

# Legislative Journal

WEDNESDAY, APRIL 19, 1978

Session of 1978

162nd of the General Assembly

Vol. 1, No. 20

## HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

### PRAYER

Rev. Dr. DAVID R. HOOVER, chaplain of the House of Representatives and pastor of St. Paul's Lutheran Church, McConellsburg, Pennsylvania, offered the following prayer:

Almighty and Everlasting Father, Thou dost show the light of Thy truth to those who walk in darkness, and Thou dost guide and direct the steps of those who are lured from the way of righteousness. We humbly pray that Thou wilt be the great Shepherd of Thine own: reach out and rescue those who are lost amidst the maze of this world's anxieties, lift with tender care and compassionate mercy those whose broken and bruised bodies have fallen by the wayside, and feed and sustain with knowledge and understanding all those who hold fast and firm to walk in the faith of Thy love and obedience. To this end, O God, we commend these sheep of Thy fold, and pray that Thou wilt keep them in the hollow of Thy hand. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, April 18, 1978, will be postponed until printed.

### MASTER ROLL CALL RECORDED

The SPEAKER. Members will report promptly to the floor of the House. The Chair is about to take the master roll call for the day.

The following roll call was recorded:

#### YEAS—194

Abraham	Gatski	Manderino	Scanlon
Anderson	Geesey	Manmiller	Scheaffer
Armstrong	Geisler	McCall	Schmitt
Barber	George, C.	McClatchy	Schweder
Bellomini	George, M.	McGinnis	Scirica
Beloff	Giammarco	McIntyre	Seltzer
Bennett	Gillette	McLane	Shuman
Berlin	Goebel	Mebus	Shupnik
Berson	Goodman	Meluskey	Sirianni
Bittinger	Gray	Milanovich	Smith, E.
Bittle	Greenfield	Miller	Smith, L.
Borski	Greenleaf	Milliron	Spencer
Brandt	Grieco	Miscevich	Spitz
Brown	Halverson	Moehlmann	Stairs
Brunner	Hamilton	Morris	Stapleton
Burd	Harper	Mowery	Stewart

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

NAYS—0

NOT VOTING—8

Arthurs	Cohen	Gleeson	Shelton
Burns	Flaherty	Pratt	Williams

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

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

**No. 2436** By Messrs. PYLES, McCLATCHY, HASKELL, GALLEN, DIETZ, DORR, Mrs. HONAMAN, Messrs. BRANDT, MANMILLER, PICCOLA and DININNI

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the permanent location of the Supreme Court in the City of Harrisburg.

Referred to Committee on Judiciary.

**No. 2437** By Messrs. BERSON, DORR, CAPUTO, MORRIS, RUGGIERO, BRANDT, LEVI,

SCHEAFFER, W. D. HUTCHINSON,  
MOEHLMANN, STAPLETON, SCIRICA,  
YOHAN, IRVIS, MANDERINO, BRUNNER  
and SPENCER

An Act amending Titles 1 (General Provisions) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, reaffirming sovereign immunity as provided in section 11 of Article 1 of the Constitution of Pennsylvania, \*\*\*

Referred to Committee on Judiciary.

**No. 2438** By Messrs. NOYE, FRYER, HASAY, WILT  
and TRELLO

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing municipalities the option of purchasing State vehicles which are declared surplus and scheduled for public sale at auction.

Referred to Committee on State Government.

### SENATE MESSAGE

AMENDED SENATE BILL  
CONCURRED IN BY SENATE

The Senate informed that the Senate has concurred in the amendments made by the House of Representatives to

**SB 1001, PN 1778.**

### SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Senate concurred in and returned

**HB 1566, PN 1884; HB 1805, PN 2435; and HB 2046, PN 2571.**

### BILLS SIGNED BY SPEAKER

The following bills, having been prepared for presentation to the Governor, were signed by the Speaker:

**HB 1566, PN 1884**

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206, No. 331), further providing for the power to lay out open widen and vacate streets and making an editorial change.

**HB 1805, PN 2436**

An Act amending the act of December 30, 1974 (P. L. 1105, No. 356), entitled "A supplement to the act of February 6, 1976 (P. L. 80, No. 17), entitled 'An act providing for the capital budget for the fiscal year 1973-1974' itemizing public improvement projects to be acquired or constructed by The General State Authority together with their estimated financial cost; \*\*\* and making an appropriation" adding a project relating to the Soldiers' and Sailors' Home.

**HB 2046, PN 2571**

An Act amending "The Public School Code of 1949" approved March 10, 1949 (P. L. 30, No. 14), removing limitations on the number of terms an intermediate unit director may serve and making editorial changes.

### SB 651, PN 965

An Act amending the act of May 16, 1921 (P. L. 579, No. 262), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth fifth classes and in certain counties of the sixth class by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" changing the composition of the board of prison inspectors and authorizing counties of the seventh and eighth class to be governed by this act.

### SB 658, PN 700

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

### SB 1114, PN 1319

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes changing the time for prosecuting the offense of voluntary manslaughter.

### SB 1118, PN 1323

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes redefining murder of the second degree.

### SB 1122, PN 1327

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes providing for the grading of the offense of theft of services.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. The Chair thanks the gentlemen.

### HOUSE SCHEDULE

The SPEAKER. The members may be interested in the schedule. We do now have a calendar for today, although we had not planned one as a regular order of business. There are several bills which were passed over yesterday which are now available for action on the floor of the House, and we shall take them up. There are some concurrences in Senate amendments, and the Chair would ask those people who are the chief sponsors of the bills to be prepared to explain the Senate amendments in those particular House bills and to recommend concurrence or non-concurrence on the floor of the House today.

The Senate will not go in until 11 o'clock, and because we are still trying to get you out of here this week until the week of May 22, it is our plan to remain here today, hopefully long enough to receive the message from the Senate on the budget, so that we may then let you go back to your own constituents through the May 16 primary. But, as you well know, that is beyond our control at the present time.

I am told the Senate is not going in until 11:30 instead of 11 o'clock. It figures.

The Chair is about to take up today's active calendar. The Chair would urge those members who are in their offices to report promptly to the floor of the House, as some of those members are not on the floor who do have amendments to bills which are going to be called up.

#### HB 457 PASSED OVER

The SPEAKER. The Chair wants to apologize, and the Chair is not saying this facetiously the way we sometimes joke here. The Chair, in its haste to mark a temporary calendar, marked HB 457 when the gentleman, Mr. Renwick, was up here. The Chair thought this was one of the Renwick bills, and this is not. This is Mr. Oliver's bill. The Chair just noticed this mistake, and with the apologies of the Chair to the members, Mr. Oliver did ask that this bill be passed over, that it not be voted.

Now, again for the record: The Chair is not striking the vote because the Oliver bill was being defeated; the Chair, in marking the temporary calendar, made an error and apologizes to the members for making that error. This bill was never supposed to have been called up today, and the Chair apologizes to Mr. Oliver for that.

The bill which is to be called up, on the agreement of the gentleman, Mr. Renwick, is the next bill on the calendar. It is HB 1841.

#### CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1841, PN 2687**, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225, No. 316), further providing for nonresident license fees.

On the question,

Will the House agree to the bill on third consideration?

Mr. MACKOWSKI offered the following amendments:

Amend Title, page 1, line 4, by inserting after "nonresident" license and

Amend Sec. 1 (Sec. 303), page 1, line 15, by inserting after "specified," or is a resident of a state which does not issue like licenses to residents of this Commonwealth.

Amend Sec. 1 (Sec. 303), page 2, lines 12 and 13, by striking out "one hundred dollars (\$100)." and inserting three hundred fifty dollars (\$350).

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Thank you, Mr. Speaker.

Mr. Speaker, I am offering this amendment at the request of the Pennsylvania Trappers Association, which is trying to protect its own industry in the confines of the State of Pennsylvania.

This amendment states that they wish that we would limit the nonresident trappers from obtaining licenses unless their state also reciprocates. For example, in the States of New York

and West Virginia, they will not permit nonresident trappers in there. At the same time they are coming into the State of Pennsylvania and harvesting a great deal of fur at the expense of our own people.

The other part of the amendment increases the fee for out-of-state trappers from \$100 to \$350. This again is another deterrent as far as out-of-state trappers.

I hope you will support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I cannot agree with the first part of Mr. Mackowski's amendment. I, however, think that that part would be unconstitutional, and I would say that I can agree with the second part of the amendment after talking to the Game Commission. Other states are raising their fees for trapping licenses to \$500. In Alabama, if you want to go from this state down there to trap beaver, you pay \$500. In this state we let them trap here at the present time for \$40. I think we have to raise this fee to help protect the trappers we have in our own state.

#### REQUEST TO DIVIDE AMENDMENTS

Mr. LETTERMAN. But I would think that the first part of that amendment is unconstitutional, and, therefore, I would like to separate the amendment.

Mr. MACKOWSKI. Mr. Speaker, may I reply to that?

The SPEAKER. Not just yet, because the gentleman apparently means that he wishes to offer a motion for division, and I am assuming that the gentleman is asking whether or not, in the Chair's opinion, the amendment can be divided following the words "licenses to residents of this Commonwealth." Is that correct?

Mr. LETTERMAN. Yes, sir.

The SPEAKER. The House will be at ease. I want to look at the bill first.

The House will return to order. In the opinion of the Chair, Mr. Letterman, the amendment is so divisible.

#### AMENDMENTS DIVIDED

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

The SPEAKER. The question of division is a question to be resolved on the floor of the House on motion.

It has been moved by the gentleman, Mr. Letterman, that the Mackowski amendment be divided so that the first amendment would read, "Amend Title, page 1, line 4, . . ." et cetera, ending with the words "licenses to residents of this Commonwealth."

The question is on the motion of the gentleman, Mr. Letterman. Those in favor of such a division will vote "aye"; those opposed will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—178

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

NAYS—12

Fisher, D. M.	Helfrick	Pott	Wilson
Goebel	Piccola	Salvatore	Wilt
Halverson	Pitts	Thomas	Wright, J. L.

NOT VOTING—12

Arthurs	Flaherty	Pratt	Shelton
Burns	Gleeson	Rhodes	Sirianni
DiCarlo	Lincoln	Richardson	Williams

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. Mr. Speaker, my switch did not work, and I would like to be voted "no" on the question of division of the Mackowski amendment to HB 1841.

The SPEAKER. "No" on the division question?

Miss SIRIANNI. And, Mr. Speaker, I would further like to complain. I have been reporting my switch for the past 2½

weeks, and I think it is high time somebody fixed my switch.

The SPEAKER. There are sometimes restrictions on this job which I do not like. That is an awfully great opening which I—

Miss Sirianni, we will endeavor to do our best to see that your switch is indeed fixed.

Miss SIRIANNI. That is what I have been told every day for the past 2½ weeks.

Mr. DeVERTER. She evidently had—

The SPEAKER. I know I am being tested, Mr. DeVerter. I am trying to resist the temptation.

Will the clerk please see to it that the mechanical switch or the electronic switch of the lady, Miss Sirianni, is made more effective, more operable? We shall attempt to see that that type of switch is taken care of, Miss Sirianni.

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

Mr. FRYER. Mr. Speaker, many of the members have heard of the commercial, "I'd rather fight than switch." Could this be another example?

The SPEAKER. No comment. You are not going to get me into that one.

The Mackowski amendment has been divided, and the second part of the amendment will begin "Amend Sec. 1 (Sec. 303), page 2, . . ." and end with the words "three hundred fifty dollars (\$350)."

The question now is on the adoption of the first amendment offered by the gentleman, Mr. Mackowski.

On the question,

Will the House agree to Part I of the amendments?

The SPEAKER. The question is on the first amendment offered by the gentleman, Mr. Mackowski. That amendment would end with the words "licenses to residents of this Commonwealth,".

Those in favor of that amendment will vote "aye." Now this is the divided amendment, not the entire first one. Those opposed will vote "no."

On the amendment, the Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Am I correct that the amendment being offered is the one on reciprocity? That is the part.

Mr. Speaker, Mr. Letterman raised the question of constitutionality on that part. I do not think there is any question that that part would be constitutional, because we have agreements with many states on many issues dealing with reciprocity.

I really believe that we are doing no more than what many states have done to our hunters and trappers around the country, and I think it would be a good move if we would follow suit and adopt this amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I am not disagreeing with reciprocity as much as I am afraid that we would lose the second part of the amendment. I thought we might lose the whole amendment if we did not split it.

I personally do not want to see any trappers from outside this state in this state trapping, but I did want to be sure that the \$350 fee was part of our law since this is what all other states are doing to us.

That is the only reason I asked for this to be divided. However, I would say to each member that I would like to see you vote on your own and do what you have to do. I am going to vote "yes" for both parts of it.

On the question recurring,  
Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—8

Arthurs	Flaherty	Lincoln	Richardson
Burns	Gleeson	Pratt	Shelton

The question was determined in the affirmative, and Part I of the amendments was agreed to.

On the question,  
Will the House agree to Part II of the amendments?

The SPEAKER. This amendment would read: "Amend Sec. 1 (Sec. 303), page 2, lines 12 and 13, by striking out 'one hundred dollars (\$100),' and inserting three hundred fifty dollars (\$350)."

On the question recurring,  
Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—8

Arthurs	Flaherty	Pratt	Richardson
Burns	Gleeson	Rappaport	Shelton

The question was determined in the affirmative, and Part II of the amendments was agreed to.

On the question,

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

Mr. HASAY offered the following amendments:

Amend Title, page 1, line 5, by removing the period after "fees" and inserting and increasing certain penalties.

Amend Sec. 1, page 1, line 8, by striking out "Section 303," and inserting Sections 303 and 610,

Amend Sec. 1, page 1, line 9, by inserting after "Law," section 303

Amend Sec. 1, page 1, line 10, by striking out "is" and inserting are

Amend Bill, page 2, by inserting between lines 16 and 17

Section 610. Penalties.—Any person killing or capturing, or possessing or attempting to kill or capture, any beaver or otter, or destroying or disturbing or interfering with beaver or otter dams or houses or dens, or killing, capturing, possessing or disposing of any beaver, contrary to the provisions of this article or the regulations of the commission, shall, upon conviction, be sentenced to pay a fine of (fifty) two hundred dollars and costs of prosecution for each offense.

Any person violating any rule or regulation of the commission relative to the taking of fur-bearing animals not covered in the preceding paragraph, or stealing the traps of another, or disturbing the traps of another, or removing a fur-bearing animal, or raccoon or predator from the traps of another, without specific authority from the owner, shall, upon conviction, be sentenced to pay a fine of (twenty-five) two hundred dollars for each offense.

Any person violating any of the provisions of this article, except as otherwise provided for, shall, upon conviction, be sentenced to pay a fine of ten dollars and costs of prosecution for each offense.

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and, in addition thereto, shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

On the question,

Will the House agree to the amendments?

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

Mr. HASAY. Thank you, Mr. Speaker.

This amendment was also requested by the president of the Pennsylvania Trappers Association. All this amendment does is increase some penalties for the stealing of traps and the disturbing of traps. It increases the penalties for stealing a trap from \$20 to \$200 and from \$25 to \$200. It equalizes all the penalties, and I would appreciate your support.

Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

We agree with this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—9

Arthurs	Gleeson	Pratt	Richardson
Burns	Itkin	Rhodes	Shelton
Flaherty			

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. PETERSON offered the following amendments:

Amend Sec. 1 (Sec. 303), page 1, line 17, by inserting after "\$40.35) /" fifty dollars and fifty cents (\$50.50) for the license year beginning in 1978 and

Amend Sec. 1 (Sec. 303), page 1, line 18, by inserting after "\$60.50)" for the license year beginning in 1979 and each year thereafter

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Mr. Speaker, thank you.

This is a very simple amendment that, instead of raising it \$20 this year, will raise it \$10 this year and \$10 next year.

I would appreciate your support. It will raise the nonresident hunting fee \$10 this year and \$10 next year. The original bill raised it all in 1 year.

The SPEAKER. On the Peterson amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, all other states that have any kind of game program whatsoever are really raising their fees so high that most of the Pennsylvania hunters cannot afford to go to those states to hunt anymore.

We in the committee thought that we would raise this to \$50 at one time, and then there was an amendment put in to make it \$60. Mr. Peterson feels that the economy of his district would be hurt severely, and we can agree to some extent that that would happen. So we will accept his amendment and the two-phase raise.

Thank you.

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

The following roll call was recorded:

YEAS—194

Abraham	Garzia	Manderino	Scheaffer
Anderson	Gatski	Manmiller	Schmitt
Armstrong	Geesey	McCall	Schweder
Barber	Geisler	McClatchy	Scirica
Bellomini	George, C.	McGinnis	Seltzer
Beloff	George, M.	McIntyre	Shuman
Bennett	Giammarco	McLane	Shupnik
Berlin	Gillette	Mebus	Sirianni
Berson	Goebel	Meluskey	Smith, E.
Bittinger	Goodman	Milanovich	Smith, L.
Bittle	Gray	Miller	Spencer
Borski	Greenfield	Milliron	Spitz
Brandt	Greenleaf	Miscevich	Stairs
Brown	Grieco	Mochlmann	Stapleton
Brunner	Halverson	Morris	Stewart
Burd	Hamilton	Mowery	Stuban
Caltagirone	Harper	Mrkonic	Sweet
Caputo	Hasay	Mullen, M. P.	Taddonio
Cassidy	Haskell	Musto	Taylor, E.
Cessar	Hayes, D. S.	Novak	Taylor, F.
Cianciulli	Hayes, S. E.	Noye	Tenaglio
Cimini	Helfrick	O'Brien, B.	Thomas
Cohen	Hoeffel	O'Brien, D.	Trello
Cole	Honaman	O'Connell	Valicenti
Cowell	Hopkins	O'Donnell	Vroon
Davies	Hutchinson, A.	O'Keefe	Wagner
DeMedio	Hutchinson, W.	Oliver	Wansacz
DeVerter	Itkin	Pancoast	Wargo
DeWeese	Jones	Parker	Wass
DiCarlo	Katz	Peterson	Weidner
Dietz	Kelly	Petrarca	Wenger
Dininni	Kernick	Piccola	White
Dombrowski	Klingaman	Pievsky	Wiggins
Donatucci	Knepper	Pitts	Williams

Dorr	Kolter	Polite	Wilson
Doyle	Kowalshyn	Pott	Wilt
Duffy	Kukovich	Prendergast	Wise
Dumas	Lashingier	Pyles	Wright, D.
Englehart	Laughlin	Rappaport	Wright, J. L.
Fee	Lehr	Ravenstahl	Yahner
Fischer, R. R.	Letterman	Reed	Yohn
Fisher, D. M.	Levi	Renwick	Zearfoss
Foster, A.	Levin	Rhodes	Zeller
Foster, W.	Lincoln	Rieger	Zitterman
Freind	Livengood	Ritter	Zord
Fryer	Logue	Ruggiero	Zwinkl
Gallagher	Lynch	Ryan	
Gallen	Mackowski	Salvatore	Irvis,
Gamble	Madigan	Scanlon	Speaker

NAYS—0

NOT VOTING—8

Arthurs	Flaherty	Johnson	Richardson
Burns	Gleeson	Pratt	Shelton

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?

