?

Mr. DeMEDIO. This bill primarily addresses itself to the usual election where you have a primary and you nominate a member of your party. Then it addresses itself to the fact that you cannot run in the general election or any election that year as an independent.

Mr. WHITE. What about in a special election, Mr. Speaker?

Mr. DeMEDIO. In a special election it would seem to me that only party nominees would be permitted. Your party machinery elects its party nominee. Frankly, I do not know. I cannot answer that question. I am sorry.

It may well be that in a special election a member of a political party might be permitted in that instance, since it has not involved a primary election.

It seems to me that in Washington County recently when we had a special election for our senatorial candidate, that the Republicans and Democrats nominated their individual candidates and a member of a special political party was permitted to run. Although it was adjudicated, the court decided that he was permitted to run as an individual in that special senatorial election.

Mr. WHITE. Mr. Speaker, I would like to offer a motion.

MOTION TO TABLE

The SPEAKER pro tempore. The gentleman will state his motion.

Mr. WHITE. Mr. Speaker, I am going to move that we table this bill because in the city of Philadelphia and probably in other counties and townships and what have you around this state, we are going to be faced with a series of special elections that relate to a number of different political officers, namely the state Senate and possibly in a House election as well. In view of the fact that I do not believe that the answer to the question regarding special elections has been answered clearly, I am going to move that we table this measure until such time when we can come back together again and really get into the guts of this matter and determine once and for all whether or not we are actually inhibiting citizens from participating as candidates for political offices. I move to table the bill, Mr. Speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—63

Barber	Gatski	Miller	Scirica
Berlin	George, M.	Milliron	Shuman
Berson	Giammarco	Moehlmann	Stairs
Borski	Goebel	Morris	Stapleton
Brown	Grieco	Noye	Taddonio
Burd	Halverson	O'Donnell	Taylor, E.
Caltagirone	Haskell	O'Keefe	Tenaglio
Cianciulli	Hoeffel	Oliver	Wagner
Cimini	Itkin	Pievsky	Wenger
Cohen	Johnson	Pitts	White
Cole	Jones	Pyles	Williams
DiCarlo	Klingaman	Rappaport	Wise

Dietz	Kowalyszyn	Reed	Yohn
Fischer, R. R.	Kukovich	Richardson	Zeller
Freind	Levin	Ritter	Zwikel
Gallagher	Meluskey	Ruggiero	

NAYS—129

Abraham	Fryer	Manmiller	Scheaffer
Anderson	Gallen	McCall	Schmitt
Armstrong	Gamble	McClatchy	Schweder
Arthurs	Garzia	McGinnis	Seltzer
Bellomini	Geesey	McIntyre	Shelton
Beloff	Geisler	McLane	Shupnik
Bennett	George, C.	Mebus	Sirianni
Bittinger	Goodman	Milanovich	Smith, E.
Bittle	Gray	Miscevich	Smith, L.
Brandt	Greenfield	Mowery	Spencer
Brunner	Greenleaf	Mrkonc	Stewart
Burns	Hamilton	Mullen, M. M.	Stuban
Caputo	Harper	Musto	Sweet
Cassidy	Hasay	Novak	Taylor, F.
Cessar	Hayes, D. S.	O'Brien, B.	Thomas
Cowell	Hayes, S. E.	O'Brien, D.	Trello
Davies	Helfrick	O'Connell	Valicenti
DeMedio	Hutchinson, A.	Pancoast	Vroon
DeVerter	Hutchinson, W.	Parker	Wansacz
DeWeese	Katz	Peterson	Wargo
Dininni	Kelly	Petrarca	Wass
Dombrowski	Knepper	Piccola	Wiggins
Donatucci	Kolter	Polite	Wilson
Dorr	Laughlin	Pott	Wilt
Doyle	Lehr	Pratt	Wright, D.
Duffy	Letterman	Prendergast	Wright, J. L.
Dumas	Levi	Ravenstahl	Yahner
Englehart	Lincoln	Renwick	Zitterman
Fee	Livengood	Rhodes	Zord
Fisher, D. M.	Logue	Rieger	
Flaherty	Mackowski	Ryan	Irvis,
Foster, A.	Madigan	Salvatore	Speaker
Foster, W.	Manderino	Scanlon	

NOT VOTING—10

Gillette	Hopkins	Mullen, M. P.	Weidner
Gleeson	Kernick	Spitz	Zearfoss
Honaman	Lynch		

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

MOTION TO APPLY TEMPORARY RULE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. I would like to move that the same 2-minute rule that was applied to SB 1187 be applied to this bill at this time.

PARLIAMENTARY INQUIRY

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

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I would like to know whether or not if we made a motion to ask that this bill be re-committed, would that take precedence over the present motion that is before this particular body?

The SPEAKER pro tempore. There was a motion made to

table, Mr. Richardson, and that motion was defeated.

Mr. RICHARDSON. That is not my question. I will repeat my question: If we made a motion to ask that the bill be recommitted back to a committee, would that in fact take precedence over the motion that is presently on the floor? That is my question.

The SPEAKER pro tempore. The Chair will check with the Parliamentarian.

In reply to the question placed by the gentleman from Philadelphia, Mr. Richardson, rule 55, which covers privileged motions, states that it is a privileged motion. Therefore, it takes precedence over the prior motion.

MOTION TO RECOMMIT TO STATE GOVERNMENT

Mr. RICHARDSON. Mr. Speaker, I would so move and do so for the following reasons: Number one, the hour is late; number two, this bill has been considered only for the third day on this calendar; number three, we, as a caucus, have not had an opportunity to debate and go over this particular bill; number four, Mr. Speaker, it would seem to me that such a controversial bill should not be given to the members to decide at this late hour in the evening. There are some other legislative matters.

Just for the sake of safety, it would seem to me that it would be in the best—

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. RICHARDSON. I have not finished, Mr. Speaker.

The SPEAKER pro tempore. The Chair at this time would read from rule 55: (Reading:)

The motion to commit or recommit is open to debate only as to the reasons for or against reference to committee and shall not include a discussion of the merits of the main question.

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

Mr. MORRIS. I would like to ask Mr. Richardson if he would accept an amendment to his motion, namely, to have the bill recommitted for thorough study until the end of this session? I mean November 1979, 1978, or something.

The SPEAKER pro tempore. The gentleman from Chester is completely versed with parliamentary law and he knows that such a motion cannot be amended. The Chair, however, thanks the gentleman for his attention to this matter.

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

Mr. GEISLER. To oppose the recommittal motion, Mr. Speaker. I would like to see this bill voted this evening.

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

Mr. WHITE. Mr. Speaker, in view of the fact that questions in regard to special elections have not been answered yet on this floor, since no one apparently has the answer other than to say if you do not get the Democratic or the Republican Party endorsement in a special election that the only course open to you is to run as a write-in candidate. I think that is grossly un-

fair and deserves reconsideration in the State Government Committee. I would urge recommitment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Anderson.