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 yeas and nays will now be taken.

YEAS—194

Abraham	Garzia	Manderino	Scheaffer
Anderson	Gatski	Manmiller	Schmitt
Armstrong	Geesey	McCall	Schweder
Barber	Geisler	McClatchy	Scirica
Bellomini	George, C.	McGinnis	Seltzer
Beloff	George, M.	McIntyre	Shuman
Bennett	Giammarco	McLane	Shupnik
Berlin	Gillette	Mebus	Sirianni
Berson	Goebel	Meluskey	Smith, E.
Bittinger	Goodman	Milanovich	Smith, L.
Bittle	Gray	Miller	Spencer
Borski	Greenfield	Milliron	Spitz
Brandt	Greenleaf	Miscevich	Stairs
Brown	Grieco	Mochlmann	Stapleton
Brunner	Halverson	Morris	Stewart
Burd	Hamilton	Mowery	Stuban
Caltagirone	Harper	Mrkonic	Sweet
Caputo	Hasay	Mullen, M. P.	Taddonio
Cassidy	Haskell	Musto	Taylor, E.
Cessar	Hayes, D. S.	Novak	Taylor, F.
Cianciulli	Hayes, S. E.	Noye	Tenaglio
Cimini	Helfrick	O'Brien, B.	Thomas
Cohen	Hoeffel	O'Brien, D.	Trello
Cole	Honaman	O'Connell	Valicenti
Cowell	Hopkins	O'Donnell	Vroon
Davies	Hutchinson, A.	O'Keefe	Wagner
DeMedio	Hutchinson, W.	Oliver	Wansacz
DeVerter	Itkin	Pancoast	Wargo
DeWeese	Jones	Parker	Wass
DiCarlo	Katz	Peterson	Weidner
Dietz	Kelly	Petrarca	Wenger
Dininni	Kernick	Piccola	White
Dombrowski	Klingaman	Pievsky	Wiggins
Donatucci	Knepper	Pitts	Williams

Dorr	Kolter	Polite	Wilson
Doyle	Kowalyszyn	Pott	Wilt
Duffy	Kukovich	Prendergast	Wise
Dumas	Lashingner	Pyles	Wright, D.
Englehart	Laughlin	Rappaport	Wright, J. L.
Fee	Lehr	Ravenstahl	Yahner
Fischer, R. R.	Letterman	Reed	Yohn
Fisher, D. M.	Levi	Renwick	Zearfoss
Foster, A.	Levin	Rhodes	Zeller
Foster, W.	Lincoln	Rieger	Zitterman
Freind	Livengood	Ritter	Zord
Fryer	Logue	Ruggiero	Zwikl
Gallagher	Lynch	Ryan	
Gallen	Mackowski	Salvatore	Irvis,
Gamble	Madigan	Scanlon	Speaker

NAYS—0

NOT VOTING—8

Arthurs	Flaherty	Johnson	Richardson
Burns	Gleeson	Pratt	Shelton

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

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

The House proceeded to third consideration of **HB1804, PN 2198**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes further providing for the width of certain vehicles.

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 yeas and nays will now be taken.

YEAS—187

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

Cohen	Honaman	O'Donnell	Valicenti
Cole	Hutchinson, A.	O'Keefe	Vroon
Cowell	Hutchinson, W.	Oliver	Wagner
Davies	Itkin	Pancoast	Wansacz
DeMedio	Jones	Parker	Wargo
DeVerter	Kelly	Peterson	Wass
DeWeese	Klingaman	Petrarca	Weidner
DiCarlo	Knepper	Piccola	Wenger
Dietz	Kolter	Pievsky	White
Dininni	Kowalyszyn	Pitts	Wiggins
Dombrowski	Kukovich	Polite	Williams
Donatucci	Lashingner	Pott	Wilson
Dorr	Laughlin	Prendergast	Wilt
Doyle	Lehr	Pyles	Wise
Duffy	Letterman	Rappaport	Wright, D.
Dumas	Levi	Ravenstahl	Wright, J. L.
Englehart	Levin	Reed	Yahner
Fee	Lincoln	Renwick	Yohn
Fischer, R. R.	Livengood	Rhodes	Zearfoss
Fisher, D. M.	Logue	Rieger	Zeller
Foster, A.	Lynch	Ritter	Zitterman
Foster, W.	Mackowski	Ruggiero	Zord
Freind	Madigan	Ryan	Zwikl
Fryer	Manderino	Salvatore	
Gallagher	Manmiller	Scanlon	Irvis,
Gallen	McCall	Scheaffer	Speaker
Gamble			

NAYS—4

Gillette	Katz	Kernick	Taddonio
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NOT VOTING—11

Arthurs	Flaherty	Hopkins	Richardson
Beloff	Gleeson	Johnson	Shelton
Burns	Greenfield	Pratt	

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 House proceeded to third consideration of **HB 389, PN 427**, entitled:

An Act creating a temporary Joint Legislative Committee on Regulatory Reform; prescribing its powers and duties; and making an appropriation.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. PICCOLA offered the following amendment:

Amend Sec. 6, page 5, line 19, by removing the colon after "shall" and inserting immediately establish its priorities for the committee's activities from the following list and may according to those established priorities:

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

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

Mr. PICCOLA. Thank you, Mr. Speaker.

This bill is setting up a joint committee which is designed to accomplish numerous things which are listed on pages 5 and 6 of the bill. Because of the time limitations imposed upon the temporarily established committee, my amendment will require the committee to set priorities among the items listed



on pages 5 and 6 to act upon those priorities that the committee deems fit.

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

Mr. RITTER. Mr. Speaker, that is an agreed-to amendment. The gentleman, Mr. Piccola, is correct. Because of the time constraints, we are asking them to establish priorities from that list that is in the bill.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—9

Arthurs	Gleeson	Pratt	Richardson
Burns	Johnson	Rhodes	Shelton
Flaherty			

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. 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 yeas and nays will now be taken.

YEAS—192

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

NAYS—0

NOT VOTING—10

Arthurs	Gleeson	Pratt	Richardson
Burns	Hopkins	Rhodes	Shelton
Flaherty	Johnson		

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.

**HB 953 REMOVED FROM TABLE FOR CALENDAR**

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

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

I move that we remove from the table HB 953, PN 2291, and place it on the active calendar.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—187**

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

NAYS—0

**NOT VOTING—15**

Arthurs	Flaherty	Logue	Richardson
Beloff	Gleeson	Pratt	Seltzer
Burns	Johnson	Ravenstahl	Shelton
DiCarlo	Lincoln	Rhodes	

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

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The Senate returned the following **HOUSE BILL NO. 539**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

**SENATE AMENDED**

Prior Printer's No. 583      Printer's No. 3009

**THE GENERAL ASSEMBLY OF PENNSYLVANIA**

House Bill No. 539

Session of 1977

INTRODUCED BY MESSRS. McCALL, GOODMAN, B. F. O'BRIEN, GATSKI, TRELLO, ABRAHAM, GAMBLE, ZWIKL, McLANE, WANSACZ, MISCEVICH, DeWEESE, J. L. WRIGHT, L. E. SMITH, LEHR, STAIRS, FISHER, DAVIES, ITKIN, TAYLOR, AND BURNS, MARCH 7, 1977.

SENATOR SMITH, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, APRIL 11, 1978.

**An Act**

amending the act of May 31, 1947 (P. L. 368, No. 168), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents; and providing penalties," changing and adding definitions, imposing administrative and enforcement powers on the Department of Environmental Resources and its mine inspectors in lieu of the Anthracite Committee and Commonwealth agents including record preservation, AND ABOLISHING THE ANTHRACITE COMMITTEE.

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

Section 1. The title, act of May 31, 1947 (P. L. 368, No.168), known as the "Anthracite Standards Law," is amended to read:

**An Act**

to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the [Anthracite Committee and its agents] Department of Environmental Resources and its mine inspectors; and providing penalties.

Section 2. Clauses (b), (f) and (g) of section (2) of the act, are amended and said section is also amended by adding clauses to read:

Section 2. Definitions.—The following words and phrases as used in this act shall be construed to mean:

(b) ["Anthracite Committee"] The Anthracite Committee of the Department of Commerce of the Commonwealth of Pennsylvania, constituted and organized in accordance with the provisions of the Commerce Law, approved May 10, 1939 (Pamphlet Laws 111), as amended, May 5, 1945 (Pamphlet Laws 432), to administer the Production Control Plan for the Anthracite Industry;]  
 "Department" The Department of Environmental Resources;

(f) "Sizes" include the sizes of anthracite commonly known as [broken,] egg, stove, nut, pea, buckwheat and rice, the sizings for which are set forth in the definition of "Standard Anthracite." "Sizes" does not include, and this act shall not be construed to apply to, anthracite of smaller sizes than those herein enumerated;

(g) "Standard Anthracite" anthracite which does not exceed the following specifications as to undersize and ash or slate and bone content:

Size of Anthracite	Test Mesh Round		Undersize Maximum	Ash Content Maximum	Maximum Slate	Percentage Bone
	Through	Over				
[Broken]	4 3/8" 3	1/4"-3"	15%	11%	or 1 1/2%	2%
Egg	3 1/4"[-3"]	2 7/16"	15%	11%	[or 1 1/2%	2%]
Stove	2 7/16"	1 5/8"	15%	11%	[or 2%	3%]
Nut	1 5/8"	13/16"	15%	11%	[or 3%	4%]
Pea	13/16"	9/16"	15%	12%	[or 4%	5%]
Buckwheat	9/16"	5/16"	15%	13%		
Rice	5/16"	3/16"	17%	13%		

As to the maximum percentage of undersize and the maximum percentage of ash content a tolerance of 1% shall be allowed. [When slate content, in the sizes from broken to nut inclusive, is less than above standards, bone content may be increased by one and one-half times the decrease in the slate content under the allowable limits, but slate content, specified above, shall not be exceeded in any event.] The maximum percentage of undersize shall be applicable only to anthracite as it is produced at the preparation plant. Anthracite which conforms to the sizing herein fixed, and conforms also to [either] the specification for ash content [or the specification for slate and bone content], shall be deemed to be "Standard Anthracite";

(p) "Secretary" the Secretary of Environmental Resources or his designated representative.

(q) "Mine Inspector" the Underground District Mine Inspector as defined in section 103 (18) of the act of November 10, 1965 (P. L. 721, No. 346), known as the "Pennsylvania Anthracite Coal Mine Act."

Section 3. Sections 6, 7 and 8 of the act, amended September 26, 1951 (P. L. 1465, No. 362), are amended to read:

Section 6. Preservation of Records.—It shall be the duty of every producer to keep a record of all sales, deliveries and shipments of anthracite, showing the name of the person to whom sold or delivered, the date thereof, the size and net weight, the point of delivery, the railroad car number, the model and registration of the vehicle in which the anthracite was transported, and whether the anthracite so sold, delivered or shipped was sold, delivered or shipped as standard anthracite or substandard anthracite.

It shall be the duty of every wholesale dealer, retail dealer, of every person engaged in hauling anthracite from a railroad car direct to a consumer, and municipal weighmaster, to keep and retain all statements issued to or retained by him in accordance with the provision of this act. It shall also be the duty of every retail dealer and every person engaged in hauling anthracite from a railroad car direct to a consumer and every municipal weighmaster to keep a duplicate of the weighmaster's certificate, and of every wholesale dealer, of the invoice issued

by him, in accordance with the provisions of section four of this act.

All such records shall be written and preserved for a period of two years and shall be open to inspection by [duly accredited agents of the Commonwealth and of the Anthracite Committee] the department acting through its mine inspectors during regular business hours.

Section 7. Powers of [Agents of Anthracite Committee.— Any duly accredited agent of the Commonwealth or of the Anthracite Committee] Department and Mine Inspectors.— The department acting through its mine inspectors shall have full access to every preparation plant and premises of a producer, including railroad cars or railroad sidings, and the storage yard and premises of every retail dealer, and to any railroad car or motor vehicle transporting anthracite wherever the same may be, and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying, or tendering where demanded, the value of the sample so taken, and to examine the weighmaster's certificate or statement of quality accompanying the shipment,

as required by this act. They shall have the right to inspect the books and records of every producer, retail dealer, wholesale dealer, municipal weighmaster, and other persons required to keep records by this act, relating to the sale, resale, reweighing, shipment and delivery of anthracite. Such [agents] mine inspectors shall make [a report] reports of all inspections and tests to the [Anthracite Committee] secretary which shall be open to public inspection. The subject inspections, as described herein, shall be made only subsequent to and as a result of a public complaint submitted to the department.

Section 8. Penalty.—Any producer, retail dealer, wholesale dealer, municipal weighmaster, or other person who shall fail, neglect or refuse to issue a statement when required to do so by section three or section four of this act, or who shall issue any written or printed statement attesting that anthracite sold, resold, shipped, delivered or marketed by him is standard anthracite, when in fact such anthracite is wholly or partly substandard anthracite, or who shall sell, resell, ship, deliver or market anthracite as grade A, or premium anthracite, or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold, resold, shipped, delivered or marketed is standard anthracite, when in fact such anthracite is wholly or partly substandard anthracite, or who shall use any label, marking or design copyrighted or controlled by the [Anthracite Committee or the Commonwealth] department, indicating that anthracite being sold, resold, shipped, delivered or marketed conforms to the requirements of this act or is standard anthracite, without having first secured permission in writing from the [Commonwealth or the Anthracite Committee] department, or who shall refuse the [duly accredited agents of the Commonwealth or the Anthracite Committee] department access to records which they are required by this act to keep on their premises, as permitted by this act, or who shall refuse to permit the [duly accredited agents of the Commonwealth or the Anthracite Committee] department to take samples of anthracite, as authorized by this act, or any operator of any motor vehicle transporting anthracite on the public highways who shall refuse to permit the

[duly accredited agents of the Commonwealth or the Anthracite Committee] department to take a sample of the shipment being transported in the vehicle which they are operating, as permitted by this act, or who shall refuse to exhibit the weighmaster's certificate upon demand by the [duly accredited agents of the Commonwealth or the Anthracite Committee] department, or any producer, retail dealer, municipal weighmaster, operator of a motor vehicle, or other person who shall otherwise violate any of the provisions of this act, shall upon conviction thereof in a summary proceeding, remove and replace the inferior coal with a standard grade of coal as defined in this act and be sentenced for a first offense to pay a fine of \$300 and costs of prosecution, and in default of the payment of such fine and costs of prosecution shall be imprisoned for 30 days.

Any producer, retail dealer, wholesale dealer, municipal weighmaster, or operator of a motor vehicle, or other person committing a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer, retail dealer, wholesale dealer, municipal weighmaster, or other person, or the member or members or officer or officers of any association, partnership or corporation responsible for such violation shall be sentenced to pay a fine of not more than \$1000 or suffer imprisonment for 6 months, or both, in the discretion of the court.

All fines imposed pursuant to the provisions of this section shall be payable to the Commonwealth and shall be paid into the General Fund in the State Treasury through the Department of Revenue.

SECTION 4. (A) THE ANTHRACITE COMMITTEE OF THE DEPARTMENT OF COMMERCE IS HEREBY ABOLISHED.

(B) ALL ALLOCATIONS, APPROPRIATIONS, EQUIPMENT, FILES, RECORDS, CONTRACTS, AGREEMENTS, OBLIGATIONS, AND OTHER MATERIAL WHICH ARE USED, EMPLOYED OR EXPENDED IN CONNECTION WITH THE POWERS, DUTIES OR FUNCTIONS TRANSFERRED BY THIS ACT TO THE DEPARTMENT OF ENVIRONMENTAL RESOURCES ARE HEREBY TRANSFERRED TO THE DEPARTMENT OF ENVIRONMENTAL RESOURCES WITH THE SAME FORCE AND EFFECT AS IF THE APPROPRIATIONS HAD BEEN MADE TO AND SAID ITEMS HAD BEEN THE PROPERTY OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES IN THE FIRST INSTANCE AND AS IF SAID CONTRACT, AGREEMENTS AND OBLIGATIONS HAD BEEN INCURRED OR ENTERED INTO BY SAID DEPARTMENT OF ENVIRONMENTAL RESOURCES.

Section 4 5. This act shall take effect immediately.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

The Senate inserted the language that abolishes the Anthracite Committee and transferred all the records and appropriations to the Department of Environmental Resources mine inspectors. And that, in effect, is what the amendment is.

I ask for concurrence, Mr. Speaker.

On the question recurring

Will the House concur in Senate amendments?

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

YEAS—194

Abraham	Garzia	Manderino	Scheaffer
Anderson	Gatski	Manmiller	Schmitt
Armstrong	Geesey	McCall	Schweder

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

NAYS—0

NOT VOTING—8

Arthurs	Flaherty	Johnson	Richardson
Burns	Gleeson	Pratt	Shelton

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.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following HOUSE BILL NO. 799, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

SENATE AMENDED

Prior Printer's Nos. 903, 2115, 2737 Printer's No. 2979

THE GENERAL ASSEMBLY OF PENNSYLVANIA

House Bill No. 799

Session of 1977

INTRODUCED BY MESSRS. DeMEDIO, FRYER, RITTER AND WEIDNER, MARCH 29, 1977.

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, APRIL 10, 1978.

An Act

amending the act of July 29, 1953 (P. L. 1034, No. 270), entitled "An act creating as bodies corporate and politic 'Public Auditorium Authorities' in counties of the second class and in cities of the second class, singly or jointly; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain and operate public auditoriums; to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; empowering such Authorities to enter into contracts, leases and licenses with and to accept grants from private sources, the Federal Government, State, political subdivisions of the State or any agency thereof; authorizing the making of said grants from bond funds or current revenues; authorizing Authorities to collect rentals, admissions, license fees for the use of the project; exempting the property and securities of such Public Auditorium Authorities from taxation," increasing the amount of supplies and materials which may be purchased without advertising.

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

Section 1. Subsections A and B of section 11, act of July 29, 1953 (P. L. 1034, No. 270), known as the "Public Auditorium Authorities Law," subsection B amended August 17, 1965 (P. L. 352, No. 186), are amended to read:

Section 11. Competition in Award of Contracts.

A. All construction, reconstruction, repairs or work of any nature made by any Authority, where the entire cost, value or amount of such construction, reconstruction, repairs or work, including labor and materials, shall exceed ~~five hundred dollars (\$500.00)~~ ~~two thousand dollars (\$2,000.00)~~ ~~TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)~~ ~~TWO THOUSAND DOLLARS (\$2,000.00)~~ except construction, reconstruction, repairs or work done by employes of said Authority or by labor supplied under agreement with any Federal or State agency with supplies and materials purchased, as hereinafter provided, shall be done only under contract or contracts to be entered into by the Authority with the lowest responsible bidder upon proper terms, after due public notice has been given asking for competitive bids hereinafter provided. ~~At least two written bids shall be required for all contracts involving an expenditure of from one thousand dollars (\$1,000.00) to two thousand dollars (\$2,000.00). The authority need not advertise for such bids.~~ No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking, with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority, for the faithful performance of the contract. All such contracts shall provide, among other things, that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein, provided the action

is brought within one year after the time the cause of action accrued. Nothing in this section shall be construed to limit the power of the Authority to construct, repair or improve any project or portion thereof or any addition, betterment or extension thereto directly by the officers, agents and employes of the Authority or otherwise than by contract.

B. All supplies and materials costing ~~[one thousand dollars (\$1,000.00)]~~ ~~two thousand dollars (\$2,000.00)~~ ~~TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)~~ ~~TWO THOUSAND DOLLARS (\$2,000.00)~~ or more shall be purchased only after due advertisement as hereinafter provided. ~~All supplies and materials costing from one thousand dollars (\$1,000.00) to two thousand dollars (\$2,000.00) shall be purchased only after the authority has received at least two written bids.~~ The authority need not advertise for such bids.

The Authority shall accept the lowest bid or bids, kinds, quality and material being equal, but the Authority shall have the right to reject any or all bids or select a single item from any bid. The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a non-competitive market or solely by a manufacturer's authorized dealer.

\* \* \*

Section 2. This act shall take effect immediately.

On the question,

Will the House concur in Senate amendments?

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

Mr. DeMEDIO. Thank you, Mr. Speaker.

The amendments made by the Senate are two: one reducing the amount of the value of purchases which would require advertising from \$2,500 to \$2,000; the other one is an amendment deleting language that would have required two bids on purchases from \$1,000 to \$2,000, although no advertising was required.

I recommend concurrence, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—181

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

Cole	Hopkins	O'Keefe	Wansacz
Cowell	Hutchinson, A.	Oliver	Wargo
Davies	Hutchinson, W.	Pancoast	Weidner
DeMedio	Jones	Parker	Wenger
DeVerte	Katz	Peterson	White
DeWeese	Kelly	Petrarca	Wiggins
DiCarlo	Knepper	Piccola	Williams
Dietz	Kolter	Pievsky	Wilson
Dininni	Kowalshyn	Pitts	Wilt
Dombrowski	Kukovich	Polite	Wise
Donatucci	Lashinger	Pott	Wright, D.
Dorr	Laughlin	Prendergast	Wright, J. L.
Doyle	Lehr	Pyles	Yahner
Duffy	Letterman	Rappaport	Yohn
Dumas	Levi	Ravenstahl	Zearfoss
Englehart	Levin	Rieger	Zeller
Fee	Lincoln	Ritter	Zitterman
Fischer, R. R.	Livengood	Ruggiero	Zord
Fisher, D. M.	Logue	Ryan	Zwilk
Foster, A.	Lynch	Salvatore	
Foster, W.	Mackowski	Scanlon	Irvis,
Freind	Madigan	Scheaffer	Speaker
Fryer	Manderino	Schweder	

NAYS—10

Geesey	Itkin	Reed	Schmitt
George, C.	Kernick	Renwick	Wass
Halverson	Klingaman		

NOT VOTING—11

Arthurs	Gleeson	McIntyre	Richardson
Burns	Goodman	Pratt	Shelton
Flaherty	Johnson	Rhodes	

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.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following HOUSE BILL No. 2043, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

SENATE AMENDED

Prior Printer's Nos. 2564, 2693, 2798, 3010

Printer's No. 3073

THE GENERAL ASSEMBLY OF PENNSYLVANIA

House Bill No. 2043

Session of 1978

INTRODUCED BY MR. PIEVSKY, FEBRUARY 6, 1978.

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, APRIL 17, 1978.

An Act

amending the act of August 24, 1977 (P. L. 452, No. 12A), entitled "An act appropriating the Federal augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1977 to June 30, 1978 and for the payment of bills incurred and remaining unpaid at the close of

the fiscal period ending June 30, 1977; and requiring the submission of certain budget reduction plans and authorizing the State Treasurer to withhold certain payments," changing, deleting and adding appropriations to the Executive and Judicial Departments.

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

Section 1. As much of section 2 which relates to the Executive and Judicial Departments, act of August 24, 1977 (P. L. 452, No. 12A), known as the "Federal Augmentation Appropriation Act of 1977," Executive Department amended, November 2, 1977 (P. L. 500, No. 13A), is amended by changing, deleting and adding appropriations to read:

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal augmentation funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1977 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1977.

I. EXECUTIVE DEPARTMENT

To the Governor

(a) For the Office of Human Resources

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$224,000 appropriated from Commonwealth revenues for administration and operation:

\* \* \*

(2) "Title XX — Social Services" — For administration and operation of the Governor's Action Center and the Office of Human Resources . . . . .	[410,000] 457,000
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\* \* \*

(b) Office of Administration

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$4,097,000 appropriated from Commonwealth revenues for administration:

\* \* \*

(4) "Intergovernmental Personnel Act" — For improvement of the State personnel system including but not limited to the completion of evaluation studies, the purchasing of equipment and the employment of consultants . . . . .	[300,000] 471,000
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\* \* \*

(5) "Law Enforcement Assistance — Telecommunications Grant" — For provision, by the Bureau of Management Services, of telecommunications consulting services to the Governor's Justice Commission . . . . .	[75,000] 109,000
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\* \* \*

(7) "Comprehensive Employment and Training Act (CETA)" — Title I, Governor's Tension Task Force — To provide public service employment participants for community development/community relations work . . . . .	[50,000] 75,000
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\* \* \*

(9) "COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA)" — TITLE 3 — STATEWIDE YOUTH SERVICES GRANT — FOR THE ADMINISTRATION OF A STATEWIDE YOUTH SERVICES PROGRAM . . . . .	150,000
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\* \* \*

(c) For the Office of State Planning and Development

The following Federal augmentation amounts, or as much

thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$974,000 appropriated from Commonwealth revenues for administration:

(2) "Economic Development — Planning Assistance" — To undertake State economic development planning activities . . . . . [381,500]  
195,000

(4) "Appalachian State Research, Technical Assistance and Demonstration Projects" — To undertake citizen participation development and demonstration project activities . . . . . [70,000]  
112,000

[(5) "Coastal Zone Management Act of 1972" — To provide funds for planning for the impacts of coastal zone energy resources development . . . . . 57,200

(6) "Community Services Act of 1974, Section 232" — To conduct survey research in the social services area . . . . . 75,000]

(8) "Housing and Urban Development — Impact Analysis" — For the study and analysis of impacts resulting from the proposed location of a steel plant in Erie and Crawford Counties, Pennsylvania . . . . . 118,000

(e) For the Pennsylvania Council on the Arts  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$2,000,000 appropriated from Commonwealth revenues for administration:

(5) "Emergency School Aid" — To provide a pilot program to aid in dealing with racially troubled schools. . . . . [100,000]  
96,000

[(6) "Comprehensive Employment and Training Act (CETA)" — To employ unemployed and underemployed artists, CETA, Title I. . . . . 300,000]

(f) For the Governor's Energy Council  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$291,000 appropriated from Commonwealth revenues for administration:

[(1) "Cooperative Agreement" — For specific energy projects including but not limited to studies on energy conservation . . . . . 2,391,000]

(2) "Solar Heating and Cooling Demonstration Act of 1974" — For administration of the National Solar Hot Water Initiative Program and grants to individuals for conversion to solar energy. . . . . [1,270,000]  
1,308,000

(6) "Department of Energy — Energy Policy and Conservation Act (EPCA)" — For the implementation of the State Energy Conservation Plan including energy audits and conservation techniques . . . . . 1,645,000

(7) "Department of Energy — Energy Conservation and Production Act (ECPA)" — For supplemental activities to carry out the State Energy Conservation Plan. . . . . 545,000

(8) "Department of Energy — Project Con-

serve" — For the dissemination of information on energy conservation measures to citizens of the Commonwealth. . . . . 213,000

(g) For the Pennsylvania Commission for Women  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$154,000 appropriated from Commonwealth revenues for general government operations.

(3) "Comprehensive Employment and Training Act (CETA) Title 2 — For the implementation of a program to hire unemployed persons to provide services of interest to women. . . . . 77,000

Governor's Council on Drug and Alcohol Abuse  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$2,250,000 appropriated from Commonwealth revenues for general government operations:

(3) State Training Systems Project — National Institute on Alcoholism and Alcohol Abuse. . . . . [39,000]  
49,000

(7) "State Prevention Co-Ordinator-National Institute on Alcoholism and Alcohol Abuse"—To co-ordinate Primary and Secondary Alcohol Prevention Programs throughout the Commonwealth. . . . . 5,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$19,292,000 appropriated from Commonwealth revenues for grants to drug and alcohol programs:

(5) "Social Rehabilitative Services — Title XX" — To reimburse drug and alcohol services providers through the single county authorities for eligible services rendered to SRS eligible clients as delineated in the SRS Plan — Drug and Alcohol Programs . . . . . [2,064,000]  
4,128,000

(8) "HIGHWAY SAFETY GRANT" — TO ESTABLISH A PILOT PROGRAM FOR A STATEWIDE COMPUTER-ASSISTED INFORMATION SYSTEM TO LINK TOGETHER THE VARIOUS COUNTY "DRIVING UNDER INFLUENCE" (DUI) PROGRAMS . . . . . 99,000

To the Department of Agriculture  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$14,652,000 appropriated from Commonwealth revenues for general government operations:

(3) "Federal/State Poultry Grading Service" — For voluntary grading of egg products, poultry, and rabbits; mandatory inspection of egg products; regulatory surveillance

inspection of shell egg handlers and records . . . . .	[115,000] 130,000
* * *	
(11) "Comprehensive Employment and Training Act (CETA) — Title 6" — Rural housing to develop a multiservice program for rehabilitating housing and provide employment for economically disadvantaged and unemployed persons; also, for the repair of rural homes, particularly homes owned by the handicapped, low income public assistance recipients and senior citizens, with high priority given to farm houses and rural small town residents . . . . .	[1,700,000] 2,000,000
* * *	
(13) To provide reimbursement to the department for pesticide enforcement inspections . . . . .	184,000
(14) "FARMER CONSUMER MARKET-ING" — TO ESTABLISH DIRECT MARKET-ING CENTERS IN LARGE METROPOL-ITAN AREAS AND COORDINATE SALES OF AGRICULTURAL COMMODITIES BETWEEN CONSUMERS AND PRODUCERS . . . . .	74,000
* * *	
To the State Council of Civil Defense	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$554,000 appropriated from Commonwealth revenues for general government operations:	
"Civil Defense — Federal CFDA Program No. 12.300" — For payment of salaries, benefits and administrative expenses and travel of authorized State and local civil defense employees and for equipment, supplies and facilities. . . . .	[950,000] <del>985,000</del> 1,040,000
* * *	
To the State Civil Service Commission	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,000 appropriated from Commonwealth revenues for general government operations:	
* * *	
(4) "Mid Atlantic Personnel Assessment Consortium (MAPAC)" — For the State's co-operation in developing unified personnel selection methods . . . . .	8,000
(5) "Test Coaching" — For developing programs to enable individuals who test poorly to be more competitive on occupational examinations . . . . .	5,000
(6) "Handicapped/Hispanic Program Coordinators" — To further foster fair and equitable employment practices for handicapped persons and those of Hispanic origin . . . . .	20,000
(7) "Digest of Adjudications" — To develop comprehensive reference materials related to the Civil Service Act for use by individual appellants and Commonwealth agencies . . . . .	4,000
* * *	

To the Department of Commerce	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$5,270,000 appropriated from Commonwealth revenues for general government operations:	
* * *	
2.1) "APPALACHIAN REGIONAL COMMISSION DEVELOPMENT PLAN" . . . . .	17,000
[(3) "CETA (4% Discretionary Funds)" — For development of a Statewide travel brochure . . . . .	
	250,000]
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$950,000 appropriated from Commonwealth revenues for the Pennsylvania Science and Engineering Foundation:	
(1) "Appalachian State Research Technical Assistance and Demonstration Projects" — For support of coal energy research in Pennsylvania . . . . .	
	[100,000] 107,000
(2) "ARC — Geological Research" — For the implementation of a project to detect natural gas deposits, including detection activities, on-site inspections, and information dissemination . . . . .	
	20,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,000,000 appropriated from Commonwealth revenues for site development:	
"Public Works and Economic Development Act — Section 304 Grant" — For public works project for the purposes of planning for and making loans or grants for urban land acquisition, urban economic development, technical assistance, site development, and construction costs for individual development purposes . . . . .	
	1,606,000
* * *	
To the Department of Community Affairs	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$6,034,000 appropriated from Commonwealth revenues for general government operations:	
(1) "Intergovernmental Personnel Act of 1970" — To fund two staff positions to administer the Department's and the Commonwealth's Regional Personnel Centers I. P. A. projects and to fund three staff positions to carry out Statewide management training and technical assistance to local governments . . . . .	
	[400,000] 430,000
* * *	
[(3) "Safe Drinking Water Act" — For the training of local government officials in meeting the requirements of above act . . . . .	
	15,000]
* * *	
(5) "Energy Conservation Program" — To provide funding for activities to mitigate the impact of the energy crisis on low income households, including emergency energy programs and energy conservation activities . . . . .	
	[15,000,000] 7,000,000
* * *	
(14) "Department of the Interior — Bureau of Outdoor Recreation — BOR Projects" — For the costs of administering and maintain-	



ing BOR projects in the State . . . . .	[180,000] 275,000	* * *	(28) "Nutrition Education" — To assess the nutrition education needs of the State and to provide nutrition education for student teachers and food service personnel . . . . .	191,000
	383,000		(29) "Right to Read — Basic Skills" — To test recommendations of the United States Office of Education for Federal, State and local coordination of basic skills education and develop a State plan for basic skills . . . . .	85,000
* * *			(30) "Law Enforcement Assistance Administration" — For subgrants to school districts to reduce truancy, dropouts, vandalism and assaults . . . . .	380,000
[(16) "HEW" — For costs incurred in providing environmental training to locally elected/appointed officials. . . . .	10,000]		(31) "Training of School Food Service Personnel" — For a Statewide training program for food service personnel . . . . .	69,000
(17) "HUD" — Community Development Technical Assistance — For the implementation of a program to provide training to elected and appointed local government personnel . . . . .	659,000		(32) "Pre White House Conference on Libraries" — For a pre White House conference on libraries and information services to develop recommendations for State Government in library programs and legislation . . . . .	25,000
(18) "EPA — Water Plant Operator Training" — For the support of a program to provide training to personnel of water plants. . . . .	25,000		(33) "Energy Research and Development" — To write, edit and publish an updated version of The Environmental Impact of Electrical Power Generating, Nuclear and Fossil . . . . .	13,000
(19) "Department of Energy — Weatherization" — For supplies and personnel to be used in a program of home weatherization . . . . .	7,000,000		(34) "Teacher Centers Program — Administration" — To administer a program which will establish teacher centers for in-service training . . . . .	30,000
* * *			(35) "Guidance and Counseling" — For training of first year guidance counselors and counselors of special education . . . . .	152,000
To the Department of Education			(36) "Common Core Data Survey" — To collect data from school districts to be passed on to the National Center for Educational Statistics . . . . .	13,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$14,713,000 appropriated from Commonwealth revenues for general government operations:			(37) For higher education training programs related to the provision of social services pursuant to the provisions of Title XX reimbursements to the Department of Public Welfare . . . . .	482,000
(5) "Preparation of Teachers of Handicapped Children" — Administrative portion . . . . .	[35,000] 53,000		(38) "Educational Information Centers" — To plan for the development of centers which will provide educational and vocational guidance and counseling to adults . . . . .	45,000
* * *			(39) "Comprehensive Employment and Training Act — Pennscript" — To continue a Statewide information system providing local employment opportunity information to Pennsylvania youth . . . . .	100,000
(10) "Right to Read" — State level training program for local right to read directors . . . . .	[270,000] 200,000			
(11) "Higher Education [Instruction] Academic Facilities Program [(Undergraduate) (State Administration), HEA Title VI A] — To administer a program to acquire laboratory and special equipment, closed circuit television equipment and related materials. . . . .	17,000			
* * *				
(13) "Desegregation of Public Education" — To prevent school building segregation or desegregation, increase minority employment and promotion and deal with causes of racial tension . . . . .	[200,000] 260,000			
(14) "Vocational Education" — To administer the support of vocational education programs, construction of vocational education facilities, guidance counseling and ancillary services such as teacher training and program evaluation . . . . .	[3,200,000] 3,700,000			
* * *				
‡(18) "Comprehensive Employment Training Act Title I (Administration)" — To administer a program to provide training opportunities for the unemployed and underemployed . . . . .	[290,000] 384,000			
(19) "Food and Nutrition Service (Administration)" — To administer all food nutrition programs . . . . .	[604,000] 1,000,000			
* * *				
(23) "Career Education" — To develop and implement a comprehensive State plan for career education . . . . .	[45,000] 51,000			
			In addition to the above amounts specifically appropriated for general government operations, the following special competitive grants are hereby appropriated contingent upon their approval by the Federal Government and receipt by the Commonwealth:	

\* \* \*

(7) "Community Education" — To promote community school programs which make the resources of the schools available to all citizens of the community. . . . . [110,000]  
69,000

\* \* \*

†The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,646,000 appropriated from Commonwealth Revenues for the Scranton State School for the Deaf:†

\* \* \*

(3) "COMPREHENSIVE EMPLOYMENT AND TRAINING ACT" — TO HIRE ADDITIONAL STAFF TO IMPROVE SERVICE . . . . . 26,000

\* \* \*

To the Department of Environmental Resources  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$16,365,000 appropriated from Commonwealth revenues for general government operations:

(1) "Coastal Zone Management Program" — For development of a management program for the use of the land and water resources of the State's coastal zone . . . . . [40,000]  
222,000

\* \* \*

(5) "EPA — Acid Mine Drainage Abatement" — For a demonstration project involving the use of connector wells to eliminate acid mine drainage. . . . . 78,000

(6) "Comprehensive Employment and Training Act (CETA), Title 8 — Young Adult Conservation Corp" — For the implementation and administration of a program to provide employment to individuals between the ages of 16 to 23 years inclusive . . . . . 3,460,000

(7) "United States Geological Survey — National Water Use Data System" — For the collection, analysis and dissemination of data on water availabilities and water use. . . . . 60,000

\* \* \*

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$2,882,000 appropriated from Commonwealth revenues for land protection:  
"Solid Waste Planning, Study, Feasibility and Demonstration Grants" and "Water Pollution Control Areawide Waste Treatment Management Planning Grants" (consolidated) — To be used for the purpose of: (i) hazardous solid waste planning, (ii) demonstrate and evaluate reclamation, stabilization and erosion control of strip mine land for agricultural purposes using municipal sewage sludge, (iii) use of flu gas desulfurization sludges and fly ash to abate mine drainage and subsidence, and (iv) feasibility of lime encapsulation of planting waste sludge to prevent waste pollution and for the conduct of a program relating to the residual waste work plan portion of the Comprehensive Water Quality Management Planning Grant — P. L. 92-500, section 208, and other such activities as may be required to carry out the purposes of these grant programs. . . . . [682,000]  
774,000

THE FOLLOWING FEDERAL AUGMENTATION AMOUNTS, OR AS MUCH THEREOF AS MAY BE NECESSARY, ARE HEREBY SPECIFICALLY APPROPRIATED TO SUPPLEMENT THE SUM OF \$5,884,000 APPROPRIATED FROM COMMONWEALTH REVENUES FOR WATER QUALITY MANAGEMENT:

"UNITED STATES ARMY CORPS OF ENGINEERS" — DAM SAFETY PROGRAM TO PROVIDE FOR COMMONWEALTH DAMS . . . . . 20,000

\* \* \*

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$10,955,000 appropriated from Commonwealth revenues for forestry operations:

(1) "Forest Fire Protection and Control" — For prevention of forest fires in State and private forests in Pennsylvania and for control of wildfires anywhere in the Commonwealth . . . . . [350,000]  
538,000

\* \* \*

(8) "Youth Conservation Corps — Grants to State" — For assistance to the State in meeting the cost of projects for employing young men and women to develop, preserve and maintain non-Federal public lands and waters within the State . . . . . [980,000]  
1,378,000

(9) USDA — Forest Services" — For the carrying out of a resource planning update on renewable natural resources . . . . . 20,000

\* \* \*

To the Department of Health  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$14,727,000 appropriated from Commonwealth revenues for general government operations:

(1) "State Health Planning and Development Agency — Title XV" — To establish the health priorities of the Commonwealth through studies of existing and potential health facilities, manpower, and services, and stimulate the development of regional comprehensive health planning agencies . . . . . [785,000]  
~~1,124,830~~  
1,290,000

(2) "Migrant Health Grants" — To provide clinic services at medical centers, and intensify public health nursing services and sanitary surveys of camps for migrant laborers and their families in the Commonwealth. . . . . [50,000]  
~~154,000~~  
187,000

(3) "Cooperative Health Statistics Program — Facilities" — To develop and implement health facilities component of the cooperative statistics system. Review and evaluate existing State-level health facilities statistical system to define the extent to which it is responsive to NCHS requirements and standards and needs of other data users. Plan, organize, test and implement systems modifications. . . . . [103,000]  
124,000

(4) "Cooperative Health Statistics Program — Manpower" — To develop and maintain the health manpower component of the cooperative health statistics system of the

National center for health statistics at the State/local level of government . . . . .	[108,000] <del>143,319</del> 160,000
(5) "Disease Control Immunization Program — Project Grants" — To enlist the aid of practicing physicians, official health agencies and volunteers in an immunization program for all susceptible persons in the community, particularly children under the age of five years . . . . .	[170,000] <del>28,600</del> 188,000
(6) "Survey and Follow Up — Venereal Disease" — For the carrying out of case-finding surveys and serologic follow-up services . . . .	[300,000] <del>425,000</del> 447,000
(7) "Maternal and Child Health Services" — To extend and improve services, in rural areas and in areas suffering from severe distress, for reducing infant mortality and improvement of the health of mothers and children . . . . .	[8,072,000] <del>8,248,000</del> 8,293,000
◆◆◆	
(8) "SPECIAL FOOD SERVICE PROGRAM FOR WOMEN, INFANTS AND CHILDREN" — TO PROVIDE FOR IRON AND PROTEIN RICH FOOD TO LOW INCOME PREGNANT WOMEN, LACTATING MOTHERS, AND INFANTS AND CHILDREN . . . . .	[15,846,000] <del>14,739,000</del>
(9) "CRIPPLED CHILDREN'S SERVICES" — TO PROVIDE MEDICAL, SURGICAL AND CORRECTIVE CARE AND SERVICES; FACILITIES FOR DIAGNOSIS, HOSPITALIZATION; AND POST-HOSPITAL CARE FOR CHILDREN WHO ARE CRIPPLED OR SUFFERING FROM CONDITIONS WHICH LEAD TO CRIPPLING . . . .	[3,424,000] <del>3,497,000</del>
(10) "Comprehensive Public Health Services — Formula Grants" — To develop coordinated programs of State and local public health services, including those directed at maintaining physical and mental health; detection, preventing and controlling disease, injuries and disability; and protecting and maintaining a healthful environment . . . . .	[1,912,000] <del>1,865,638</del> 2,278,000
(11) "Medicare — Health Services Agency Certification" — Perform surveys and inspections to determine whether hospitals, home health agencies, laboratories, clinics, and other providers of health services meet requirements as set forth in section 1861 of the Social Security Act, and, certifying those that qualify to the Secretary of Health, Education and Welfare . . . . .	[1,100,000] <del>1,187,024</del> 1,207,000
(12) "Maternal and Child Health Research (Child Health Research Grants Program)" — To research and evaluate prenatal care and pregnancy outcome . . . . .	[139,900] <del>187,684</del> 194,000

(13) "Tuberculosis Reporting System" — To develop a tuberculosis registration system . . . . .	[42,300] <del>53,183</del>
(14) "Disabled Children's Services — SSI" — To provide services to dependents of persons eligible for SSI . . . . .	1,116,000
<b>(15) "CAPITAL EXPENDITURES HEALTH MAINTENANCE ORGANIZATION" — FOR THE REVIEW OF CAPITAL EXPENDITURES FOR HEALTH MAINTENANCE ORGANIZATIONS WHICH EXCEED \$100,000, CHANGE SERVICE, OR CHANGE NUMBER OF BEDS . . . . .</b>	
(16) "MIGRANT CHILDREN — HEALTH SERVICES" TO PROVIDE FOR HEALTH CARE SERVICES TO MIGRANT CHILDREN FROM INFANCY TO SIXTEEN YEARS OF AGE . . . . .	20,000
(17) "DISEASE CONTROL SWINE FLU" — TO PROVIDE FOR THE SALARIES AND OPERATING EXPENSES IN CONNECTION WITH THE SWINE FLU IMMUNIZATION PROGRAM . . . . .	115,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$2,164,000 appropriated from Commonwealth revenues for the operation of the State Laboratory. * * *	
(3) "Medicare — Health Service Agency Certification" — Perform surveys and inspections to determine whether hospitals, home health agencies, laboratories, clinics, and other providers of health services meet requirements as set forth in section 1861 of the Social Security Act, and, certifying those that qualify to the Secretary of Health, Education and Welfare . . . . .	[100,000] <del>88,100</del>
(4) "Crippled Children's Services — State Laboratory" — To test new births for Hypothyroidism . . . . .	226,000
* * *	
[The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$3,356,000 appropriated from Commonwealth revenues for the Elizabethtown Hospital for Children and Youth:	
(1) "Educationally Deprived Children — Handicapped Elementary and Secondary Education, Title I" — To provide an educational program for children from low-income families . . . . .	55,000]
* * *	
To the Historical and Museum Commission The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$6,000,000 appropriated from Commonwealth revenues for general government operations:	
(1) "Historic Preservation Act of 1966" — For operation of the Division of Historic Preservation of the Pennsylvania Historical and Museum Commission . . . . .	[102,000] <del>153,000</del>

(2) "National Historical Publications and Records Commission" — For the publication of the Henry Bouquet Papers . . . . .	24,000
(3) "Public Works Employment Act" — To provide reimbursement to the commission for work done previously. . . . .	8,000
(4) "National Endowment for the Humanities" — For the microfilming of historical records and the preparation of a guide on their use. . . . .	14,000
(5) "National Endowment for the Humanities — Everyday Life in Pennsylvania 1750-1950" — For research on and dissemination of information on life in Pennsylvania from 1750-1950 . . . . .	10,000
(6) "National Historical Publications and Records Commission — Preservation of Historical Records" — For a program to instruct historical societies on how to preserve historical records . . . . .	6,000

To the Department of Justice

[The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$691,000 appropriated from Commonwealth revenues for the Office of Management Services:

"Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — To develop a detailed plan for the implementation of an Offender Based Transaction Statistics/Computerized Criminal History (OBTS/CCH) system for Pennsylvania. This plan is to be developed by the Governor's Task Force on criminal justice information systems . . . . .	456,000]
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The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,768,000 appropriated from Commonwealth revenues for the Office of Civil Law:

"Anti-trust Enforcement Plan" — For a program of anti-trust enforcement . . . . .	98,000
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The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$484,000 appropriated from Commonwealth revenues for the Governor's Justice Commission:

(1) "Law Enforcement Assistance Discretionary Grants" — To (i) establish a three level evaluation system for provision of data regarding projects, programs and their impact on the total criminal justice system in Pennsylvania; (ii) to develop a comprehensive data system for criminal justice in Pennsylvania; and (iii) to develop and implement a management information system . . . . .	[420,000] 350,000]
(2) "Law Enforcement Assistance — Juvenile Justice and Delinquency Prevention — Allocation to States" — For development and administration of a comprehensive Statewide plan for juvenile justice in accordance with the Juvenile Justice and Delinquency Pre-	

vention Act of 1974 . . . . .	[303,000] 309,000
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(4) "Law Enforcement Assistance — Technical Assistance to Units of Local Government" — To be used exclusively for the Governor's Justice Commission program of technical assistance to political subdivisions receiving or applying for LEAA grants and for a Statewide crime prevention program . . . . .	[1,070,000] 1,077,000
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(5) "Law Enforcement Assistance — Program Evaluation" — For development of program evaluation strategies and performance measurement systems . . . . .	66,000]
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The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,807,000 appropriated from Commonwealth revenues for the Bureau of Consumer Protection:

(1) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — To support Bureau of Consumer Protection prosecutions under the Unfair Trade Practices and Consumer Protection Law . . . . .	[11,000] 13,000
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(2) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — To support three consumer protection units in low income communities mediate complaints, investigate allegations of illegal practices and provide consumer education . . . . .	[24,000] 28,000
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(3) "Public Works Employment Act of 1976" — For provision of a program of consumer education . . . . .	[185,000] 146,000
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The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$3,725,000 appropriated from Commonwealth revenues for the Bureau of Drug Control:

(2) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — To support financial investigation of high echelon drug traffickers . . . . .	[114,000] 45,000
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(3) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — For support of the organized crime strategies unit . . . . .	43,000
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(4) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — For Bureau of Drug Control investigations of higher echelon drug traffickers . . . . .	26,000]
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The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$249,000 appropriated from Commonwealth revenues for the Juvenile Court Judges Commission:

(2) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — Statistical analysis center for juvenile courts . . . . .	[103,000] 118,000
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The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$71,540,000 appropriated from Commonwealth revenues for the State correctional institutions:

(1) "Law Enforcement Assistance — Improving and Strengthening Law Enforcement" — For staff development and training, for treatment programs for drug abusers and evaluation of drug and alcohol programs in State and county prisons, for physical fitness through boxing, for assessment and training in assertive and perspective skills and for the county correctional statistics program . . . . .

[403,000]  
432,000

(2) "Contract Service in non-Federal Institutions" — For maintenance of Federal inmates in State correctional institutions . . . . .

[175,000]  
200,000

(3) "Law Enforcement Assistance — Comprehensive Information System" — For all activities associated with establishing and operating a computer-based "Inmate Master File" . . . . .

300,000

(4) "Law Enforcement Assistance — Advanced Corrections Training Program" — For provision of an advanced corrections training program . . . . .

117,000

(6) "Comprehensive Employment and Training Act (CETA) — Improving Corrections Delivery System" — For provisions of job training and employment opportunities . . . . .

500,000

(7) "Law Enforcement Assistance — Utilization of Community Social Service Programs" — For costs associated with the purchase and operation of three van type vehicles (one each) for the State correctional institutions at Huntington, Dallas and Rockview . . . . .

43,000

The following Federal augmentation amounts, or as much thereof as may be necessary are hereby specifically appropriated to supplement the sum of \$2,100,000 appropriated from Commonwealth revenues for community service centers:

"Law Enforcement Assistance" — To provide funds for the continuation of the Community Service Center for Women at Erie, Pennsylvania . . . . .

100,000

\* \* \*

To the Board of Probation and Parole

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$9,839,000 appropriated from Commonwealth revenues for general government operations:

\* \* \*

(7) "Title XX — Social Services" — To reimburse the Board of Probation and Parole for services rendered to social rehabilitative services eligible clients as delineated in the social rehabilitative services plan — probation and parole services . . . . .

[2,626,000]  
~~2,725,000~~  
2,738,000

(8) "National Institute of Corrections — Research Interns" — For employment of interns interested in corrections research as a career . . . . .

[5,040,000]  
5,040

(9) "Title XX — Social Services Training — For a training program for Board of Probation and Parole staff who provide Title XX services to eligible ex-offenders . . . . .

51,300

(10) "Title XX — Social Services Training — Project 60" — For costs associated with a program of services for eligible Board of Probation and Parole clients . . . . .

70,000

(11) "Joint State County Training Project for Adult Probation and Parole Personnel in the Commonwealth of Pennsylvania" — For a program of training in adult probation and parole services . . . . .

22,000

\* \* \*

To the Department of Public Welfare

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$16,941,000 appropriated from Commonwealth revenues for general government operations:

\* \* \*

(2) "Special Programs for the Aging" — For administrative expenses incurred for general government operations in support of the provision of programs for older persons via Statewide planning, area planning and social services . . . . .

[842,000]  
1,000,000

\* \* \*

(12) "Comprehensive Employment and Training Act (CETA)" — For the provision of job training and employment opportunities . . . . .

[515,000]  
1,015,000

\* \* \*

(14) "Vocational Rehabilitation Facilities" — For provision of a model program for the implementation of uniform Statewide criteria for vocational rehabilitation facilities in the Commonwealth . . . . .

[65,000]  
120,000

(15) "Program for the Aging-Administration — Title IX" — For administrative expenses incurred in providing employment opportunities for the aged . . . . .

93,000

(16) "Program for the Aging-Administration — Title IV-A" — To train eligible persons employed or preparing for employment in aging and related fields . . . . .

19,000

(17) "Child Abuse and Neglect Grant" — For the purpose of training professionals on prevention of child abuse and neglect . . . . .

89,000

(18) "Client Oriented System for Providing Developmental Disabilities Data" . . . . .

20,000

\* \* \*

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$2,736,000 appropriated from Commonwealth revenues for the Office of Information Systems:

\* \* \*

(4) "Food Stamp Program" — For expenses incurred by the Office of Information Systems in providing an information system in relation to the Food Stamp Program . . . . .

[13,000]  
473,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appro-

priated to supplement the sum of \$105,294,000 appropriated from Commonwealth revenues for county administration:

(2) "MAINTENANCE ASSISTANCE" — FOR ADMINISTRATIVE EXPENSES FOR COUNTY ADMINISTRATION IN RELATION TO PROVISION OF SUPPLEMENTAL SECURITY INCOME AND CASH ASSISTANCE TO ELIGIBLE PERSONS. . . . . [40,350,000] 41,850,000

(5) "MEDICAL ASSISTANCE" — FOR ADMINISTRATIVE EXPENSES INCURRED FOR COUNTY ADMINISTRATION IN RELATION TO THE PROVISION OF MEDICAL ASSISTANCE SERVICES. . . . . [17,108,000] 17,678,000

(6) "WORK INCENTIVE PROGRAM" — FOR ADMINISTRATIVE EXPENSES INCURRED FOR COUNTY ADMINISTRATION IN RELATION TO THE WORK INCENTIVE PROGRAM. . . . . [4,518,000] 3,018,000

(9) "Comprehensive Employment and Training Act (CETA)" — For provisions of job training and employment opportunities through county administration. . . . . [559,000] 764,000

(11) "EMERGENCY ENERGY — COUNTY ADMINISTRATION" — TO PROVIDE CASH PAYMENTS MADE TO LOW INCOME INDIVIDUALS FOR PAYMENT OF EXTRAORDINARY ENERGY COSTS. . . . . 15,000,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$3,155,000 appropriated from Commonwealth revenues for claims settlement:

(2) "Child Support Enforcement Program" — For costs incurred by the Bureau of Claims Settlement in support of the Child Support Program. . . . . [6,131,000] 8,631,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$19,123,000 appropriated from Commonwealth revenues for basic institutional programs and facilities for youth offenders:

(2) "Comprehensive Employment and Training Act (CETA)" — For provision of job training and employment opportunities through basic institutional programs and facilities for youth offenders. . . . . [298,000] 544,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$355,000,000 appropriated from Commonwealth revenues for State mental hospitals and State centers:

(5) "Comprehensive Employment and Training Act (CETA)" — For provision of job training and employment opportunities through State mental hospitals and State centers. . . . . [5,633,000] 6,952,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$8,460,000 appropriated from Commonwealth revenues for services for the aging:

(2) "Programs for the Aging — Title III" — For support of programs for eligible older persons through Statewide planning, area planning and social services. . . . . [11,164,000] 11,152,000

(3) "Programs for the Aging — Nutrition — Title VII" — To provide eligible older citizens with low cost nutritious meals with appropriate supportive services. . . . . [18,654,000] 18,736,000

(4) "Programs for the Aging — Training — Title IV-A" — To train eligible persons employed or preparing for employment in aging and related fields. . . . . [601,000] 582,000

(6) "Programs for the Aging — Employment — Title IX" — To provide for employment of eligible older persons in community service projects. . . . . [1,653,000] 1,560,000

THE FOLLOWING FEDERAL AUGMENTATION AMOUNTS, OR AS MUCH THEREOF AS MAY BE NECESSARY, ARE HEREBY SPECIFICALLY APPROPRIATED TO SUPPLEMENT THE SUM OF \$63,653,000 APPROPRIATED FROM COMMONWEALTH REVENUES FOR PAYMENTS TO COUNTIES FOR CHILD WELFARE PROGRAMS:

(1) "CHILD WELFARE SERVICES" — TO ESTABLISH, EXTEND AND STRENGTHEN SERVICES PROVIDED BY LOCAL PUBLIC WELFARE PROGRAMS FOR DEVELOPMENT OF SERVICES WHICH WILL PREVENT THE NEGLECT, ABUSE, EXPLOITATION OR DELINQUENCY OF CHILDREN. . . . . [1,056,000] 1,394,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$2,659,000 appropriated from Commonwealth revenues for the social services program:

(2) "Social Services — Training" — For training purposes in relation to social services programs for eligible persons. . . . . [2,586,000] 3,068,000

[The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$7,033,000 appropriated from Commonwealth revenues for restoration centers:]

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$7,243,000 appropriated from Commonwealth revenues for State general hospitals:

(3) "Comprehensive Employment and Training Act (CETA)" — For the provision of job training and employment opportunities through the State general hospitals. . . . . [344,000] 473,000

[In addition to the amounts specifically appropriated herein to the Department of Public Welfare all moneys received from the Federal Government during any previous fiscal year, that are unexpended or unencumbered as of June 30, 1977, are hereby appropriated for the purpose of the respective appropriations.]