Mr. ANDERSON. Mr. Speaker, I oppose the motion for recommitment. I would hope that everybody would vote against recommitting this bill. I would like to see it voted tonight.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—55

Barber	Grieco	Moehlmann	Spitz
Borski	Harper	Morris	Stairs
Brown	Haskell	Noye	Stapleton
Burd	Hoefel	O'Donnell	Taddonio
Caltagirone	Itkin	O'Keefe	Tenaglio
Cianciulli	Johnson	Oliver	Wagner
Cimini	Jones	Pyles	Wenger
Cohen	Kelly	Reed	White
DeWeese	Kukovich	Richardson	Williams
Fischer, R. R.	Laughlin	Rieger	Wise
Freind	McIntyre	Ritter	Zearfoss
Gatski	Meluskey	Scanlon	Zeller
George, M.	Miller	Shelton	Zwikel
Goebel	Milliron	Shuman	

NAYS—140

Abraham	Foster, W.	Manderino	Salvatore
Anderson	Fryer	Manmiller	Scheaffer
Armstrong	Gallagher	McCall	Schmitt
Arthurs	Gallen	McClatchy	Schweder
Bellomini	Gamble	McGinnis	Scirica
Beloff	Garzia	McLane	Seltzer
Bennett	Geesey	Mebus	Shupnik
Berlin	Geisler	Milanovich	Sirianni
Berson	George, C.	Miscevich	Smith, E.
Bittinger	Giammarco	Mowery	Smith, L.
Bittle	Goodman	Mrkoncic	Spencer
Brandt	Gray	Mullen, M. P.	Stewart
Brunner	Greenfield	Mullen, M. M.	Stuban
Burns	Greenleaf	Musto	Sweet
Caputo	Halverson	Novak	Taylor, E.
Cassidy	Hamilton	O'Brien, B.	Taylor, F.
Cessar	Hasay	O'Brien, D.	Thomas
Cole	Hayes, D. S.	O'Connell	Trello
Cowell	Hayes, S. E.	Pancoast	Valicenti
Davies	Helfrick	Parker	Vroon
DeMedio	Hutchinson, A.	Peterson	Wansacz
DeVerter	Hutchinson, W.	Petrarca	Wargo
DiCarlo	Katz	Piccola	Wass
Dietz	Klingaman	Pievsky	Wiggins
Dininni	Knepper	Pitts	Wilson
Dombrowski	Kolter	Polite	Wilt
Donatucci	Kowalyshyn	Pott	Wright, D.
Dorr	Lehr	Pratt	Wright, J. L.
Doyle	Letterman	Prendergast	Yahner
Duffy	Levi	Rappaport	Yohn
Dumas	Levin	Ravenstahl	Zitterman
Englehart	Lincoln	Renwick	Zord
Fee	Livengood	Rhodes	
Fisher, D. M.	Logue	Ruggiero	Irvis,
Flaherty	Mackowski	Ryan	Speaker
Foster, A.	Madigan		

NOT VOTING—7

Gillette	Honaman	Kernick	Weidner
Gleeson	Hopkins	Lynch	

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

Mr. DOMBROWSKI. Mr. Speaker, what happened to my motion?

The SPEAKER pro tempore. Mr. Cessar will please yield.

The gentleman, Mr. Dombrowski, has raised the question, what has happened to his motion? To the best of the Chair's recollection, your motion was preceded by the motion of the gentleman from Philadelphia, Mr. Richardson. That has now been disposed of. So at this time then, the Chair will return to the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, I move that the 2-minute rule be instituted so it pertains to HB 1939, PN 2389.

On the question,
Will the House agree to the motion?
(Members proceeded to vote)

Mr. WILSON. Mr. Speaker, you do not recognize anybody on the floor anymore?

The SPEAKER pro tempore. The gentleman will be recognized in due order.

Mr. WILSON. I asked for recognition before the vote, Mr. Speaker. I think that is a gross oversight.

The SPEAKER pro tempore. The clerk will strike the vote.

The Chair recognizes the eager gentleman from Bucks, Mr. Wilson.

Mr. WILSON. I thank the Speaker. I apologize for shouting at the Speaker but I thought you saw me here.

I would like to ask the gentleman from Erie if he would stand for a brief interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Dombrowski, indicates he will stand for a period of interrogation. The gentleman, Mr. Wilson, is in order and may proceed.

Mr. WILSON. I would ask the gentleman if he would be so kind as to amend his motion to include the rest of 1977 for the Zeller amendment?

Mr. DOMBROWSKI. No, I would not, sir.

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

The following roll call was recorded:

YEAS—136

Abraham	Gallagher	McLane	Schmitt
Anderson	Gamble	Mebus	Schweder
Armstrong	Garzia	Meluskey	Shelton
Bellomini	Gatski	Milanovich	Shupnik
Beloff	George, M.	Milliron	Sirianni
Bennett	Giammarco	Miscevich	Smith, E.
Berlin	Goebel	Morris	Smith, L.
Berson	Greenfield	Mowery	Spencer
Bittinger	Greenleaf	Mrkonic	Spitz
Borski	Grieco	Mullen, M. P.	Stairs

Brandt	Harper	Mullen, M. M.	Stuban
Brunner	Haskell	Musto	Sweet
Burd	Hayes, D. S.	Novak	Taddonio
Burns	Helfrick	Noye	Taylor, E.
Caltagirone	Hoefel	O'Brien, B.	Taylor, F.
Cessar	Hutchinson, A.	O'Connell	Tenaglio
Cianciulli	Johnson	O'Donnell	Thomas
Cimini	Jones	O'Keefe	Trello
Cole	Kelly	Oliver	Valicenti
Cowell	Kolter	Petrarca	Vroon
Davies	Kowalyshyn	Pievsky	Wansacz
DeMedio	Laughlin	Pitts	Wenger
DiCarlo	Lehr	Pratt	Wiggins
Dombrowski	Letterman	Prendergast	Wilson
Donatucci	Levin	Rappaport	Wilt
Doyle	Lincoln	Ravenstahl	Wise
Duffy	Livengood	Renwick	Wright, D.
Dumas	Logue	Rhodes	Wright, J. L.
Englehart	Mackowski	Rieger	Yahner
Fee	Manderino	Ritter	Zearfoss
Fischer, R. R.	McCall	Ruggiero	Zeller
Fisher, D. M.	McClatchy	Salvatore	Zitterman
Foster, W.	McGinnis	Scanlon	Zord
Freind	McIntyre	Scheaffer	Zwilk

NAYS—55

Barber	Gallen	Knepper	Pyles
Bittle	Geesey	Kukovich	Reed
Brown	Geisler	Levi	Ryan
Caputo	George, C.	Madigan	Scirica
Cassidy	Goodman	Manmiller	Seltzer
Cohen	Gray	Miller	Shuman
DeVerter	Halverson	Moehlmann	Stapleton
DeWeese	Hamilton	O'Brien, D.	Stewart
Dietz	Hasay	Pancoast	Wagner
Dininni	Hayes, S. E.	Parker	Wargo
Dorr	Hutchinson, W.	Peterson	Wass
Flaherty	Itkin	Piccola	White
Foster, A.	Katz	Polite	Yohn
Fryer	Klingaman	Pott	

NOT VOTING—11

Arthurs	Hopkins	Richardson	Irvis,
Gillette	Kernick	Weidner	Speaker
Gleeson	Lynch	Williams	
Honaman			

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

On the the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Cessar.

Mr. CESSAR. Mr. Speaker, I rise in support of this legislation. If I may read to you the Storer v. Brown case, which the United States Supreme Court upheld in the California statute which prohibited persons from obtaining a ballot position as an independent if they were registered with any political party 17 months before the general election. I should point out to you that all we are saying is January 15 before a primary.

In sustaining this party disaffiliation statute, our Supreme Court made the following observations: It "... protects the direct primary process, ... by refusing to recognize independent candidates who do not make early plans to leave a party and take the alternative course to the ballot; works against independent candidacies prompted by short-range po-

litical goals, pique or personal quarrel; is a substantial barrier to a party fielding an 'independent' candidate to capture and bleed off votes in the general election that might well go to another party; . . ."

They further said: It appears obvious to us that the 1 year disaffiliation provision "... furthers the State's compelling interest in the stability of its political system, . . ." We also consider that interest as not only permissible but compelling and as "... outweighing the interest the candidate and his supporters may have in making a late rather than an early decision to seek independent ballot status."

Mr. Speaker, I support this legislation and I ask all members to do likewise.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Hoeffel.

Mr. HOEFFEL. Mr. Speaker, I rise in opposition to this bill. I think it is a really rotten bill. I hesitate to label it an incumbent-protection bill because I fear that will guarantee its passage, but that is exactly what it is. I think that as incumbents we have some duty to protect the political process to make sure it remains open to all citizens. This bill will not maintain the openness of the political process but rather close the process. I urge a "no" vote.

Thank you.

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

Mr. TRELLO. Mr. Speaker, right after this vote I would like to make a request that we have a roll-call vote on everybody singing "White Christmas" before we adjourn.