Grants — In addition to the amounts specifically appro-

apropriated herein to the Department of Public Welfare, all moneys received from the Federal Government during any previous fiscal year, that are unexpended or unencumbered as of June 30, 1977, are hereby appropriated for the purpose of the respective appropriations.

Reimbursements — In addition to the amounts specifically appropriated herein to the Department of Public Welfare, all moneys appropriated from the Federal Government during any previous fiscal year which are expected to be received as reimbursements may be carried forward until June 30, 1978 to the extent that contracted obligations are carried forward.

To the Department of Transportation  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,089,000 appropriated from Commonwealth revenues for mass transit operations:

\*\*\*  
(4) "Rural Public Transportation Assistance" — For technical assistance to encourage the development and improvement of mass transportation systems within rural and small urban areas . . . . . 41,000

To the Pennsylvania State Police  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$29,000,000 appropriated for general governmental expenses:

"Updating and Expansion of Laboratory Equipment" — To allow the State Police to upgrade existing laboratory equipment and to add new equipment at its laboratories throughout the State . . . . . 295,317

"FEDERAL HIGHWAY ADMINISTRATION — HAND HELD TRAFFIC RADAR SYSTEM" — TO ENABLE THE STATE POLICE TO PURCHASE HAND HELD RADAR UNITS . . . . . 120,000

"FEDERAL HIGHWAY ADMINISTRATION — FOUR WHEEL DRIVE PATROL VEHICLE" — TO PROVIDE FOUR WHEEL DRIVE VEHICLES TO THE STATE POLICE FOR USE IN THE RURAL SNOWBELT AREAS OF THE COMMONWEALTH . . . . . 109,000

"FEDERAL HIGHWAY ADMINISTRATION — HIGHWAY TRAFFIC SAFETY FILMS" — TO PROVIDE STATE POLICE SAFETY EDUCATION OFFICERS WITH UPDATED PROGRAM RESOURCES AND A BROADER SPECTRUM OF TRAFFIC SAFETY PROGRAMS . . . . . 32,000

"FEDERAL HIGHWAY ADMINISTRATION — BREATHALYZER INSTRUCTOR TRAINING" — TO ATTEND INSTRUCTOR TRAINING COURSES FOR ALCOHOL BREATH TESTING EQUIPMENT . . . . . 15,000

\*\*\*  
II. JUDICIAL DEPARTMENT  
To the Court Administrator

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$1,252,000 appropriated from Commonwealth revenues for the Office of Court Administrator:

(1) "Law Enforcement Assistance — Federal Discretionary — Pennsylvania State Judicial Information System" — For design and development of a judicial information system to interface with the comprehensive data system being developed on a Statewide basis . . . . . [200,000]  
400,000

(2) "Law Enforcement Assistance — State Discretionary — Pennsylvania State Judicial Information System" — For implementation of a judicial information system to interface with the comprehensive data system being developed on a Statewide basis . . . . . [200,000]

\*\*\*  
(4) "Law Enforcement Assistance — State Discretionary — Training Subgrant No. 3" — For provision of out-of-state instruction for judiciary members and other court personnel in accordance with the standards of the American Bar Association and the National Advisory Commission on Criminal Justice . . . . . [28,000]  
49,000

(5) "Law Enforcement Assistance — State Discretionary — Judicial Training Center of Pennsylvania" — For provision of in-state training of members of the judiciary and other court related personnel . . . . . [122,000]  
136,000

(5) "LAW ENFORCEMENT ASSISTANCE — STATE DISCRETIONARY — JUDICIAL TRAINING CENTER OF PENNSYLVANIA" — FOR PROVISION OF IN-STATE TRAINING OF MEMBERS OF THE JUDICIARY AND OTHER COURT RELATED PERSONNEL . . . . . [122,000]  
136,000

\*\*\*  
(12) "Law Enforcement Assistance Act Judicial Inspection of Detention Facilities" — For the operation of a program to take members of the judiciary on inspection tours of detention facilities and for the dissemination of information gathered on such tours . . . . . 21,000

(13) "Law Enforcement Assistance Act — State Discretionary — Jury Utilization Project" — For a program to develop modern jury management procedures . . . . . 400,000

\*\*\*  
Section 2. Section 3 of the act is amended insofar as it relates to restricted receipt accounts in the Governor's Office, the Department of Education and the Department of Environmental Resources.

Section 3. The Secretary of the Budget may create the following restricted receipt accounts for the purpose of administering Federal grants only for the purposes herein designated during the fiscal period July 1, 1977 through June 30, 1978.

Governor's Office  
\*\*\*

(6) "Federal Grant — Comprehensive Employment and Training Act":  
Title 1 — Special Grant.  
Title 2 — Public Service Employment Programs — Subgrants to Prime Sponsors.

Title 3 — Statewide Youth Services Grant.  
Title 6 — Public Service Employment Programs — Subgrants to Prime Sponsors.

**TITLE 8 — YOUNG ADULT CONSERVATION CORPORATION.**

\* \* \*

Department of Education

\* \* \*

(23) "Pennsylvania State University-Federal Aid" — For payment of Federal aid to land grant colleges.

\* \* \*

Department of Environmental Resources

(8) "Flood Control Payments; to be used to defray county expenses."

\* \* \*

Section 3. This act shall take effect immediately.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, who will offer a brief explanation of the amendments inserted by the Senate.

Mr. PIEVSKY. Mr. Speaker, if you recall when we first took up action on HB 2043, an amendment was placed by Representative O'Donnell that removed \$8 million in CETA — Comprehensive Employment and Training Act — funds. At that time, it was the will of this House that the Appropriations Committee and it was also the will of Representative O'Donnell that the Appropriations Committee hold hearings in reference to the CETA money.

The Appropriations Committee did hold those hearings. We called in all the principals involved. Representative O'Donnell was satisfied at the conclusion of the hearings. He urged Senator Smith, in the Senate, to restore the \$8 million, and I urge concurrence, Mr. Speaker, and so does Representative O'Donnell. Thank you, Mr. Speaker.

The SPEAKER. It is moved by Mr. Pievsky that the House do concur in the amendments inserted by the Senate to HB 2043, PN 3073.

On the question recurring,

Will the House concur in Senate amendments?

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

**YEAS—187**

Abraham	Gatski	Manderino	Schmitt
Anderson	Geesey	Manmiller	Schweder
Armstrong	Geisler	McCall	Scirica
Barber	George, C.	McClatchy	Seltzer
Bellomini	George, M.	McGinnis	Shuman
Beloff	Giammarco	McIntyre	Shupnik
Bennett	Gillette	McLane	Sirianni
Berlin	Goebel	Mebus	Smith, E.
Berson	Goodman	Meluskey	Smith, L.
Bittinger	Gray	Milanovich	Spencer
Bittle	Greenfield	Miller	Spitz
Borski	Greenleaf	Milliron	Stairs
Brandt	Grieco	Miscevich	Stapleton
Brown	Halverson	Moehlmann	Stewart
Brunner	Hamilton	Morris	Stuban
Burd	Harper	Mowery	Sweet

Caltagirone	Hasay	Mrkonic	Taddonio
Caputo	Haskell	Mullen, M. P.	Taylor, E.
Cassidy	Hayes, D. S.	Musto	Taylor, F.
Cessar	Hayes, S. E.	Novak	Tenaglio
Cianciulli	Helfrick	Noye	Thomas
Cimini	Hoefel	O'Brien, B.	Trello
Cohen	Honaman	O'Brien, D.	Valicenti
Cole	Hopkins	O'Connell	Vroon
Cowell	Hutchinson, A.	O'Donnell	Wagner
Davies	Hutchinson, W.	Oliver	Wansacz
DeMedio	Itkin	Pancoast	Wargo
DeVerter	Jones	Parker	Wass
DeWeese	Katz	Peterson	Weidner
DiCarlo	Kelly	Petrarca	Wenger
Dietz	Kernick	Pievsky	White
Dininni	Knepper	Pitts	Wiggins
Dombrowski	Kolter	Polite	Williams
Donatucci	Kowalyshyn	Prendergast	Wilson
Dorr	Kukovich	Pyles	Wilt
Doyle	Lashinger	Rappaport	Wise
Duffy	Laughlin	Ravenstahl	Wright, D.
Dumas	Lehr	Reed	Wright, J. L.
Englehart	Letterman	Renwick	Yahner
Fee	Levi	Rhodes	Yohn
Foster, A.	Levin	Rieger	Zearfoss
Foster, W.	Lincoln	Ritter	Zeller
Freind	Livengood	Ruggiero	Zitterman
Fryer	Logue	Ryan	Zwinkl
Gallagher	Lynch	Salvatore	
Gallen	Mackowski	Scanlon	Irvis,
Gamble	Madigan	Scheaffer	Speaker
Garzia			

**NAYS—7**

Fischer, R. R.	Klingaman	Piccola	Zord
Fisher, D. M.	O'Keefe	Pott	

**NOT VOTING—8**

Arthurs	Flaherty	Johnson	Richardson
Burns	Gleeson	Pratt	Shelton

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.

**STATEMENT ON HR 208 INTRODUCED**

The SPEAKER. Page 6. This resolution has not been caused on. This is a resolution memorializing Congress.

Mr. Cassidy, is the gentleman on the floor of the House?

Mr. MILLIRON. Mr. Speaker, he just stepped out for a minute. He will be back shortly.

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

Mr. DeMEDIO. What resolution is that?

The SPEAKER. You are correct, you are a sponsor of the resolution.

Mr. DeMEDIO. I am also a sponsor of this resolution. Just recently you may have gotten some correspondence from—

The SPEAKER. Will the gentleman yield? Does the gentleman wish to offer an explanation in the absence of Mr. Cassidy? Is that it?

Mr. DeMEDIO. Yes.



The SPEAKER. The Chair recognizes the gentleman for that purpose.

Mr. DeMEDIO. Thank you, Mr. Speaker. Just recently all of you received correspondence from Representative Cassidy explaining this resolution. There was a Federal bill introduced which calls for moneys for reimbursement to the states for winter damage, but the bill is so worded that it gives to all states moneys.

This resolution suggests that the amounts should be determined according to the needs of the various states, rather than giving some states, for example, such as Puerto Rico or other states which naturally would have no winter road damage, a certain minimum amount of money.

Now, Schweiker, just a week or so ago, after this resolution was introduced, came out with a press release suggesting that such amendments be made to conform with this resolution. So I think that the House should pass it, vote in the affirmative. Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, there is some degree of urgency to this resolution. Senator Schweiker is attempting to amend the bill that is before the Congress now to see that the money that is being set aside goes to those states which really suffered winter road damage and not necessarily to places like the Virgin Islands, which are supposed to get \$1½ million which is the minimum amount that any state would get. So, there is some degree of urgency. Senator Schweiker has been in contact with Representative Cassidy. He thinks that the passage of this would lend some support to his position. I think it would too and, Mr. Speaker, in spite of the fact that we have not caucused on it, I would ask for an affirmative vote on HR 208.

RESOLUTION ADOPTED

Mr. CASSIDY called up **HR 208, PN 2924.**

GENERAL ASSEMBLY MEMORIALIZE CONGRESS TO PASS "EMERGENCY HIGHWAY AND TRANSPORTATION REPAIR ACT OF 1978" BASED ON STATES NEEDS.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Abraham	Garzia	Manderino	Schmitt
Anderson	Gatski	Manmiller	Schweder
Armstrong	Geesey	McCall	Scirica
Barber	Geisler	McClatchy	Seltzer
Bellomini	George, C.	McGinnis	Shuman
Beloff	George, M.	McLane	Shupnik
Bennett	Giammarco	Mebus	Sirianni
Berlin	Gillette	Meluskey	Smith, E.
Berson	Goebel	Milanovich	Smith, L.
Bittinger	Goodman	Miller	Spencer
Bittle	Gray	Milliron	Spitz
Borski	Greenfield	Miscevich	Stairs
Brandt	Greenleaf	Moehlmann	Stapleton
Brown	Grieco	Morris	Stewart
Brunner	Halverson	Mowery	Stuban
Burd	Hamilton	Mrkonic	Sweet
Caltagirone	Harper	Mullen, M. P.	Taddonio

Caputo	Hasay	Musto	Taylor, E.
Cassidy	Haskell	Novak	Taylor, F.
Cessar	Hayes, D. S.	Noye	Tenaglio
Cianciulli	Hayes, S. E.	O'Brien, B.	Thomas
Cimini	Heifrick	O'Brien, D.	Trello
Cohen	Hoeffel	O'Connell	Valicenti
Cole	Honaman	O'Donnell	Vroon
Cowell	Hopkins	O'Keefe	Wagner
Davies	Hutchinson, A.	Oliver	Wansacz
DeMedio	Hutchinson, W.	Pancoast	Wargo
DeVerter	Itkin	Parker	Wass
DeWeese	Jones	Peterson	Weidner
DiCarlo	Katz	Petrarca	Wenger
Dietz	Kelly	Piccola	White
Dininni	Kernick	Pievsky	Wiggins
Dombrowski	Klingaman	Pitts	Williams
Donatucci	Knepper	Polite	Wilson
Dorr	Kolter	Pott	Wilt
Doyle	Kowalshyn	Prendergast	Wise
Duffy	Kukovich	Pyles	Wright, D.
Dumas	Lashinger	Rappaport	Wright, J. L.
Engelhart	Laughlin	Ravenstahl	Yahner
Fee	Lehr	Reed	Yohn
Fischer, R. R.	Letterman	Renwick	Zearfoss
Fisher, D. M.	Levi	Rhodes	Zeller
Foster, A.	Levin	Rieger	Zitterman
Foster, W.	Lincoln	Ritter	Zord
Freind	Livengood	Ruggiero	Zwilk
Fryer	Logue	Ryan	
Gallagher	Lynch	Salvatore	Irvis,
Gallen	Mackowski	Scanlon	Speaker
Gamble	Madigan	Scheaffer	

NAYS—0

NOT VOTING—9

Arthurs	Gleeson	McIntyre	Richardson
Burns	Johnson	Pratt	Shelton
Flaherty			

The question was determined in the affirmative, and the resolution was adopted.

SENATE MESSAGE

APPOINTMENT OF COMMITTEE OF CONFERENCE

The Senate informed that the Senate insists on concurrence by House of Representatives in Senate amendments to **HB 858, PN 2036.**

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code" further authorizing county commissioners to make grants or appropriations to historical societies.

And has appointed Messrs. MESSINGER, ROSS and JUBELIRER a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE AND APPOINTMENT OF A CONFERENCE COMMITTEE

Mr. FRYER moved that the House insist upon nonconcurrency in Senate amendments to HB 858, PN 2636, and that a committee of conference be appointed.

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

**APPOINTMENT OF COMMITTEE  
OF CONFERENCE  
ON HOUSE BILL NO. 858**

The SPEAKER. The Chair appoints the following members as a committee of conference on the part of the House:

Messrs. FRYER, ZWIKL and J. L. WRIGHT.

Ordered, That the clerk inform the Senate accordingly.

**INSURANCE COMMITTEE MEETING**

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

Mr. KOWALYSHYN. Mr. Speaker, I would like to announce that the Insurance Committee will be meeting as scheduled at 11:30 this morning in room 401. We hope to begin on time and will expedite our work as much as possible. Thank you, Mr. Speaker.

**LEGISLATION INTRODUCED**

The SPEAKER. Does the gentleman from Berks, Mr. Davies, wish to make an announcement?

Mr. DAVIES. Yes, Mr. Speaker, asking for the unanimous consent of the House to make a statement on a bill that I am going to put on the desk this morning.

The SPEAKER. Without objection, the gentleman has unanimous consent and may proceed.

Mr. DAVIES. One of the controversial issues in education in the last few years has been a move of returning to the basics and the matter of testing programs or actually measuring skills and levels of skills that have been of great concern in the area of public education.

This bill would essentially require the phasing in over a 5-year period a set of tests that would be developed by the local school districts with the cooperation of the state department, to measure the level of actual mastery of skills and accumulated knowledge in certain fields.

These would be staged in at the fifth-, eighth-, and 11th-grade levels. There would be a follow-up testing program to see, for the benefit of the legislature, how these 505 school districts of the Commonwealth were doing on a statewide level as well, and this, of course, would be put in at a later level.

Essentially the reason for the staging in over a 5-year interim as is required now is because—and it is a very complimentary thing—the Philadelphia School District already has a program in which they are doing this type of testing. The reason for the stage-in is that the level of this test will bring it up above where the Philadelphia district is currently doing their testing, and since they do have an ongoing program, it would take a period of 5 years to phase it in.

I know that philosophically there are people who have problems with testing and the matter of testing and that it be de-

vised by local districts and do have certain adjustments to it because of the needs in urban education as opposed to some of the other areas of the state. We are hopeful that this can be worked out through the efforts of this particular type of legislation. I will place it on the desk up here, and if there are any interested members, we certainly would encourage them and welcome their interest in this type of legislation. We do have, currently, some compromise in HB 669, which we worked on for over a 4-year period. This goes a little bit beyond and further in scope of the provisions provided for in HB 669.

Thank you very much, Mr. Speaker.

**DISCUSSION SUGGESTED ON PROPOSED  
RESOLUTION**

The SPEAKER. The House will be at ease awaiting the advent of a resolution which the gentleman, Mr. O'Connell, has.

Would the gentleman, Mr. O'Donnell, discuss this resolution and his procedure with the majority leader and minority leader? Mr. O'Connell, would you discuss your procedure with the majority and minority leaders before offering it on the floor? The House will be at ease.

Mr. O'CONNELL. Okay.

**HOUSE SCHEDULE**

The SPEAKER. The Chair is about to explain a procedure to the House. This has nothing to do with the gentleman, Mr. O'Connell, so he can relax.

The Chair would appreciate your attention because the Chair is about to engage in something that is beyond the ordinary aspects of the business of the House and will do so only with unanimous consent. The only business which is before the House or may be before the House will be a question of concurring in amendments inserted by the Senate to the general appropriation bill.

The Chair has been informed, and believes, that the Senate will pass the bill, when it does pass it, with amendments, and one of those amendments will be an amendment which eliminates the salaries for the members of the House from the budget. Obviously, this is a device to guarantee nonconcurrency.

Therefore, the Chair is going to suggest, after it reads to you from the Rules of Parliamentary Procedure, a step which, if you agree unanimously, can shorten this particular waiting period for you as individuals and permit you to go to your various homes. Well, that ends that right away.

This is on a question of concurring or nonconcurring. Normally the Chair, if you notice, places all motions on the board rather than by voice vote, even though resolutions can be taken by voice vote and nonconcurrences can be taken by vote, but the Chair normally places all questions on the board. But to save you some hours, the Chair is prepared, if unanimous consent is granted, to follow the following procedure: If a motion is to nonconcur, usually a voice vote is taken, although a roll call may be demanded. If there is no objection, the Chair will keep the desk open and will remain here personally to receive the message from the Senate, will place the matter of nonconcur-

rence in Senate amendments to the general appropriation bill to a voice vote, and the Chair assumes, naturally, that the voice vote will be to nonconcur, in which case the Chair will then proceed to appoint a committee of conference on the differences between the House version and the Senate version of the general appropriation bill.

Now, the other alternative—and this is not said as a threat, please believe the Chair in this—is for the Chair to declare a recess until approximately 2:30 this afternoon to see if the Senate has acted by that time, and, if it has not, to continue the recess until such time as the Senate has acted.

Now, if there be anyone on the floor of the House who is unhappy with this solution—and the Chair will not take it personally—and feels that the members should be here, as indeed the members probably should, then if that member will indicate that, even privately, to the Chair, if you do not wish to opprobrium of announcing it on the floor, the Chair will not continue with that procedure. But if there be no objection by the time the Chair is ready to declare a recess, then the Chair will declare that the House stands in recess subject to recall by the Speaker. The Speaker will then say to the members that nothing will be taken except the matter of nonconcurrency in Senate amendments to the general appropriation bill, and that will be taken by voice vote. Is that clear to each person?

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

Mr. KNEPPER. Mr. Speaker, I assume—I am not objecting to that procedure; it certainly sounds like a wise one—however, that those who could wish to be here at such time—

The SPEAKER. Oh, yes. The Chair would actually be pleased to have everyone here from that point of view. This is only done, please believe me, to allow you to go home if you choose, but if you do not choose, certainly the duty is here. There is no question about that.

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

Mr. GALLEN. Mr. Speaker, I think that the device about to be used by the Senate, that is, cutting out the funds for the House, is something that may have come about as a result of an amendment that I initiated here on the floor of the House, which would have allowed expenses for both the House and the Senate to be based on a ratio as to the number of members in each body. I think the majority leader, being somewhat more cunning than me, then came up with the device, that is, this device of cutting the Senate funds in order to ensure that a conference committee would then handle the details of the budget.

I think it is unfortunate, Mr. Speaker, that we have to resort to this, especially since we are really not at a critical point. And I hope we do not get to that point, that we are going to really place in the hands of six people the writing of the budget for the next fiscal year; really in the hands of four people, because the minority members have little input into a conference committee. I think that it is unfortunate that we 203 members of this House will really have absolutely nothing to say about the final form of this upcoming budget.

I think that this is really not what our forefathers had in mind when they designed the constitutions, and the fact that

we will have no opportunity to amend the budget or really to have almost no input into it is something that I think we should not be proud of.

Thank you, Mr. Speaker.

The SPEAKER. Well, let us hold in abeyance any further comments on the suggestion of the Speaker. We have one other piece of business to take care of. The gentleman, Mr. O'Connell, has a resolution to offer.

Because time is of the essence and there will not be time for it to be printed, distributed, and passed to the Rules Committee, the gentleman is going to move to suspend the rules so that we may read the resolution and act upon it immediately.

Meanwhile, you think about the suggestion of the Chair and, if you have an objection, seal it in an envelope, if you like, and send it up to the Chair by page. The Chair will not announce your names but will simply announce that unanimous consent has not been granted, and that will solve that particular problem.

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

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

Mr. Speaker, I offer this resolution and ask for a suspension of the rules to have it immediately considered.

There is some degree of urgency about it because what I am attempting to do is extend the deadline that is effective April 28, and it deals with unpaid energy fuel bills. We have run into a lot of controversy and a lot of problems with it, and really the resolution memorializes Congress to support the Governor's position in asking for an extension of the time and a change in the rules to accommodate some people who are otherwise going to be hard pressed and, in fact, penalized because they cannot comply. I, therefore, move for the suspension of the rules.

#### RULES SUSPENDED TO CONSIDER HR 223

The SPEAKER. The gentleman, Mr. O'Connell, is presenting HR 223 to the House. The Chair will read certain parts of it for the members so that no member is under any misapprehension as to what the resolution does. (Reading:)

"In the House of Representatives, The Federal Government recently enacted a Federal Emergency Conservation Program to aid needy families who owe money for fuel, utilities, home repairs, and other items because of last winter's energy emergency. Applications for the one-time emergency help must be made by April 28, 1978."

The Chair will skip. (Reading:)

"RESOLVED. That the House of Representatives memorializes the United States Congress to extend the deadline to August 30, 1978. . . ."

That is the essence of the resolution. In order for the House to consider that resolution, the rules must be suspended. Therefore, it is moved by the gentleman, Mr. O'Connell, that the rules of the House be temporarily suspended so that he may offer that resolution immediately to the floor of the House for consideration.

Those in favor of that motion will vote "aye." Those opposed will vote "no." The members will proceed to vote.

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

The following roll call was recorded:

YEAS—180

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

NAYS—9

DiCarlo	Meluskey	Spitz	Zeller
Gatski	Ritter	Zearfoss	Zwinkl
Lincoln			

NOT VOTING—13

Arthurs	Flaherty	Pitts	Shelton
Barber	Gleeson	Pratt	Sirianni
Burns	Gray	Richardson	Williams
Dumas			

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

HR 223 CONSIDERED AND ADOPTED

The SPEAKER. The Chair calls up the following resolution, which will be read by the clerk:

In the House of Representatives,

The Federal Government recently enacted a Federal Emergency Energy Conservation Program to aid needy families who owe money for fuel, utilities, home repairs and other items because of last winter's energy emergency.

Applications for the one-time emergency help must be made by April 28, 1978. Because of this unreasonable time limit we here in the House of Representatives are concerned that many Pennsylvanian's will miss out on the benefits.

This new program is a follow up to last year's emergency fuel program but under the current program it will be possible to make payments only for unpaid heating bills incurred before April 28, 1978. Under last year's program direct cash payments were made to individuals who had paid their bills. We here in the House of Representatives are concerned that this provision will hinder many persons from availing themselves of the program; therefore be it

RESOLVED, That the House of Representatives memorializes the United States Congress to extend the deadline to August 30, 1978 and to provide for reimbursement to persons who have paid their bills; and be it further

RESOLVED, That a copy of this resolution be sent to the two United States Senators from Pennsylvania and all of the members of the House of Representatives from Pennsylvania.

FRANK J. O'CONNELL, JR.  
GEORGE MISCEVICH  
DONALD A. ABRAHAM  
FRED A. TRELLO  
RONALD GAMBLE  
CHARLES LOGUE  
ROBERT P. RAVENSTAHL  
EARL H. SMITH  
ELINOR ZIMMERMAN TAYLOR  
CARMEL SIRIANNI  
BERNARD DOMBROWSKI  
WILLIAM O. SHUMAN

On the question,  
Will the House adopt the resolution?

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

Mr. ZELLER. Mr. Speaker, if you noted on the board, there were some of us who voted "no" in regard to the suspending of the rules to entertain this resolution, and the reason was quite simple. We are not against the moves that Mr. O'Connell has in regard to the extention of time to help these people. The reason I voted to suspend the rule the way I did, "no," was because of the fact that just the other day Mr. Goebel was particularly ostracized on the floor of the House in regard to not wanting to go through the committee system. Now here we are, having heard so much about the committee system the other day, hearing the leadership entertaining a motion by a gentleman to suspend the rules in regard to something that was not even discussed in a committee which happens to have as a member of the committee a gentleman from my own district. To me, if we are going to have the committee system, we are going to have it. As a matter of fact, I have one that I am going to bring up now, since the committee system is eroding, and it is going to be a resolution also, a discharge resolution. And I am someone who did not want this discharge resolution. I happen to be bringing it up very shortly. Since the committee system is eroding, we all may as well get into the act.

Thank you, Mr. Speaker.

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

Mr. LINCOLN. Thank you, Mr. Speaker.

Would the gentleman, Mr. O'Connell, submit to brief interrogation?

The SPEAKER. The gentleman, Mr. O'Connell, indicates he will stand for interrogation. The gentleman, Mr. Lincoln, is in order and may proceed.

Mr. LINCOLN. Mr. Speaker, I, too, have my objections to the way this was handled, but I am not going to fight city hall, so to speak. I would like to know a little bit about the resolution before I vote yes or no on it.

If we pass this resolution, will it effectively extend the date, change the procedure in any way whatsoever?

Mr. O'CONNELL. No, it will not, Mr. Speaker. The gentleman knows that it is only an attempt to memorialize Congress to ask for an extension. It, in fact, is a support of the position that the Governor has taken to bring to the attention of Congress that this promulgation of the rules and regulations are in fact creating a hardship for most of the people in Pennsylvania that participated in this program last year.

No, I am not standing here before you, if you are indicating that this might be politically motivated. I do not really care whether it hits the papers or whether it does not. What I am attempting to do is help people who have plagued my office with calls in the last couple of weeks about the constraints in this particular regulation.

Mr. LINCOLN. Mr. Speaker, may I be recognized for remarks?

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

Mr. LINCOLN. Mr. Speaker, I would like to thank the prime sponsor of this resolution for saying what I do not have to know about it being politically motivated. I think that it is misleading; I think it is damaging for us to do this type of action on the floor. It is not going to change the procedure one bit. We all know that resolutions are just that and they do not resolve a darn thing. I think there are other ways that this can be solved. I think we should be urging our Congressmen personally to make this change. I, personally, am going to vote "no" on it, and I would ask everyone else to vote "no."

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

Mr. O'CONNELL. I have another comment, Mr. Speaker: I ask support of the resolution.

Thank you.

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

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

The SPEAKER. The gentleman, Mr. O'Connell, indicates he will stand for interrogation. The gentleman, Mr. Ritter, is in order and may proceed.

Mr. RITTER. Mr. Speaker, does the resolution ask for concurrence of the Senate or is it strictly a House resolution?

Mr. O'CONNELL. No, just a House resolution, Mr. Speaker.

Mr. RITTER. Mr. Speaker, the gentleman talks about problems that people have in meeting the deadline. Could the gentleman explain what those problems are?

Mr. O'CONNELL. Well, this program, as you know, is an unpaid energy-bill program. It was just presented to the Commonwealth, I think, somewhat late. The Commonwealth is making an attempt to contact all of the people, and they are spending an extensive amount of money advertising in the newspapers and circulating this kind of a bulletin statewide. What has happened is that the deadline is April 28. Too few people are familiar with the program. They are not familiar with the fact that this program is available to them, and that is creating problems. But the larger problem is that the rules and regulations have been changed, and what they are suggesting here is only that those people who have unpaid energy bills can be assisted.

There are a lot of people in this Commonwealth who have sacrificed tremendously to pay their energy bills, and they are not then eligible. Last year those people were eligible for consideration. But because of the change here, what they are suggesting is to allow the people who might be using oil or other utilities to defer payment, and you might be considered.

I think, first of all, it is a bad practice. Secondly, I think it is unfair to those people who have sacrificed to pay their bills. Thirdly, I know that there is a tremendous number of people and providers in this Commonwealth who insist that they be paid for their products before delivery, and, as a result of that, people have to scrape up the "dough" to make the payment. And those people who have made those kinds of sacrifices are not considered under these regulations, and I consider that to be an undue burden.

Mr. RITTER. Mr. Speaker, does the gentleman's resolution simply extend the deadline or does the gentleman's resolution direct itself to changing the method by which reimbursement is made?

Mr. O'CONNELL. It does two things, Mr. Speaker: It attempts to address the problem of extending the deadline, and it also recommends that they consider using the guidelines of last year.

Mr. RITTER. Mr. Speaker, I do not have a copy of the resolution, and so I would ask the gentleman if he would read to me that section of the resolution which talks about changing the regulations that the Federal Government has for this one-time program for 1978?

Mr. O'CONNELL. *It is really line 9. It begins: (Reading:)*

This new program is a follow up to last year's emergency fuel program but under the current program it will be possible to make payments only for unpaid heating bills incurred before April 28, 1978. Under last year's program direct cash payments were made to individuals who had paid their bills. We here in the House of Representatives are concerned that this provision will hinder many persons from availing themselves of the program; therefore be it

RESOLVED,—

Mr. RITTER. Mr. Speaker, one of the problems with suspending the rules and bypassing the committee system is that it seems to me that when you read the resolution, it is rather vague and that there should have been some amendment to it. I think one of the things that we ought to do, if we are concerned about it, is to not just send this resolution to our two United

States Senators and the Members of the House of Representatives from Pennsylvania, but also to the President's Energy Commission that is handling the program, to the departments that are involved with it at the Federal level so that the message could get to them as rapidly as possible.

I am concerned that if we pass this resolution and send it down to the United States Congress and they adjourn for the primary recess, as we are going to do, that there will not be anybody there to take action on it. As he said, that is one of the reasons I objected to suspending the rules. I think this resolution should have come before a committee. We could have had possibly an emergency meeting of the committee and we could have done a number of things. I think one of the things we could have done would have been to clean up the resolution so that the language makes it much more emphatic as to what we are attempting to do.

The idea behind it, perhaps, is good, but, frankly, I have been reading in the local papers everyday almost a quarter of a page ad about unpaid energy bills; get help now, and so on.

I frankly think that we are not going to accomplish anything by passing this resolution because we are only sending it to the Members of Congress from Pennsylvania and, as I said, if they adjourn for the primary recess, then it is going to lay on their desks until after the primary, and that is long after the April 28 deadline.

I frankly agree with the gentleman, Mr. Lincoln, I think it is, more than anything else, perhaps politically motivated because it really is not going to accomplish what it wants to accomplish. And I have not made up my mind, Mr. Speaker, frankly, whether I am going to vote "yes" or "no" yet. I really do not know what to do with it.

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

Mr. DiCARLO. Yes, Mr. Speaker, would the gentleman, Mr. O'Connell, submit to a brief interrogation?

The SPEAKER. The gentleman, Mr. O'Connell, indicates he will stand for interrogation. The gentleman, Mr. DiCarlo, is in order and may proceed.

Mr. DiCARLO. Yes, Mr. Speaker, I am a member of the Federal-State Relations Committee, and we do handle resolutions like this. For my own clarification, you mentioned in your comments that your position was in concurrence with that taken by the Governor's office. Can you inform this House exactly what the Governor's office has been doing in this particular case?

Mr. O'CONNELL. According to the information that I received, the Governor has taken the appropriate action and requested Congress and those agencies that are involved to extend the deadline so the people in the Commonwealth can be accommodated. And I guess that was political, too.

Mr. DiCARLO. Can you tell us, Mr. Speaker, what response the Governor's office received from the Federal Government on this issue?

Mr. O'CONNELL. No, I cannot tell you at this time what response the Governor's office had.

Mr. DiCARLO. Did you talk to anybody specifically or particularly yourself in the Governor's office on this matter, sir?

Mr. O'CONNELL. No, I have not, Mr. Speaker, because of the time problem.

Mr. DiCARLO. Mr. Speaker, you had mentioned it has been 2 to 2 1/2 weeks that you have been getting messages or complaints from constituents in your district. Have you contacted the Department of Public Welfare to see if—

Mr. O'CONNELL. Yes, I tried to talk to them all day yesterday, and they did not have the courtesy or the common decency to return the call. This is part of the problem — you cannot get down to where it ought to be done. That is why it is necessary to do these kinds of things on the floor of the House. I agree with those people who want to support the committee system, but this whole system is broken down and that is part of the problem.

Mr. DiCARLO. Mr. Speaker, I can understand your frustrations, but do not take it out and do not blame this legislature for not acting in a timely fashion. You are the one who wants to abort the entire—

Mr. O'CONNELL. You are interrogating me, and I am telling you that I have tried to reach the Department of Public Welfare and I tried to reach the new Secretary of Welfare on a number of occasions yesterday, and he did not have the common decency to respond.

Mr. DiCARLO. Well, Mr. Speaker, that is not our fault that you wanted to bypass the entire system.

Mr. O'CONNELL. I answered your question, Mr. DiCarlo.

Mr. DiCARLO. Mr. Speaker, let me ask you again: Why did you wait 2 weeks to contact the Secretary's office if you had this problem, instead of running around the entire political process to put this resolution in front of this House?

Mr. O'CONNELL. Because it is only in the last couple of days that the people in my area have brought the problem to my attention. And then because they have been calling in significant numbers and because they have been going to the department and being rejected, and they are frustrated and in tears because they cannot be helped. That is why I am doing it.

Mr. DiCARLO. I am sorry, Mr. Speaker. I thought it was 2 weeks, I did not realize it was just yesterday.

I am wondering, since it is such a good resolution and I really empathize with you, would you mind if I put my name as second sponsor?

Mr. O'CONNELL. No. I will ask all of these House members to join with me and sign the resolution. I would be pleased if you did.