The SPEAKER pro tempore. The gentleman is most helpful.

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

Mr. MISCEVICH. Mr. Speaker, I wanted to be recognized on the last count. Does that put Mr. Dombrowski back in motion?

The SPEAKER pro tempore. It is. The 2-minute rule is imposed.

Mr. MISCEVICH. Not the rule, sir; does it put him back in motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, for 2 minutes.

Mr. RICHARDSON. Mr. Speaker, I just have a very simple motion, and that is that I ask that the bill be passed over temporarily. I have an amendment being prepared in the Legislative Reference Bureau.

The SPEAKER pro tempore. The amendment at this time is not in order. The bill is on final passage.

Mr. RICHARDSON. Mr. Speaker, I do not understand the ruling of the Chair. Are you indicating, although we are having an amendment drawn up in the Reference Bureau, it is not in order?

The SPEAKER pro tempore. The Chair has gathered from the members assembled that they wish to vote the bill in a short period of time.

Mr. RICHARDSON. Every member is afforded one oppor-

tunity to have at least an amendment drawn on the bill. I ask that it be temporarily passed over.

The SPEAKER pro tempore. The gentleman can move to postpone the vote.

Mr. RICHARDSON. I am asking that the bill be passed over temporarily.

The SPEAKER pro tempore. Is the gentleman making a motion to that effect?

The Chair wishes to notify the member that the bill has been agreed to on third reading. In order for the gentleman to follow through on a postponement, he would have to move to reconsider the vote by which the bill went to third reading. Would the gentleman desire to make that motion?

PARLIAMENTARY INQUIRY

Mr. RICHARDSON. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his point of parliamentary inquiry.

Mr. RICHARDSON. Is it not a fact, Mr. Speaker, that that is done on a parliamentary procedure by a voice vote?

The SPEAKER pro tempore. Under rule 26 it states that it must be a roll-call vote.

Mr. RICHARDSON. That is not my question, Mr. Speaker.

The SPEAKER pro tempore. What is the gentleman's question?

Mr. RICHARDSON. My question is, Mr. Speaker: When you consider from second to third reading, is that not done by a voice vote and not a roll-call vote?

The SPEAKER pro tempore. I believe the motion was made without objection.

The Chair recognizes the gentleman from Allegheny, Mr. Trello. For what reason does the gentleman rise?

Mr. TRELLO. Mr. Speaker, to satisfy Mr. Richardson, could we not suspend the rules and have him explain his amendment prior to the printing of it? We could either vote it up or down, with the permission of the House, by him explaining the amendment.

The SPEAKER pro tempore. The Chair has explained to the gentleman what the procedure would be for him to postpone the vote.

Mr. TRELLO. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman would have to move to reconsider the vote by which HB 1939 moved to third reading. Does the gentleman wish to make that motion and place it before the members of the House for their consideration?

MOTION TO RECONSIDER VOTE

Mr. RICHARDSON. Mr. Speaker, I would like to make a motion that we reconsider the vote that was taken on third consideration of HB 1939 and I so move.

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

Mr. WAGNER. I do not think it is necessary. My reading of

rule 24 says that a bill on third consideration may be amended. Now if third consideration is different from third reading, then I wish you could explain it to me.

The SPEAKER pro tempore. The point is that the bill has passed third consideration, Mr. Wagner.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—49

Abraham	Hamilton	Morris	Shuman
Barber	Harper	Musto	Spitz
Borski	Hoeffel	Noye	Stapleton
Brown	Hutchinson, A.	O'Brien, D.	Wagner
Burd	Itkin	O'Donnell	Wargo
Caputo	Johnson	Oliver	White
Cohen	Jones	Parker	Wise
DeWeese	Katz	Pott	Zearfoss
Dumas	Knepper	Pyles	Zwikl
Fischer, R. R.	Kukovich	Reed	
Freind	Meluskey	Richardson	Irvis,
George, C.	Milliron	Ritter	Speaker
Gray	Miscevich	Schweder	

NAYS—142

Anderson	Fryer	Manmiller	Scheaffer
Armstrong	Gallagher	McCall	Schmitt
Bellomini	Gallen	McClatchy	Scirica
Beloff	Gamble	McGinnis	Seltzer
Bennett	Garzia	McIntyre	Shelton
Berlin	Gatski	McLane	Shupnik
Berson	Geesey	Mebus	Sirianni
Bittinger	Geisler	Milanovich	Smith, E.
Bittle	George, M.	Miller	Smith, L.
Brandt	Giammarco	Moehlmann	Spencer
Brunner	Goodman	Mowery	Stairs
Burns	Greenfield	Mrkonic	Stewart
Caltagirone	Greenleaf	Mullen, M. M.	Stuban
Cassidy	Grieco	Novak	Sweet
Cessar	Halverson	O'Brien, B.	Taddonio
Cianciulli	Hasay	O'Connell	Taylor, E.
Cimini	Haskell	O'Keefe	Taylor, F.
Cole	Hayes, D. S.	Pancoast	Tenaglio
Cowell	Hayes, S. E.	Peterson	Thomas
Davies	Helfrick	Petrarca	Trello
DeMedio	Hutchinson, W.	Piccola	Valicenti
DeVerter	Kelly	Pievsky	Vroon
DiCarlo	Klingaman	Pitts	Wansacz
Dietz	Kolter	Polite	Wass
Dininni	Kowalshyn	Pratt	Wenger
Dombrowski	Laughlin	Prendergast	Wiggins
Donatucci	Lehr	Rappaport	Wilson
Dorr	Letterman	Ravenstahl	Wilt
Doyle	Levi	Renwick	Wright, D.
Duffy	Levin	Rhodes	Wright, J. L.
Englehart	Lincoln	Rieger	Yahner
Fee	Livengood	Ruggiero	Yohn
Fisher, D. M.	Logue	Ryan	Zeller
Flaherty	Mackowski	Salvatore	Zitterman
Foster, A.	Madigan	Scanlon	Zord
Foster, W.	Manderino		

NOT VOTING—11

Arthurs	Goebel	Kernick	Weidner
Gillette	Honaman	Lynch	Williams
Gleeson	Hopkins	Mullen, M. P.	

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, very briefly, I just wanted to make the point on the record that in my judgment the intent of this bill is not to close the process but merely to make the process orderly. We are getting into a position where we are having all kinds of things that foul-up the election process. We are spending more time in court than we are campaigning for office. I think it is the prerogative of the people to have the campaign before them in an orderly fashion. I would urge passage of the bill.

On the question recurring,

Shall the bill pass finally?

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

YEAS—146

Abraham	Fryer	Manderino	Scheaffer
Anderson	Gallagher	Manmiller	Schmitt
Arthurs	Gallen	McCall	Scirica
Bellomini	Gamble	McClatchy	Seltzer
Beloff	Garzia	McGinnis	Shelton
Bennett	Geesey	McIntyre	Shupnik
Berlin	Geisler	McLane	Sirianni
Berson	George, C.	Mebus	Smith, E.
Bittinger	George, M.	Milanovich	Smith, L.
Bittle	Giammarco	Miscevich	Spencer
Brandt	Goodman	Moehlmann	Stairs
Brunner	Gray	Mowery	Stewart
Burns	Greenfield	Mrkonic	Stuban
Caltagirone	Greenleaf	Mullen, M. P.	Sweet
Caputo	Grieco	Mullen, M. M.	Taylor, E.
Cassidy	Halverson	Novak	Taylor, F.
Cessar	Hasay	O'Brien, B.	Thomas
Cianciulli	Hayes, D. S.	O'Connell	Trello
Cimini	Hayes, S. E.	Pancoast	Valicenti
Cole	Helfrick	Parker	Vroon
Cowell	Hutchinson, A.	Petrarca	Wagner
DeMedio	Hutchinson, W.	Piccola	Wansacz
DeVerter	Johnson	Pievsky	Wargo
DeWeese	Jones	Pitts	Wass
DiCarlo	Kelly	Polite	Wenger
Dietz	Klingaman	Pott	Wiggins
Dininni	Knepper	Pratt	Wilson
Dombrowski	Kowalshyn	Prendergast	Wilt
Donatucci	Lehr	Rappaport	Wright, D.
Dorr	Letterman	Ravenstahl	Wright, J. L.
Duffy	Levi	Renwick	Yahner
Dumas	Levin	Rhodes	Zeller
Englehart	Lincoln	Rieger	Zitterman
Fee	Livengood	Ruggiero	Zord
Fisher, D. M.	Logue	Ryan	
Flaherty	Mackowski	Salvatore	Irvis,
Foster, W.	Madigan	Scanlon	Speaker