Mr. DiCARLO. Would other members of this House have the opportunity to sign that resolution and have it in print so that we can get our releases out today?

Mr. O'CONNELL. Get your releases out now, Mr. DiCarlo. Do anything you want. I am not interested in releases. I am interested in helping people who need it. I do not need releases to win the election. I do not need releases to do what I am doing. I could care less whether it hits the paper. I will win in spite of releases or in spite of your opposition.

Mr. DiCARLO. Mr. Speaker, I am just wondering. I really am concerned about his frustrations with the Department of Welfare and I am sorry that he did not have the time to find out that there was an answer being generated through the

Governor's office. But I do share his concern and I would like to have the opportunity to have my signature put on his resolution, as I am sure other members of this legislature would. Mr. Speaker, if you could afford us that opportunity, I would appreciate that.

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

Mr. SHUPNIK. Mr. Speaker, what has happened—and I can understand Representative O'Connell's frustration—is that many of the people back home who have paid their utility bills and have even borrowed money to pay them, now find that they cannot be reimbursed because the only way the Department of Welfare can pay out these bills is if they pay it to the vendor.

Many people—and I have been right next to Mr. O'Connell's district—have received a number of calls, and what has happened is that they have borrowed money in order to pay their bill. As a result, they are paying maybe a bank or whomever it may be in order to pay their utility bills and, as a result, when they go there, they are informed that they cannot be reimbursed. When I called the Department of Welfare, they informed me that they are trying to get that matter settled with Washington, but so far they have not received an answer for it.

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

Mr. DeVERTER. Mr. Speaker, I think sometimes in this House though, however, intentions are misconstrued, and I, for one, am as frustrated as Mr. O'Connell and many others with respect to this particular instance. This only cleared our desks this week, if any of you have even seen it in your pile of mail. The Department put out a release on April 12. We are extended the extreme courtesy of having it almost a week later. I think, for one thing, that the bureaucracy ought to be told in no uncertain terms that this is not the way to approach the problem of this magnitude which we cannot deal with in this House.

You can say it is political; you can say what you will, but I have had calls too, and those same people who received benefits last year and who are in dire need of it are not going to be eligible for reimbursement this year.

I think we have every right to at least make a formal attempt as a body to have this Congress turn this thing around or at least have them have the bureaucracy turn it around down in Washington so that the people can benefit from the program.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, for the second time on the question, the gentleman, Mr. Shupnik.

Mr. SHUPNIK. Mr. Speaker, actually I do not think it is the Department of Welfare so much as the Federal Government that did not give them the orders, and I just think we are making a mountain out of a molehill. Let us vote the resolution and get it over with.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—8

Arthurs	Flaherty	Lincoln	Richardson
Burns	Gleeson	Pratt	Shelton

The question was determined in the affirmative, and the resolution was adopted.

**RULES SUSPENDED TO ADD SPONSORS**

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

Mr. O'CONNELL. I would like to thank the ladies and the gentlemen of the House and I would like to move that the rules be suspended so that anybody who voted "yes" may have their names included in the resolution. Thank you.

The SPEAKER. The motion is for a temporary suspension of the rules so that additional names may be added to the resolution.

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

The following roll call was recorded:

YEAS—185

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

NAYS—8

Gallagher	Hutchinson, W.	Mullen, M. P.	Spitz
Hutchinson, A.	Lincoln	Piccola	Zearfoss

NOT VOTING—9

Arthurs	Gatski	Pratt	Shelton
Burns	Gleeson	Richardson	Spencer
Flaherty			

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

The following members' names were added as sponsors of HR 223:

Anderson	Gallen	Mackowski	Salvatore
Armstrong	Garzia	Madigan	Scanlon

Barber	Geesey	Manderino	Scheaffer
Bellomini	Geisler	Manmiller	Schmitt
Beloff	George, C.	McCall	Schweder
Bennett	George, M.	McClatchy	Scirica
Berlin	Giammarco	McGinnis	Seltzer
Berson	Gillette	McIntyre	Shupnik
Bittinger	Goebel	McLane	Smith, L.
Bittle	Goodman	Mebus	Stairs
Borski	Gray	Meluskey	Stapleton
Brandt	Greenfield	Milanovich	Stewart
Brown	Greenleaf	Miller	Stuban
Brunner	Grieco	Milliron	Sweet
Burd	Halverson	Moehlmann	Taddonio
Caltagirone	Hamilton	Morris	Taylor, F.
Caputo	Harper	Mowery	Tenaglio
Cassidy	Hasay	Mrkonic	Thomas
Cessar	Haskell	Musto	Valicenti
Cianciulli	Hayes, D. S.	Novak	Vroon
Cimini	Hayes, S. E.	Noye	Wagner
Cohen	Helfrick	O'Brien, B.	Wansacz
Cole	Hoeffel	O'Brien, D.	Wargo
Cowell	Honaman	O'Donnell	Wass
Davies	Hopkins	O'Keefe	Weidner
DeMedio	Itkin	Oliver	Wenger
DeVerter	Johnson	Pancoast	White
DeWeese	Jones	Parker	Wiggins
DiCarlo	Katz	Peterson	Williams
Dietz	Kelly	Petrarca	Wilson
Dininni	Kernick	Pievsky	Wilt
Donatucci	Klingaman	Pitts	Wise
Dorr	Knepper	Polite	Wright, D.
Doyle	Kolter	Pott	Wright, J. L.
Duffy	Kowalshyn	Prendergast	Yahner
Dumas	Kukovich	Pyles	Yohn
Englehart	Lashingier	Rappaport	Zeller
Fee	Laughlin	Reed	Zitterman
Fischer, R. R.	Lehr	Renwick	Zord
Fisher, D. M.	Letterman	Rhodes	Zwinkl
Foster, A.	Levi	Rieger	
Foster, W.	Levin	Ritter	Irvis,
Freind	Livengood	Ruggiero	Speaker
Fryer	Lynch	Ryan	

STATEMENT ON LEGISLATION  
TO BE INTRODUCED

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

Mr. CAPUTO. Mr. Speaker, I would like to obtain unanimous consent to address the House in connection with a prospective bill.

The SPEAKER. Without objection, the Chair recognizes the gentleman. He may proceed.

Mr. CAPUTO. Mr. Speaker, I have another one that everybody might want to be on. It is a little revolutionary in parts and I would like to explain it, with a preamble that this bill will not be introduced unless I can get a fiscal note today yet. I just turned it over to the Appropriations Committee to get a cost figure on it.

The bill that I am going to introduce and to which I invite sponsorship would create another new energy board. The underlying purpose of the bill is to turn over the management of utility charges to a group of individuals to be appointed by the Governor and confirmed by a majority of the Senate, as to utility business in Pennsylvania and to strip that business from the Public Utility Commission.

Mr. Speaker, we are all interested in reducing the cost of fuel



in the utility bills. We know that this is not only a political issue but a humane issue. I am sure that every member of this House and every member of the Senate and perhaps every person in Pennsylvania is interested in getting fuel at the least possible cost.

I have made some investigation. I have been fed some information and I honestly believe that the people are not getting the benefit of good buying practices nor are they a good market for the fuel that is used.

I am informed and expect to have documentation of the act that coal producers in Pennsylvania, located within just a few miles of the utilities, are being ignored even when they are selling the coal with the necessary mineral content that is asked for by the utility companies. In cases where their coal is being used, it is rerouted through brokers, sometimes as many as three brokers, during which process the fuel, which is originally sold by the producer at \$23 a ton, winds up being purchased by the utility at a price as high as \$74 a ton. I think that this practice has to be cut down.

My bill, which creates the board, will give them the following powers and duties: Number one, this board shall fix the rates for electric, telephone and fuel oil used for space heating and natural gas services; two, this board shall review and determine fuel purchasing procedures of utilities furnishing electric, fuel oil and natural gas services;

The most important power given to this board would be the third one listed in the bill, and that is, to manage a utility which is in violation of regulations of the board. That means this: That where a utility is in violation of the buying practices and procedures set down by the board and where they are buying at a price higher than the prevailing market price of the closest utility producer, this board can step in and take over management.

I do have a limitation in there of 60 days, because I think that in 60 days or less that practice could be straightened out, but this board could take over the management of the utility for up to 60 days to correct those practices.

Fourth, of course, is that they would have the power to make the rules and regulations necessary to carry out the provisions of the act. They would have this power when the board determines that a utility has not purchased coal in accordance with the act or regulation of the board, and that means this: When a utility is not purchasing the type of coal that is required from the nearest and most reasonably priced source of supply, and that to me is the most important feature of the bill, plus, of course, the fact that this bill would also repeal those sections of the Public Utility Law insofar as it is inconsistent herewith, and would be taking utilities and the ratemaking powers out of the public utility and putting them in this new board.

I am inviting anyone who would like to cosponsor this bill to join in it and I will put it up at the desk. I do not know, as I said, whether it will go in today or when we come back, because until I get a cost figure from the Appropriations Committee, I will not present it and I will not introduce it.

Thank you very much, Mr. Speaker.

### HOUSE SCHEDULE

The SPEAKER. Is there any further business to be brought

before the House by the majority leader? Any further business to be brought before the House by the minority leader?

For the information of the members, there is not unanimous consent to proceed as the Chair outlined as a possibility. Therefore, the members are required to return here, and we shall be in recess until 2:30. The Chair will make an announcement at 2:30, either calling you to the floor or announcing a continuation of the recess.

Incidentally, for your information, it was not the gentleman standing to my right who withdrew unanimous consent, and there was not one individual, there were several who did that and no one of them came to the desk. So if you have been watching who has been coming up to the desk and ticking their names off, forget it. You have made a mistake.

### RECESS

The SPEAKER. We will stand in recess now until 2:30.

### AFTER RECESS

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

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

**No. 2439** By Messrs. KOWALYSHYN and RUGGIERO

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the collection of garbage in villages.

Referred to Committee on Local Government.

**No. 2440** By Messrs. O'CONNELL, BURNS, NOYE, R. R. FISCHER, D. S. HAYES, FREIND, POLITE, CESSAR, WENGER, YAHNER, ANDERSON, HOPKINS, LETTERMAN, HELFRICK, BURD, SALVATORE and Mrs. TAYLOR

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), requiring that all contracts for construction activities clearly state the total amount of sales and use taxes to be paid, directly or indirectly, by the purchaser and establishing a procedure for political subdivisions to obtain refunds from the Department of Revenue for sales and use taxes paid on contracts for construction activities.

Referred to Committee on Finance.

**No. 2441** By Messrs. LINCOLN, DiCARLO and ZWIKL

An Act amending the "Senior Citizens Property Tax or Rent Rebate Act," approved March 11, 1971 (P. L. 104, No. 3), providing certain persons with utility expense rebate.

Referred to Committee on Finance.

**No. 2442** By Messrs. W. D. HUTCHINSON, PETERSON and GEESEY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from taxation the sale of a meal by a nonprofit corporation.

Referred to Committee on Finance.

**No. 2443** By Mr. SPITZ

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for nonvoting student representatives on school boards.

Referred to Committee on Education.

**No. 2444** By Messrs. MANDERINO, IRVIS, KUKOVICH, SCHMITT, BROWN, BERSON, SCIRICA, MILLIRON, HOEFFEL, DeWEESE, Mrs. WISE, Messrs. TENAGLIO, MELUSKEY, Mrs. KERNICK, Messrs. DeMEDIO, COWELL, STAPLETON, SWEET, DOMBROWSKI, Mrs. GILLETTE, Messrs. A. K. HUTCHINSON, VALICENTI, ITKIN, DUFFY, GAMBLE, DiCARLO, GEISLER, CAPUTO, MUSTO and ZITTERMAN

An Act creating a Fair Political Practices Act, granting the Bureau of Elections additional powers and duties and imposing penalties.

Referred to Committee on State Government.

**No. 2445** By Mr. SALVATORE

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), making it illegal to possess or deliver controlled paraphernalia.

Referred to Committee on Judiciary.

**No. 2446** By Messrs. DAVIES, GALLAGHER, MILLER, ARMSTRONG, W. D. HUTCHINSON, PANCOAST, NOYE, GALLEN, R. R. FISCHER, WILT, KLINGAMAN, GARZIA, D. R. WRIGHT, FREIND, REED, MILLIRON, LIVENGOOD, Mrs. TAYLOR and Miss SIRIANNI

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), establishing procedures for evaluation of educational programs.

Referred to Committee on Education.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE**

The Senate returned the following House bill with amendments in which concurrence of the House is requested:

**HB 2246, PN 3068**

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

**SENATE MESSAGE**

**SENATE BILLS FOR CONCURRENCE**

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

**SB 283, PN 285**

Referred to Committee on State Government.

**SB 1311, PN 1637**

Referred to Committee on State Government.

**BILLS SIGNED BY SPEAKER**

The following bills, having been prepared for presentation to the Governor, were signed by the Speaker:

**HB 539, PN 3009**

An Act amending the act of May 31, 1947 (P. L. 368, No. 168) entitled "Anthracite Standards Law" changing and adding definitions imposing administrative and enforcement powers on the Department of Environmental Resources and its mine inspectors in lieu of the Anthracite Committee and Commonwealth agents including record preservation and abolishing the Anthracite Committee.

**HB 799, PN 2979**

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270) entitled "Public Auditorium Authorities Law" increasing the amount of supplies and materials which may be purchased without advertising.

**HB 2043, PN 3073**

An Act amending the act of August 24, 1977 (No 12A) entitled "Federal Augmentation Appropriation Act of 1977" changing deleting and adding appropriations to the Executive and Judicial Departments.

**HB 2103, PN 2740**

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30, No. 14) providing for the graduation of qualified students and for certain subsidies and reimbursements.

**SB 1001, PN 1788**

An Act amending Title 20 (Decedents Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes expanding nonmandatory jurisdiction of the orphans' court division; providing for venue in certain situations providing for advertisement of letters in the case of nonresident decedents authorizing discretionary accounting and records of risk distributions expanding the power to terminate trusts; making retroactive the rule against perpetuities and making editorial changes.

**BILL REPORTED FROM COMMITTEE AND TABLED**

**SB 736, PN 1857 (amended) By Mr. KOWALYSHYN**

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; . . ." relating to the cancellation of automobile insurance policies.

Insurance.

**CALENDAR**

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The Senate returned the following **HOUSE BILL NO. 3**, with the information that the Senate has passed the same with

amendments in which concurrence of the House of Representatives is requested:

SENATE AMENDED

Prior Printer's Nos. 3, 715, 1135, 1236

Printer's No. 3008

THE GENERAL ASSEMBLY OF PENNSYLVANIA

House Bill No. 3

Session of 1977

INTRODUCED BY MESSRS. RUGGIERO, LAUDADIO, FRYER, KOWALYSHYN, GALLEN, NOYE, REED, DAVIES, MANMILLER, BROWN, SELTZER, KLINGAMAN, LEHR, ZELLER, DORR, A. C. FOSTER JR., W. W. FOSTER, PICCOLA, ZWIKL, BITTLE, CALTAGIRONE, MORRIS, DeWEESE, HELFRICK, COHEN AND ZEARFOSS, JANUARY 19, 1977.

SENATOR SMITH, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, APRIL 11, 1978.  
An Act

authorizing the Commonwealth of Pennsylvania, through the Department of Environmental Resources, to enter into such agreements and to acquire such interest as may be necessary to establish, protect and maintain the Appalachian Trail, and providing for the establishment, protection and maintenance of such trail, ~~and making an appropriation.~~

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

Section 1. Short title.

This act shall be known and may be cited as the "Pennsylvania Appalachian Trail Act."

Section 2. Policy and purpose.

In order to implement Article I, section 27 of the Constitution of Pennsylvania with respect to the Appalachian Trail in Pennsylvania as a source of natural, scenic, historic and esthetic values to be preserved and as a public natural resource to be conserved and maintained for the benefit of all the people, the General Assembly finds as a matter of legislative policy that planning and zoning by a municipality, as municipality is defined in the act of July 31, 1968 (P. L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code," as amended, in implement Article I, section 27 ~~as stated~~ is a valid exercise of the police power under that code.

Section 3. Powers of department.

(a) The Commonwealth of Pennsylvania, through the Department of Environmental Resources, hereinafter referred to as the department, is authorized independent of any action by a municipality under section 4 to enter into written cooperative agreements with political subdivisions, landowners, private organizations and individuals and to acquire by agreement, gift, eminent domain or purchase, land, rights-of-way and easements for the purpose of establishing, protecting and maintaining a walking trail right-of-way across this Commonwealth, now generally known as the Appalachian Trail, under such terms and conditions, including payment by the department in lieu of property taxes on trail lands or property so acquired or subject to such use in accordance with the act of May 17, 1929 (P. L. 1798, No. 591) referred to as the Forest Reserves Municipal Financial Relief Law, as shall protect the interests of the actual or adjacent landowners, or land users and as shall further the purposes of this act. In the event of acquisition by eminent domain of land other than tillable farmland, the total amount of land so acquired shall not exceed an average of 25 125 acres per mile of trail; and in the event of acquisition by eminent domain of tillable farmland, such acquisition of such land shall be limited to a footpath with a width of not more than 25 feet across such land until the owner of such land evidences plans to convert the land to nonfarming use. Any department or agency of the Commonwealth, or any political subdivision, may transfer to the department land or rights in land for these purposes, on terms and conditions as agreed upon, or

may enter into an agreement with the department providing for the establishment and protection of the trail.

(b) The Appalachian Trail shall be held, developed and administered primarily as a footpath, consonant with the provisions of the National Trails Systems Act applicable to the Appalachian Trail as part of the National Scenic Trails System, and the natural scenic beauty thereof shall be preserved insofar as is practicable. The use of motorized vehicles by the general public along the trail is prohibited: Provided, That the owner of private land over which the trail passes may use or authorize use of motorized vehicles on or across the trail for nonrecreational purposes incident to ownership and management of the land: And, provided further, That the department may authorize use of the trail by motorized emergency vehicles. The department may permit other uses of the trail and land acquired hereunder, by the owner of adjoining land or others, in a manner and for purposes as will not substantially interfere with the primary use of the trail, and may grant temporary or permanent rights-of-way across lands acquired under this act under terms and conditions deemed advisable. Nothing in this act shall be construed to limit the right of the public to pass over public roads which are part of the trail, or to prevent the department from performing work necessary for the purpose of forest fire prevention and control, insect, pest and disease control, and the removal of damage caused by natural disaster, or to prohibit or authorize the prohibition of the construction, operation or maintenance by a public utility of overhead or underground facilities at points of intersection with or in close proximity to the trail. The department may enter into cooperative agreements with agencies of the Federal Government, political subdivisions or with private organizations to provide for the maintenance of the trail. No person who has granted a right-of-way for the trail across his land, or his successors in title, shall be liable to any user of the trail for injuries suffered on such portion of the trail unless the same are caused by his willful or wanton misconduct.