NAYS—48

Armstrong	Goebel	Milliron	Ritter
Barber	Hamilton	Morris	Schweder
Borski	Harper	Musto	Shuman
Brown	Haskell	Noye	Spitz
Burd	Hoeffel	O'Brien, D.	Stapleton
Cohen	Itkin	O'Donnell	Taddonio
Davies	Katz	O'Keefe	Tenaglio
Doyle	Kolter	Oliver	White
Fischer, R. R.	Kukovich	Peterson	Wise
Foster, A.	Laughlin	Pyles	Yohn
Freind	Meluskey	Reed	Zearfoss
Gatski	Miller	Richardson	Zwikl

NOT VOTING—8

Gillette	Honaman	Kernick	Weidner
Gleeson	Hopkins	Lynch	Williams

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.

GAVEL RETURNED TO THE SPEAKER

The SPEAKER pro tempore. The Chair at this time returns the gavel to the Speaker with thanks.

THE SPEAKER (K. LEROY IRVIS)
IN THE CHAIR

The SPEAKER. I just bet it is with thanks. The Chair thanks the gentleman, Mr. Fryer, and congratulates the gentleman on having withstood the full fury of the House.

CALENDAR

TRANSPORTATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 88, printer's No. 98**, entitled:

An Act amending the act of June 22, 1931 (P. L. 720, No. 262), referred to as the City State Highway Law deleting and adding routes in the City of Williamsport.

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

Cimini	Hoeffel	O'Donnell	Trello
Cohen	Hutchinson, A.	O'Keefe	Valicenti
Cole	Hutchinson, W.	Oliver	Vroon
Cowell	Itkin	Pancoast	Wagner
Davies	Johnson	Parker	Wansacz
DeMedio	Jones	Peterson	Wargo
DeVerter	Katz	Petrarca	Wass
DeWeese	Kelly	Pitts	Wenger
DiCarlo	Klingaman	Polite	White
Dietz	Knepper	Pott	Wiggins
Dininni	Kolter	Pratt	Wilson
Dombrowski	Kowalyshyn	Prendergast	Wilt
Donatucci	Kukovich	Pyles	Wise
Dorr	Laughlin	Rappaport	Wright, D.
Doyle	Lehr	Ravenstahl	Wright, J. L.
Duffy	Letterman	Reed	Yahner
Dumas	Levi	Renwick	Yohn
Englehart	Levin	Rhodes	Zearfoss
Fee	Lincoln	Richardson	Zeller
Fischer, R. R.	Livengood	Rieger	Zitterman
Fisher, D. M.	Logue	Ritter	Zord
Flaherty	Mackowski	Ruggiero	Zwinkl
Foster, A.	Madigan	Ryan	
Foster, W.	Manderino	Salvatore	Irvis,
Freind	Manmiller	Scanlon	Speaker
Fryer			

NAYS—0

NOT VOTING—11

Gillette	Honaman	Lynch	Weidner
Gleeson	Hopkins	Piccola	Williams
Goebel	Kernick	Pievsky	

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 Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I was out of my seat for the vote on HB 88, PN 98. Had I been in my seat, I would have voted in the affirmative.

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

AGRICULTURE AND RURAL AFFAIRS BILL
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1326, printer's No. 1999**, entitled:

An Act to regulate the sale and distribution for agricultural purposes of ground limestone burned and hydrated lime and related products in the Commonwealth of Pennsylvania; conferring powers and imposing duties on the Secretary of Agriculture; establishing fees; making an appropriation and prescribing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. YAHNER offered the following amendments:

Amend Sec. 9, page 7, line 20, by inserting after "records" directly pertaining

Amend Sec. 16, page 9, line 12, by striking out "July 1, 1977." and inserting immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Yahner.

Mr. YAHNER. Mr. Speaker, this is just a simple correction amendment, adding three words to HB 1326. It does not cost any money. So I ask the support of everyone.

The SPEAKER. The Chair recognizes the gentleman from Snyder, Mr. Thomas.

Mr. THOMAS. May I interrogate the gentleman, Mr. Yahner?

The SPEAKER. The gentleman, Mr. Yahner, will stand for interrogation. The gentleman, Mr. Thomas, is in order and may proceed.

Mr. THOMAS. Mr. Speaker, is this the amendment that adds the word "directly" on page 7, line 20, and "immediately" on page 9, line 12?

Mr. YAHNER. Yes, Mr. Speaker.

Mr. THOMAS. Thank you, Mr. Speaker.

I recommend to the members of the House that they all support the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—186

Abraham	Fryer	Manmiller	Scheaffer
Anderson	Gallagher	McCall	Schmitt
Armstrong	Gallen	McClatchy	Schweder
Barber	Gamble	McGinnis	Scirica
Bellomini	Garzia	McIntyre	Seltzer
Beloff	Gatski	McLane	Shelton
Bennett	Geesey	Mebus	Shuman
Berlin	Geisler	Meluskey	Shupnik
Berson	George, C.	Milanovich	Sirianni
Bittinger	George, M.	Miller	Smith, E.
Bittle	Goodman	Milliron	Smith, L.
Borski	Gray	Miscevich	Spencer
Brandt	Greenfield	Moehlmann	Spitz
Brown	Greenleaf	Morris	Stairs
Brunner	Grieco	Mowery	Stapleton
Burd	Halverson	Mrkonic	Stewart
Burns	Hamilton	Mullen, M. M.	Stuban
Caltagirone	Harper	Musto	Sweet
Caputo	Hasay	Novak	Taddonio
Cassidy	Haskell	Noye	Taylor, E.
Cessar	Hayes, D. S.	O'Brien, B.	Taylor, F.
Cianciulli	Hayes, S. E.	O'Brien, D.	Tenaglio
Cimini	Helfrick	O'Connell	Thomas
Cohen	Hoeffel	O'Donnell	Trello
Cole	Hutchinson, A.	O'Keefe	Valicenti
Cowell	Hutchinson, W.	Oliver	Vroon
Davies	Itkin	Parker	Wagner
DeMedio	Johnson	Peterson	Wansacz
DeVerter	Jones	Petrarca	Wargo
DeWeese	Katz	Piccola	Wass
DiCarlo	Kelly	Pievsky	Wenger
Dietz	Klingaman	Pitts	Wiggins
Dininni	Knepper	Pott	Wilson
Dombrowski	Kolter	Pratt	Wilt
Donatucci	Kowalshyn	Prendergast	Wise
Dorr	Kukovich	Pyles	Wright, D.

Doyle	Laughlin	Rappaport	Wright, J. L.
Duffy	Lehr	Ravenstahl	Yahner
Dumas	Letterman	Reed	Yohn
Englehart	Levi	Renwick	Zearfoss
Fee	Levin	Richardson	Zeller
Fischer, R. R.	Lincoln	Rieger	Zitterman
Fisher, D.	Livengood	Ritter	Zord
Flaherty	Logue	Ruggiero	Zwikl
Foster, A.	Mackowski	Ryan	
Foster, W.	Madigan	Salvatore	Irvis,
Freind	Manderino	Scanlon	Speaker

NAYS—0

NOT VOTING—16

Arthurs	Goebel	Lynch	Rhodes
Giammarco	Honaman	Mullen, M. P.	Weidner
Gillette	Hopkins	Pancoast	White
Gleeson	Kernick	Polite	Williams

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 consideration?

Bill as amended 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—189

Abraham	Fryer	McClatchy	Scheaffer
Anderson	Gallagher	McGinnis	Schmitt
Armstrong	Gallen	McIntyre	Schweder
Arthurs	Gamble	McLane	Scirica
Barber	Garzia	Mebus	Seltzer
Bellomini	Gatski	Meluskey	Shelton
Beloff	Geesey	Milanovich	Shuman
Bennett	Geisler	Miller	Shupnik
Berlin	George, C.	Milliron	Sirianni
Berson	George, M.	Miscevich	Smith, E.
Bittinger	Goebel	Moehlmann	Smith, L.
Bittle	Goodman	Morris	Spencer
Borski	Gray	Mowery	Spitz
Brandt	Greenfield	Mrkonic	Stairs
Brown	Greenleaf	Mullen, M. P.	Stapleton
Brunner	Grieco	Mullen, M. M.	Stewart
Burd	Halverson	Musto	Stuban
Burns	Hamilton	Novak	Sweet
Caltagirone	Harper	Noye	Taddonio
Caputo	Hasay	O'Brien, B.	Taylor, E.
Cassidy	Hayes, D. S.	O'Brien, D.	Taylor, F.
Cessar	Hayes, S. E.	O'Connell	Tenaglio
Cianciulli	Hoeffel	O'Donnell	Thomas
Cimini	Hutchinson, A.	O'Keefe	Trello
Cohen	Hutchinson, W.	Oliver	Valicenti
Cole	Itkin	Pancoast	Vroon
Cowell	Johnson	Parker	Wansacz
Davies	Jones	Peterson	Wargo
DeMedio	Katz	Petrarca	Wass
DeVerter	Kelly	Piccola	Wenger
DeWeese	Klingaman	Pievsky	White
DiCarlo	Knepper	Pitts	Wiggins
Dietz	Kolter	Polite	Wilson
Dininni	Kowalshyn	Pott	Wilt
Dombrowski	Kukovich	Pratt	Wise
Donatucci	Laughlin	Prendergast	Wright, D.

Dorr	Lehr	Pyles	Wright, J. L.
Doyle	Letterman	Rappaport	Yahner
Duffy	Levi	Ravenstahl	Yohn
Dumas	Levin	Reed	Zearfoss
Englehart	Lincoln	Renwick	Zeller
Fee	Livengood	Richardson	Zitterman
Fischer, R. R.	Logue	Rieger	Zord
Fisher, D. M.	Mackowski	Ritter	Zwinkl
Flaherty	Madigan	Ruggiero	
Foster, A.	Manderino	Ryan	Irvis,
Foster, W.	Manmiller	Salvatore	Speaker
Freind	McCall	Scanlon	

NAYS—1

Haskell

NOT VOTING—12

Giammarco	Helfrick	Kernick	Wagner
Gillette	Honaman	Lynch	Weidner
Gleeson	Hopkins	Rhodes	Williams

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 Montour, Mr. Wagner.

Mr. WAGNER. Thank you, Mr. Speaker.

On HB 1326, I saw the printout and I think there is a mechanical error. Representative Helfrick and myself are recorded as not voting. We would like to be recorded as voting "yes."

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

MILITARY AND VETERANS AFFAIRS BILL
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1878, printer's No. 2301**, entitled:

An Act amending the act of June 21, 1963 (P. L. 174, No. 104), entitled "An act granting and regulating exemption from payment of real estate taxes by war veterans in need thereof ***" extending the act to include veterans with total service connected disability.

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—195

Abraham	Gallen	McClatchy	Scheaffer
Anderson	Gamble	McGinnis	Schmitt
Armstrong	Garzia	McIntyre	Schweder

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

NAYS—0

NOT VOTING—7

Gillette	Honaman	Kernick	Weidner
Gleeson	Hopkins	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.

The SPEAKER. The members will note that they have on their desks, two supplemental calendars. One is a nonpreferred appropriation bill on concurrence in Senate amendments, HB 1283. We shall take that up first.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned **House bill No. 1650**, 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 1, line 5, by striking out after "of" the figure "\$2,000,000" and inserting in lieu thereof "\$4,000,000".

On the question,

Will the House concur in the Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Bittinger.

Mr. BITTINGER. Mr. Speaker, I move that the House do concur in the amendments inserted by the Senate to HB 1650, PN 2288.

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—192

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

NAYS—2

Dininni

Zearfoss

NOT VOTING—8

Gillette
Gleeson

Honaman
Hopkins

Kernick
Lynch

Rhodes
Weidner

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned House bill No. 1283, with the information that the Senate has passed the same with the following amendments in which concurrence of the House of Representatives is requested:

Amend Title, page 1, line 1, by striking out after "Making" the words "an appropriation" and inserting in lieu thereof "appropriations"

Amend Section 1, page 1, line 6, by inserting after "1." the letter "(a)"

Amend Section 1, page 1, by inserting after line 10 the following:

(b) The sum of \$104,000 is hereby specifically appropriated to the Downingtown Industrial and Agricultural School of Downingtown, Pennsylvania, for the fiscal period July 1, 1977 to June 30, 1978 for the express purpose of reducing accumulated debts for prior years.

On the question,

Will the House concur in the Senate amendments?

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

Mr. PIEVSKY. Mr. Speaker, I move that the House do concur in the amendments inserted by the Senate to HB 1283, PN 2096.

On the question recurring,

Will the House concur in the Senate amendments?

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

Mr. E. H. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to speak on the bill.

Mr. Speaker, I rise in support of the Senate amendments to HB 1283. This is most embarrassing to me as I find myself on the opposite side of the amendments from the other members of my own county who spoke and voted against this bill yesterday; not only them but many others. It was defeated badly. They voted on concurrence to the Senate amendments, as I said a minute ago.

I, along with other members of the House and Senate, received a letter some time ago from a disgruntled teacher named, Aaron Wallenstein, who made derogatory remarks against the principal and other members of the Downingtown Industrial and Agricultural School.

This letter so disturbed the Senator from Chester County, the Honorable John Stauffer, that he had an investigation made of this school, and I would like to very much share the report of the findings of the investigation with the members of the House so that they might be in a better position to make an impartial decision on the Conference Report to the Senate amendments.

I have a memo here that is to all Senators and it is from Mr. Noszka, acting chairman of the Senate Appropriations Committee. This is a Report on the Downingtown Industrial and Agricultural School. It says:

The attached report was developed in response to certain allegations concerning this institution which were referred to the Appropriations Committee by Senator Stauffer.

Mr. Speaker, I have quite a lengthy review of all that went on. If you would bear with me—and this is really an important thing, I think we should give it consideration. So if I can present the facts without being harassed or disturbed, I would appreciate it very much.

This has to do with the committee that investigated this school. It says: "Visit to Downingtown Industrial and Agricultural School." It says: "In accordance with your instructions I visited the subject school on Friday, October 14, 1977." Incidentally, this is under the date of October 17, 1977.

(Reading:)

Mr. Jack Weinrauch accompanied me on this visit. Mr. Weinrauch was deeply involved in the investigation of certain youth facilities within the Department of Public Welfare and also was involved with the recently passed legislation concerning juveniles.

The school which includes dormitories, classroom-administration building, mess hall and power plant was constructed by the General State Authority in 1967. In addition to the aforementioned there are several older buildings on the property. These buildings consist of a barn, quarters for principal and staff and one building which is being rehabilitated by the students.

The physical appearance of the grounds and the interior of the classroom-administration building was excellent.

We met with Mr. Joseph T. Fisher the principal of the school and spent several hours with him discussing the school in general and specifically questioned him with regard to allegations made by a former faculty member, Mr. Aaron Wallenstein. Mr. Wallenstein provided Senator Stauffer with five specific allegations concerning the operation of the school and school staff which the Senator made available to me. Based on our discussion with Mr. Fisher the Wallenstein allegations are without merit and appear to be vindictive in nature. Mr. Wallenstein was employed as a general science instructor and had a confrontation with a female student and had a previous confrontation with a male student. After the episode with the female student Mr. Wallenstein demanded that the student be expelled from school. This action was not taken and Mr. Wallenstein terminated his employment without giving any notice.

It goes on to say:

On the date we visited the school there were 81 students in attendance broken down as follows:

31 students supported by the Department of Welfare

50 students supported by their own resources

These are students who have problems in adjusting to public school environment. The Welfare referrals are students who have no homes or are from a broken family.

The Wallenstein allegations and our findings are as follows:

Allegation number one, by Mr. Wallenstein: — There are under 100 students in this high school, yet there are at least 7 administrators including a principal, administrative assistant, vice principal, director of maintenance, etc.

Now the finding of this committee who investigated is as follows:

There is a principal, vice principal, business manager, Director of Physical Facility and Dean of Students. Due to the type student attending this school it is apparent that the principal and vice principal are necessary. The vice principal also provides instruction in the case of teacher absence. It is obvious that the business manager is necessary as it is also obvious that the Director of Physical Facility is necessary. The Director of Physical Facility doubles as a on site maintenance man. The Dean of Students is justifiable since he is responsible for the students after formal school hours until school resumes the next day. The students are supervised 24 hours per day and the Dean coordinates the house parents, off campus visits and attempts to motivate the students outside the classroom.

Another allegation, number two:

The principal, Mr. Joseph T. Fisher has his wife working as an administrative assistant (with unknown duties). He is paid about \$23,000 per year and she about \$17,000 and teachers average about \$10,000. The principal and his wife do not keep to regular school working hours.

Now the finding of this committee again says:

Mr. Joseph T. Fisher's salary is \$20,000 per year not \$23,000. His wife works gratis (see attached contract) as his assistant and is presently working to up date the curriculum. Mrs. Fisher is on one year sabbatical leave from the Emlen School in Philadelphia. The teachers' salaries are about \$10,000 and on the average lower than those paid in the public schools. I have had the occasion to call the school on several different times concerning their appropriation and have had no difficulty reaching Mr. Fisher.

Another allegation, number three, says:

The bookkeeper (Business Manager), is the sister-in-law of the principal's friend, the Director of Maintenance, is paid more than either of the two people who had the job before her. The salary differential is not based on experience or education.

Finding by the committee:

The bookkeeper (Business Manager) is the divorced wife of the Director of Maintenance's brother. The woman was previously employed by the Burrough's Corporation in the accounting department and has a degree from LaSalle College in business.

One more allegation says:

Textbooks are too few and in bad condition, yet administrators salaries are high. Money was diverted from assuring safety and utility in the science lab, etc. and put into renovations of a residence for the principal. The residence is on campus.

Their finding in this case was as follows:

We inspected various classrooms and the laboratory and questioned the principal concerning accidents which may have occurred in the lab. Mr. Fisher indicated that he was not aware of any accidents in the lab. Our personal inspection of the various classrooms found them neat and in order. The books that we saw indicated usage, but were not in bad condition. One must remember that the level of comprehension of the student body is not comparable with the accepted high school standard. Therefore, texts are maintained for the existing student level of understanding. The complaint about the residence of Mr. Fisher, the principal, is ludicrous. This residence is a converted coal bin located in one of the old buildings located on campus. This building also houses, vis one bedroom and bath apartments, five other staff members who are on 24 hour call. We visited the apartment of Mr. Fisher and found it had no cooking stove, no refrigerator, no window shades or blinds and the washing machine was a used former dormitory machine. There is no rent paid for these quarters nor should there be. It is a far cry from the impression that the allegation intends to portray.

Mr. Speaker, I could go on with another page but it is getting late. I would like to submit the rest of this for the record. I have only tried to give you an outline of what happens here. We voted terribly bad on this bill yesterday and I would like to appeal to you—for goodness sake, you folks back here have the lives of these boys and, I believe there are a few girls, in your hands. They are not criminals; they are not outstanding scholars. I can assure you they are on the brim or on the horizon of falling off onto the other side. They are children from Philadelphia, Chester, some of the less desirable locations. They are trying their darndest to do a good job with these kids. I would like to recommend that we adopt the amendment from the Senate. Thank you very much.

REMARKS PRESENTED FOR THE RECORD

Mr. E. H. SMITH presented the following remarks for the Legislative Journal:

Allegation — Teachers are forced to work without contracts.

Finding — The principal informed us that all teachers have contracts and that all teachers are certified or certifiable. The exception to this is the music and carpentry instructors. The school is licensed by the State Board of Private Academic Schools.

DOWNINGTOWN INDUSTRIAL AND AGRICULTURAL SCHOOL DOWNINGTOWN, PENNSYLVANIA EMPLOYEES' CONTRACT

Agreement effective July 1, 1977 between the Board of Trustees of the Downingtown Industrial and Agricultural School, Downingtown, state of Pennsylvania, hereinafter called the Board and Eleanor O. Fisher hereinafter called the Administrative Assistant.

This employment agreement is subject to the laws of the Commonwealth of Pennsylvania as it relates to private schools, and the personnel policies adopted by the Board from time to time.

The Board hereby employs Eleanor O. Fisher as Administrative Assistant for Curriculum and Instruction of the Downingtown Industrial and Agricultural School. The authority and duties of the Administrative Assistant are outlined in the job description of the position of Administrative Assistant.

Compensation for services to be rendered by the Administrative Assistant during the term of this agreement shall be gratis.

The term of employment shall be for one year from date thereof, subject to the following:

a. For just cause, the Board may terminate this agreement at any time upon 30 days notice to the said Administrative Assistant.

During the term of this agreement, the Administrative Assistant shall devote her best efforts and time to advance the interests of the Downingtown Industrial and Agricultural School.

Any controversy or claim arising out of or relating to this agreement, or any breach thereof shall be settled by arbitration in accord with the rules of the American Arbitration Association, and judgement upon the award rendered will be final.

Authorized by Board Action of June 30, 1977.

THE BOARD OF TRUSTEES, DOWNINGTOWN INDUSTRIAL AND AGRICULTURAL SCHOOL

Witnesses:
MARY C. PETERSON

JEANNE S. RHODES
President

MILDRED B. DUDLEY
Secretary

JOSEPH FISHER
Principal

MEMO

Senate of Pennsylvania

December 14, 1977.

TO: The Honorable Earl Smith

FROM: Richard A. Snyder

SUBJECT: Downingtown Industrial and Agricultural School

The Senate Appropriations Committee made an investigation of the Downingtown School. As you will see by the enclosed, the investigators felt that the allegations were vindictive and that the school was well-operated.

RAS:bam
Enclosures

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

Mr. PITTS. Very briefly, Mr. Speaker, nothing has changed since yesterday. I rise to oppose the Senate amendments and ask for nonconcurrency in this bill. The facts are still the same. I have the same report. It is a four-page letter written by a Senate staff member who visited the campus for part of a day. The facts are that for this \$648,000 of state money there are only 81 students. They only graduated 11 students last year. The staff last year was 25 members, I think they have reduced it to 20. They have five administrators. There are still too few textbooks. They have increased their budget the last 2 years by \$220,000 and they are asking for an additional \$104,000 with this Senate amendment. I am not opposed to the bill as initially passed, which gives them the same amount as last year, \$544,000.

I suggest that we nonconcur and insist on an accounting from this institution. When we send somebody to check on a charge of mismanagement of funds, they should not just go look at the buildings. They ought to look at the books and look at the payroll. I ask for nonconcurrency.

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—136

Abraham	Gatski	McIntyre	Ryan
Arthurs	Geisler	McLane	Salvatore
Barber	George, C.	Milanovich	Scanlon
Bellomini	George, M.	Miller	Scheaffer
Beloff	Giammarco	Milliron	Schmitt
Bennett	Gleeson	Miscevich	Schweder
Berlin	Goodman	Moehlmann	Shelton
Berson	Gray	Morris	Shupnik
Bittinger	Greenfield	Mowery	Smith, E.
Borski	Greenleaf	Mullen, M. P.	Stapleton
Brandt	Grieco	Mullen, M. M.	Stewart
Brunner	Hamilton	Musto	Sweet
Caputo	Harper	Novak	Taddonio
Cassidy	Haskell	Noye	Tenaglio
Cessar	Hoeffel	O'Brien, B.	Trello
Cianciulli	Hopkins	O'Brien, D.	Valicenti
Cimini	Hutchinson, A.	O'Donnell	Wagner
Cohen	Itkin	O'Keefe	Wansacz
Cowell	Johnson	Oliver	Wargo
DeMedio	Jones	Parker	Wenger
DeWeese	Katz	Petrarca	White
DiCarlo	Kelly	Pievsky	Wiggins
Dombrowski	Knepper	Pott	Williams
Donatucci	Kolter	Pratt	Wilson
Doyle	Kowalshyn	Prendergast	Wilt
Duffy	Kukovich	Rappaport	Wise
Dumas	Laughlin	Ravenstahl	Wright, D.
Englehart	Letterman	Reed	Yahner
Fee	Levin	Renwick	Zearfoss
Fisher, D. M.	Lincoln	Rhodes	Zitlerman
Flaherty	Livengood	Richardson	Zwinkl
Foster, W.	Logue	Rieger	
Fryer	Manderino	Ritter	Irvis,
Gallagher	McCall	Ruggiero	Speaker
Garzia	McGinnis		

NAYS—59

Anderson	Gallen	Manmiller	Smith, L.
Armstrong	Gamble	McClatchy	Spencer
Bittle	Geesey	Mebus	Spitz
Brown	Goebel	Meluskey	Stairs
Burd	Halverson	O'Connell	Stuban
Burns	Hasay	Pancoast	Taylor, E.
Caltagirone	Hayes, D. S.	Peterson	Taylor, F.
Cole	Hayes, S. E.	Piccola	Thomas
DeVerter	Helfrick	Pitts	Vroon
Dietz	Hutchinson, W.	Polite	Wass
Dininni	Klingaman	Pyles	Wright, J. L.
Dorr	Lehr	Scirica	Yohn
Fischer, R. R.	Levi	Seltzer	Zeller
Foster, A.	Mackowski	Shuman	Zord
Freind	Madigan	Sirianni	

NOT VOTING—7

Davies	Honaman	Lynch	Weidner
Gillette	Kernick	Mrkonic	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate returned House bill No. 1655, 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, lines 3 through 5, by striking out all of said lines; line 6, by striking out after "To" the word "attach" and inserting in lieu thereof "execute" and by striking out after "execution" the word "wages" and by inserting immediately thereafter "upon wages, salaries or commissions"; line 7, by striking out after "employer" the word "in"; line 8, by striking out at the beginning of the line "order to recover moneys owed as repayment for" and by inserting immediately thereafter "or any other person in order to enforce money judgments for the repayment of"; line 11, by striking out after "of" the word "attachment" and inserting in lieu thereof "execution"; line 13, by striking out after "of" the word "attachment"; line 14, by inserting at the beginning of the line "execution".

On the question,

Will the House concur in the Senate amendments?

Mr. SHUPNIK. Mr. Speaker, I move that the House do concur in the Senate amendments.

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—192

Abraham	Gamble	McClatchy	Schmitt
Anderson	Garzia	McGinnis	Schweder
Armstrong	Gatski	McIntyre	Scirica
Arthurs	Geesey	McLane	Seltzer
Barber	Geisler	Mebus	Shelton
Beloff	George, C.	Meluskey	Shuman
Bennett	George, M.	Milanovich	Shupnik
Berlin	Giammarco	Miller	Sirianni
Berson	Gleeson	Milliron	Smith, E.
Bittinger	Goebel	Miscevich	Smith, L.
Bittle	Goodman	Moehlmann	Spencer
Borski	Gray	Morris	Spitz
Brandt	Greenfield	Mowery	Stairs
Brown	Greenleaf	Mullen, M. P.	Stapleton
Brunner	Grieco	Mullen, M. M.	Stewart
Burd	Halverson	Musto	Stuban
Burns	Hamilton	Novak	Sweet
Caltagirone	Harper	Noye	Taddonio
Caputo	Hasay	O'Brien, B.	Taylor, E.
Cassidy	Haskell	O'Brien, D.	Taylor, F.
Cessar	Hayes, D. S.	O'Connell	Tenaglio
Cianciulli	Hayes, S. E.	O'Donnell	Thomas
Cimini	Helfrick	O'Keefe	Trello
Cohen	Hoeffel	Oliver	Valicenti
Cole	Hutchinson, A.	Pancoast	Vroon
Cowell	Hutchinson, W.	Parker	Wagner
Davies	Itkin	Peterson	Wansacz
DeMedio	Johnson	Petrarca	Wargo
DeVerter	Jones	Piccola	Wass
DeWeese	Katz	Pievsky	Wenger
DiCarlo	Kelly	Pitts	White
Dietz	Klingaman	Polite	Wiggins
Dininni	Knepper	Pott	Williams
Dombrowski	Kolter	Pratt	Wilson
Donatucci	Kowalshyn	Prendergast	Wilt
Dorr	Kukovich	Pyles	Wise

Duffy	Laughlin	Rappaport	Wright, D.
Dumas	Lehr	Ravenstahl	Wright, J. L.
Englehart	Letterman	Reed	Yahner
Fee	Levi	Renwick	Yohn
Fischer, R. R.	Levin	Richardson	Zearfoss
Fisher, D. M.	Lincoln	Rieger	Zeller
Flaherty	Livengood	Ritter	Zitterman
Foster, A.	Logue	Ruggiero	Zord
Foster, W.	Mackowski	Ryan	Zwikl
Freind	Madigan	Salvatore	
Fryer	Manderino	Scanlon	Irvis,
Gallagher	Manmiller	Scheaffer	Speaker
Gallen	McCall		

NAYS—0

NOT VOTING—10

Bellomini	Honaman	Lynch	Rhodes
Doyle	Hopkins	Mrkonjic	Weidner
Gillette	Kernick		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS PASSED OVER

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

STATEMENT BY MR. BITTINGER

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Bittinger.

Mr. BITTINGER. Thank you, Mr. Speaker.

This will take about 45 seconds, if you want to put a time limit on it.

Mr. Speaker, the final report of the Speaker's Ad Hoc Committee on the Eight-County flood of July 19 and 20, 1977, is being completed and will be submitted tomorrow.

The report outlines the disaster situation and responding legislation, including recommendations to both the Governor and Congress. Rather than being flowery or impressive, the report is blunt and factual.

In the 21 weeks since the flood, 20 weeks since the committee was named, our activities have ranged from on-site inspection and involvement, hundreds of personal interviews, and extensive additional research to public hearings, introduction of 11 bills and 3 resolutions, pinpointing of pertinent existing legislative proposals, and testimony before a Congressional hearing. The primary task of the committee is completed, but follow-up work will continue.

Thank you, sir.

BILLS REPORTED FROM COMMITTEE AND TABLED

HB 1429, PN 1700

By Mr. BARBER

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing certain mayors of boroughs to be licensees.

Liquor Control.

HB 1614, PN 1940

By Mr. BARBER

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), permitting minors to enter licensed premises for social purposes under certain conditions.

Liquor Control.

REPORT OF COMMITTEE OF CONFERENCE

Mr. BERSON presented the Report of the Committee of Conference on **HOUSE BILL No. 825**.

The SPEAKER. The report will be laid over for printing under the rules.

PERMISSION TO ADDRESS HOUSE

Mrs. KELLY requested and obtained unanimous consent to address the House.

Mrs. KELLY. Mr. Speaker, I would first like to commend the leaders of this House for the tremendous and wonderful job they have done this year in our legislation. In all the years that I have been here, I have never witnessed a year that was so difficult, a year of frustration, and I think that on both sides of the aisle everyone in the leadership has done a tremendous job.

So now I would like to take the opportunity to wish every member of this House and the staff the most marvelous and most wonderful Christmas and New Year that they have ever had. I do hope that in the year 1978 we can all work in harmony with some joy and some happiness in this House so that we can all be proud to be members of this great body.

Thank you.

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

Mr. VALICENTI. (Remarks in Italian) In other words, a Merry Christmas to all of you and your families and a healthy, healthy New Year.

HOUSE SCHEDULE

The SPEAKER. For the information of the members, it will be necessary for us to have a pro forma session tomorrow inasmuch as the Senate will not convene until 10 o'clock tomorrow morning. Although we have the assurance of the top leadership of the Senate that the Senate will concur in the amendments inserted by the House to SB 1187, until the Senate in fact concurs, the majority leader and the Speaker think it wise that the House remain in session. Those of you who feel constrained to go home tonight or are within driving distance, the Chair would suggest that you would be safe in going. Those who are going to be here tomorrow morning, we would like to have you on the floor at 11 o'clock. There will be no business conducted. We simply want to be here to make sure that the Senate concurs in the amendments we have inserted in SB 1187 and that the bill is signed by the Speaker in the presence of the House and sent to the Governor.

The adjournment motion tomorrow will be until Tuesday, January 3, at 11 a.m. That will be because of the fact that we are beginning a new year and must adjourn this session and

then begin the 1978 session at 12 noon.

The Chair repeats: Tomorrow's session will be a pro forma session, but the Chair would ask that those members in the Capitol report to the floor at 11 o'clock so that we may determine that the Senate has, in fact, acted as we have been instructed that they will.

BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 1283

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

HOUSE BILL No. 1650

An Act making an appropriation to the Governor for disaster relief and assistance for the Great Flood of July 1977.

HOUSE BILL No. 1655

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), entitled as amended "An act creating the Pennsylvania Higher Education Assistance Agency; . . .," changing the powers and duties of the board.

Whereupon,

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1989 By Messrs. BERLIN, IRVIS, MANDERINO, RYAN, PETRARCA, GOODMAN, STAPLETON, GREENFIELD, GALLAGHER, WARGO, REED, ENGLEHART, HOFFEL, RENWICK, BITTINGER, COWELL, DUFFY, DeMEDIO, DOYLE, GARZIA, GEESEY, OLIVER, SCHWEDER, FRYER, BRANDT, BURNS, WILSON, J. L. WRIGHT, WEIDNER, Miss SIRIANNI, Messrs. SHUPNIK, McCALL, GEORGE, PRENDERGAST, KOLTER, MUSTO, NOVAK, ABRAHAM, MISCEVICH, TRELLO, McLANE, LIVENGOD, ZELLER, DeWEESE, LETTERMAN, S. E. HAYES, LOGUE, DORR, ARTHURS, FEE, PRATT, ZWIKL, BERTSON, SWEET, MELUSKEY, RAPPAPORT, YAHNER, WANSACZ, B. F. O'BRIEN, MORRIS, GATSKI, RAVENSTAHL, BRUNNER, LINCOLN, CALTAGIRONE, BENNETT, MILLIRON, CASSIDY, DOMBROWSKI, COLE, TENAGLIO, O'KEEFE, ZITTERMAN, LAUGHLIN, GRAY, ITKIN, GAMBLE, MRKONIC, CAPUTO, FLAHERTY, SCHMITT, JOHNSON, BELLOMINI, RUGGIERO, GIAMMARCO, Mrs. SCANLON, Mrs. KELLY, Messrs. JONES, LEVIN, BORSKI, KUKOVICH, RICHARDSON, BROWN, STEWART,

STUBAN, Mrs. WISE, Messrs. MILANOVICH, D. R. WRIGHT, BITTLE, SCIRICA, LEHR, GALLEN, DIETZ, WASS, W. D. HUTCHINSON, DAVIES, BURD, DeVERTER, MACKOWSKI, PITTS, O'CONNELL, LEVI, WAGNER, HELFRICK, MANMILLER, PICCOLA, Mrs. TAYLOR, Messrs. DININNI, SPITZ, BARBER, FREIND, STAIRS, ZEARFOSS, MOEHLMANN, WENGER, W. W. FOSTER, SCHEAFFER, E. H. SMITH, VROON, PYLES, MOWERY, CIMINI, KNEPPER, D. S. HAYES, GREENLEAF, MADIGAN, D. M. O'BRIEN, HAMILTON, GRIECO, NOYE, HASKELL, KLINGAMAN, HALVERSON, ZORD, CESSAR, R. R. FISCHER, POTT and GOEBEL.

An Act providing for a system of evaluation and for periodic review of certain units of State Government and providing for their termination in certain circumstances.

Referred to Committee on State Government.

No. 1990 By Mr. M. P. MULLEN.

An Act amending the act of April 26, 1855 (P. L. 309, No. 323), entitled "An act relating to Damages for Injuries Producing Death," allowing recovery in wrongful death actions for lost society, solace, guidance, companionship and consortium.

Referred to Committee on Judiciary.

No. 1991 By Mr. M. P. MULLEN

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, allowing actions to be brought on behalf of deceased unborn infants.

Referred to Committee on Judiciary.

No. 1992 By Mr. M. P. MULLEN

An Act establishing a cause of action for the wrongful death of an unborn infant.

Referred to Committee on Judiciary.

No. 1993 By Messrs. M. P. MULLEN, RENWICK, MRKONIC, GRAY, GIAMMARCO, JONES, CALTAGIRONE, FEE, WARGO, MUSTO, SHUPNIK, GALLAGHER, MACKOWSKI, HOPKINS, ENGLEHART, DOMBROWSKI, LETTERMAN, LINCOLN, MILLIRON, SCHMITT, GOEBEL, HELFRICK, SALVATORE, YAHNER, SHUMAN, FREIND, LYNCH, PITTS and RAVENSTAHL

An Act amending the "Abortion Control Act," approved September 10, 1974 (P. L. 639, No. 209), prohibiting the subsidizing of abortions.

Referred to Committee on Health and Welfare.

No. 1994 By Messrs. GALLAGHER, DiCARLO, SCHWEDER, ENGLEHART, DeMEDIO,

LINCOLN, BURNS, STAPLETON,
BELLOMINI, DOMBROWSKI, A. K.
HUTCHINSON, DAVIES and POTT.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for use of suspended professionals in lieu of substitute teachers.

Referred to Committee on Education.

No. 1995 By Messrs. GALLAGHER, PANCOAST,
ENGLEHART, BELLOMINI, LINCOLN,
BURNS, DeMEDIO, Mrs. WISE and Mr.
DAVIES.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the causes and criteria for suspension, and providing for waiver of certification requirements in certain instances.

Referred to Committee on Education.

No. 1996 By Messrs. COWELL, IRVIS, FLAHERTY,
BROWN, KUKOVICH, Mrs. WISE, Mrs.
HARPER, Mrs. KELLY, Messrs. DiCARLO,
ITKIN, DUFFY, MRKONIC, HOFFEL,
LOGUE, RAVENSTAHL, ABRAHAM,
BERLIN, WHITE, PARKER, Mrs.
TAYLOR, Messrs. MELUSKEY and
MILLIRON.

An Act providing for the creation of a multipurpose program for displaced homemakers, granting certain powers and duties to the Department of Education and making an appropriation.

Referred to Committee on Education.

BIRTHDAY NOTED

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

Mr. MISCEVICH. Mr. Speaker, I would like to make the membership aware that Ruth Harper's birthday is on December 24, and we would like to wish Mrs. Harper a very happy birthday and a Merry Christmas and prosperous New Year. As a new freshman member, she has enough guts and fortitude to back up all the taxes and tax votes, and we have to commend Mrs. Harper for her fine performance.

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House a group of Republican committeemen and a group of Republican committeewomen who are from the 128th district. They are in the balcony. They are the guests of Representative James Gallen.

ADJOURNMENT

Mr. STEWART moved that this House do now adjourn until Thursday, December 15, 1977, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 9:39 p.m., e.s.t.) the House adjourned.