Section 4. Municipalities; powers and duties.

Political subdivisions, including municipalities as defined in the Pennsylvania Municipalities Planning Code, through which the Appalachian Trail passes shall have the power and their duty shall be to take such action consistent with applicable law, as at least an interim measure, to preserve the natural, scenic, historic and esthetic values of the trail and to conserve and maintain it as a public natural resource. Such municipalities may act hereunder in that section of the municipality through which the Appalachian Trail passes without zoning the entire municipality as required under section 605 of the Pennsylvania Municipalities Planning Code.

Section 5. Pennsylvania Appalachian Trail Committee.

The secretary shall appoint a Pennsylvania Appalachian Trail Committee consisting of not more than nine persons who shall be selected to represent the different Appalachian Trail interests and for the purpose of advising him in matters relating to the Appalachian Trail.

Section 6. Appropriation.

~~The sum of \$500,000, or as much thereof as may be necessary, is hereby specifically appropriated for the fiscal year 1977-1978 to the department for acquisition of the trail including administrative cost and related planning. The balance of the foregoing appropriation which remains unexpended, unencumbered or uncommitted at the end of the fiscal year 1977-1978 shall not lapse but shall remain to the credit of the department until expended in accordance with the provisions of this appropriation.~~

Section 7. 6. Effective date.

This act shall take effect July 1, 1977.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. For a brief explanation of the amendments, the Chair recognizes the gentleman from Northampton, Mr. Ruggiero.

Mr. RUGGIERO. Thank you, Mr. Speaker. HB 3, if you will

recall, is the Appalachian Trail bill. The Senate inserted only two amendments, one of which was to delete the appropriation because it is no longer necessary, and the other is to change the taking of the average of 25 acres per mile to 125 acres per mile. I would suggest we concur in the amendments.

The SPEAKER. It is moved by the gentleman, Mr. Ruggiero, that the House do concur in amendments inserted by the Senate to HB 3, PN 3008. The question is on the motion. Now, for the information of the members, this is not the general appropriation bill. We are on a different bill entirely. This is HB 3, PN 3008.

On the question recurring,  
Will the House concur in Senate amendments?

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

YEAS—191

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

NAYS—3

George, C. Renwick Yahner

NOT VOTING—8

Arthurs Burns Gleeson Pratt  
Beloff Flaherty Morris Williams

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.

RESOLUTION OFFERED

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Reed, who asks to speak under unanimous consent. Without objection, that consent is given. The Chair recognizes the gentleman, Mr. Reed.

Mr. REED. Mr. Speaker, within sight of this building last night at approximately 8:30, a young man 36 years of age, who was a Harrisburg police corporal, was shot and killed by an armed holdup man. This particular individual is going to be the recipient of a House resolution, which is already prepared and in front of me.

The individual involved was John R. Christian, Jr., a Harrisburg police detective corporal. Detective Christian was known to a number of members of this House, most especially to the members from Dauphin County, three on the other side of the aisle and myself.

Mr. Christian is survived by his wife, of course, and three children, ages 13, 11 and 9.

Unlike many larger communities, Harrisburg has not had these kinds of incidents occur. The last and the only person killed in the line of duty was in 1920, and Harrisburg and the entire Harrisburg area has joined in an effort to assist the family as well as to press for a search for the person who committed the crime to begin with.

I am not going to read entirely the resolution in front of me, Mr. Speaker, but I will simply say that Corporal Christian was not only a professional law enforcement officer in the fullest sense of the word, but was acting in an effort to protect other peoples' lives and property at the time that he was shot and killed last night.

On behalf of myself and Representative Joe Manmiller, Representative Jeff Piccola and Representative Rudy Dininni, I make mention of this resolution and enter it into the House record and would also like to move—if that is the proper thing to do—if it is agreeable to all the members, to have every member of the House added to this resolution, which will then be presented to both the Harrisburg Police Department and to his widow.

The SPEAKER. It has been moved by the gentleman from Dauphin, Mr. Reed, that on this particular resolution each separate name of each separate member of the House of Representatives will be recorded as a sponsor.

There being no objection, those in favor will say "aye"; those opposed "no." The "ayes" have it. It is unanimous and the motion is carried, and each separate name will be added by the

clerk to the resolution filed by the gentleman from Dauphin, Mr. Reed.

Does the gentleman wish the House to adopt the resolution immediately or is the gentleman satisfied to have it passed to the Rules Committee?

Mr. REED. Mr. Speaker, if we could have it acted on immediately it would be helpful.

**RULES SUSPENDED TO CONSIDER HR 224**

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

Mr. REED. Mr. Speaker, I move that the rules of the House be temporarily suspended so that the House may immediately consider the resolution offered by the gentleman.

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

This is a temporary suspension of the rules so that the resolution discussed by the gentleman from Dauphin may immediately be considered.

On the question?

Will the House agree to the motion?

The following roll was recorded:

**YEAS—192**

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

Foster, A.	Levi	Richardson	Zitterman
Foster, W.	Levin	Rieger	Zord
Freind	Lincoln	Ritter	Zwikl
Fryer	Livengood	Ruggiero	
Gallagher	Logue	Ryan	Irvis,
Gallen	Lynch	Salvatore	Speaker
Gamble	Mackowski		

**NAYS—1**

Shelton

**NOT VOTING—9**

Arthurs	Gleeson	Morris	Wilson
Burns	McGinnis	Pratt	Zearfoss
Flaherty			

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

**RESOLUTION ADOPTED**

The following resolution was read and adopted:

**HOUSE OF REPRESENTATIVES**

**HOUSE RESOLUTION No. 224**

**HARRISBURG, PA.**

**OFFICE OF THE CHIEF CLERK**

**RESOLUTION**

WHEREAS, John R. Christian, Jr., Harrisburg Police Detective Corporal, passed into Eternal Life April 18, 1978, in the performance of his duties as a professional law enforcement officer; and

WHEREAS, Mr. Christian, a United States Marine Corps veteran, developed an exemplary military, professional and personal record. In 1963, he was selected to represent the Marine Corps as part of the honor guard for the late President John F. Kennedy in the Rotunda of the U.S. Capitol Building; and

WHEREAS, A graduate of John Harris High School in Harrisburg, Pennsylvania, where he lettered in football, Mr. Christian was sworn into the Harrisburg City Police Bureau on October 8, 1966 and was promoted to the Detective Division in 1971 as a result of his meritorious service as a police officer. The passing of John R. Christian, Jr., is a loss to not only his family but to his profession, his community and society. His courage, discipline and unselfishness are his legacy. His actions to protect other peoples' lives and property even at great personal risk are hereby recognized; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania notes with deep sadness the passing of John R. Christian, Jr., and be it further

RESOLVED, That a copy of this resolution be delivered to his wife, Dianna L. and his children, John III, Deborah and Denise.

We hereby certify that this is an exact copy of a resolution introduced in the House of Representatives by the Honorable Stephen R. Reed, Joseph C. Manmiller, Rudolph Dininni and Jeffrey Piccola, and adopted by the House of Representatives on the 19th day of April 1978.

**K. LEROY IRVIS,**  
Speaker

**ATTEST:**  
**VINCENT F. SCARCELLI,**  
Chief Clerk

**REED, STEPHEN R.**  
**MANMILLER, JOSEPH C.**  
**DININNI, RUDOLPH**  
**PICCOLA, JEFFREY**

**ABRAHAM, DONALD A.**  
**ANDERSON, JOHN HOPE**

ARMSTRONG, GIBSON E.  
 ARTHURS, JACK R.  
 BARBER, JAMES D.  
 BELLOMINI, ROBERT E.  
 BELOFF, LELAND M.  
 BENNETT, REID L.  
 BERLIN, THEODORE  
 BERSON, NORMAN S.  
 BITTINGER, C. ADAM  
 BITTLE, R. HARRY  
 BORSKI, ROBERT A., JR.  
 BRANDT, KENNETH E.  
 BROWN, HAROLD L.  
 BRUNNER, JOHN L.  
 BURD, JAMES M.  
 BURNS, EDWARD F., JR.  
 CALTAGIRONE, THOMAS R.  
 CAPUTO, CHARLES N.  
 CASSIDY, MICHAEL E.  
 CESSAR, RICHARD J.  
 CIANCIULLI, MATTHEW J., JR.  
 CIMINI, ANTHONY J.  
 COHEN, MARK B.  
 COLE, KENNETH J.  
 COWELL, RONALD R.  
 DAVIES, JOHN S.  
 DeMEDIO, A. J.  
 DeVERTER, WALTER F.  
 DeWEESE, H. WILLIAM  
 DiCARLO, DAVID C.  
 DIETZ, CLARENCE E.  
 DOMBROWSKI, BERNARD J.  
 DONATUCCI, RONALD R.  
 DORR, DONALD W.  
 DOYLE, JOSEPH TED  
 DUFFY, ROGER F.  
 DUMAS, ALJIA  
 ENGLEHART, HARRY A., JR.  
 FEE, THOMAS J.  
 FISCHER, ROGER RAYMOND  
 FISHER, D. MICHAEL  
 FLAHERTY, THOMAS E.  
 FOSTER, A. CARVILLE, JR.  
 FOSTER, WILLIAM W.  
 FREIND, STEPHEN F.  
 FRYER, LESTER K.  
 GALLAGHER, JAMES J. A.  
 GALLEN, JAMES J.  
 GAMBLE, RONALD  
 GARZIA, RALPH A.  
 GATSKI, RONALD  
 GEESEY, EUGENE R.  
 GEISLER, ROBERT A.  
 GEORGE, CAMILLE  
 GEORGE, MARGARET H.  
 GIAMMARCO, HENRY J.  
 GILLETTE, HELEN D.  
 GLEESON, FRANCIS E., JR.  
 GOEBEL, RONALD P.  
 GOODMAN, JAMES A.  
 GRAY, CLIFFORD, JR.  
 GREENFIELD, ROLAND  
 GREENLEAF, STEWART J.  
 GRIECO, JOSEPH V.  
 HALVERSON, KENNETH S.  
 HAMILTON, JOHN H., JR.  
 HARPER, RUTH B.  
 HASAY, GEORGE C.  
 HASKELL, H. HARRISON, II  
 HAYES, DAVID S.  
 HAYES, SAMUEL E., JR.  
 HELFRICK, EDWARD W.  
 HOEFFEL, JOSEPH M. III  
 HONAMAN, JUNE N.  
 HOPKINS, FOREST W.  
 HUTCHINSON, AMOS K.  
 HUTCHINSON, WILLIAM D.

IRVIS, K. LEROY  
 ITKIN, IVAN  
 JOHNSON, JOEL J.  
 JONES, JAMES F., JR.  
 KATZ, ALVIN  
 KELLY, ANITA PALERMO  
 KERNICK, PHYLLIS T.  
 KLINGAMAN, WM. K., SR.  
 KNEPPER, JAMES W., JR.  
 KOLTER, JOSEPH P.  
 KOWALYSHYN, RUSSELL  
 KUKOVICH, ALLEN G.  
 LASHINGER, JOSEPH A.  
 LAUGHLIN, CHARLES  
 LEHR, STANFORD I.  
 LETTERMAN, RUSSELL P.  
 LEVI, JOSEPH II  
 LEVIN, STEPHEN E.  
 LINCOLN, J. WILLIAM  
 LIVENGOOD, HENRY  
 LOGUE, CHARLES T.  
 LYNCH, FRANK J.  
 MACKOWSKI, WILLIAM D.  
 MADIGAN, ROGER ALLEN  
 MANDERINO, JAMES J.  
 McCALL, THOMAS J.  
 McCLATCHY, RICHARD A., JR.  
 McGINNIS, PATRICK J.  
 McINTYRE, JAMES  
 McLANE, WILLIAM J.  
 MEBUS, CHARLES F.  
 MELUSKEY, FRANK J.  
 MILANOVIICH, FRED R.  
 MILLER, MARVIN E. JR.  
 MILLIRON, JOHN P.  
 MISCEVICH, GEORGE  
 MOEHLMANN, NICHOLAS B.  
 MORRIS, SAMUEL W.  
 MOWERY, HAROLD F., JR.  
 MRKONIC, EMIL  
 MULLEN, MARTIN P.  
 MUSTO, RAPHAEL  
 NOVAK, BERNARD R.  
 NOYE, FRED C.  
 O'BRIEN, BERNARD F.  
 O'BRIEN, DENNIS M.  
 O'CONNELL, FRANK J., JR.  
 O'DONNELL, ROBERT W.  
 O'KEEFE, PETER J.  
 OLIVER, FRANK LOUIS  
 PANCOAST, G. SIEBER  
 PARKER, H. SHELDON, JR.  
 PETERSON, JOHN E.  
 PETRARCA, JOSEPH A.  
 PIEVSKY, MAX  
 PITTS, JOSEPH R.  
 POLITE, ROOSEVELT I.  
 POTT, GEORGE F., JR.  
 PRATT, RALPH D.  
 PRENDERGAST, JAMES F.  
 PYLES, VERN  
 RAPPAPORT, SAMUEL  
 RAVENSTAHL, ROBERT P.  
 RENWICK, WILLIAM F.  
 RHODES, JOSEPH, JR.  
 RICHARDSON, DAVID P., JR.  
 RIEGER, WILLIAM W.  
 RITTER, JAMES P.  
 RUGGIERO, PHILIP S.  
 RYAN, MATTHEW J.  
 SALVATORE, FRANK A.  
 SCANLON, AGNES M.  
 SCHEAFFER, JOHN E.  
 SCHMITT, C. L.  
 SCHWEDER, J. MICHAEL  
 SCIRICA, ANTHONY J.  
 SELTZER, H. JACK

SHELTON, ULYSSES  
 SHUMAN, WILLIAM O.  
 SHUPNIK, FRED J.  
 SIRIANNI, CARMEL  
 SMITH, EARL H.  
 SMITH, L. EUGENE  
 SPENCER, WARREN H.  
 SPITZ, GERALD J.  
 STAIRS, JESS M.  
 STAPLETON, THOMAS J., JR.  
 STEWART, WILLIAM J.  
 STUBAN, TED  
 SWEET, DAVID W.  
 TADDONIO, LEE C.  
 TAYLOR, ELINOR ZIMMERMAN  
 TAYLOR, FRED  
 TENAGLIO, FRANCIS X.  
 THOMAS, RENO H.  
 TRELLO, FRED A.  
 VALICENTI, A. JOSEPH  
 VROON, PETER R.  
 WAGNER, GEORGE O.  
 WANSACZ, JOHN  
 WARGO, JOSEPH G.  
 WASS, PAUL  
 WEIDNER, MARVIN D.  
 WENGER, NOAH W.  
 WHITE, JOHN F., JR.  
 WIGGINS, EDWARD A.  
 WILLIAMS, HARDY  
 WILSON, BENJAMIN H.  
 WILT, ROY W.  
 WISE, HELEN D.  
 WRIGHT, DAVID R.  
 WRIGHT, JAMES L., JR.  
 YAHNER, PAUL J.  
 YOHN, WILLIAM H., JR.  
 ZEARFOSS, HERBERT K.  
 ZELLER, JOSEPH R.  
 ZITTERMAN, FRANK J.  
 ZORD, JOSEPH V., JR.  
 ZWIKL, KURT D.

On the question,  
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Abraham	Gatski	Manderino	Scheaffer
Anderson	Geesey	Manmiller	Schmitt
Armstrong	Geisler	McCall	Schweder
Barber	George, C.	McClatchy	Scirica
Bellomini	George, M.	McGinnis	Seltzer
Beloff	Giammarco	McIntyre	Shuman
Bennett	Gillette	McLane	Shupnik
Berlin	Goebel	Mebus	Sirianni
Berson	Goodman	Meluskey	Smith, E.
Bittinger	Gray	Milanovich	Smith, L.
Bittle	Greenfield	Müller	Spencer
Borski	Greenleaf	Milliron	Spitz
Brandt	Grieco	Miscevich	Stairs
Brown	Halverson	Moehlmann	Stapleton
Brunner	Hamilton	Morris	Stewart
Burd	Harper	Mowery	Stuban
Caltagirone	Hasay	Mrkonic	Sweet
Caputo	Haskell	Mullen, M. P.	Taddonio
Cassidy	Hayes, D. S.	Musto	Taylor, E.
Cessar	Hayes, S. E.	Novak	Taylor, F.
Cianciulli	Helfrick	Noye	Tenaglio
Cimini	Hoeffel	O'Brien, B.	Thomas
Cohen	Honaman	O'Brien, D.	Trello
Cole	Hopkins	O'Donnell	Valicenti
Cowell	Hutchinson, A.	O'Keefe	Vroon
Davies	Hutchinson, W.	Oliver	Wagner

DeMedio	Itkin	Pancoast	Wansacz
DeVerter	Johnson	Parker	Wargo
DeWeese	Jones	Peterson	Wass
DiCarlo	Katz	Petrarca	Weidner
Dietz	Kelly	Piccola	Wenger
Dininni	Kernick	Pievsky	White
Dombrowski	Klingaman	Pitts	Wiggins
Donatucci	Knepper	Polite	Williams
Dorr	Kolter	Pott	Wilson
Doyle	Kowalyshyn	Prendergast	Wilt
Duffy	Kukovich	Pyles	Wise
Dumas	Lashinger	Rappaport	Wright, D.
Englehart	Laughlin	Ravenstahl	Wright, J. L.
Fee	Lehr	Reed	Yahner
Fischer, R. R.	Letterman	Renwick	Yohn
Fisher, D. M.	Levi	Rhodes	Zearfoss
Foster, A.	Levin	Richardson	Zeller
Foster, W.	Lincoln	Rieger	Zitterman
Freind	Livengood	Ritter	Zord
Fryer	Logue	Ruggiero	Zwikl
Gallagher	Lynch	Ryan	
Gallen	Mackowski	Salvatore	Irvis,
Gamble	Madigan	Scanlon	Speaker
Garzia			

NAYS—0

NOT VOTING—7

Arthurs	Flaherty	O'Connell	Shelton
Burns	Gleeson	Pratt	

The question was determined in the affirmative, and the resolution was adopted.

SUPPLEMENTAL CALENDAR

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HOUSE BILL NO. 2246**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

SENATE AMENDED

Prior Printer's Nos. 2866, 3013 Printer's No. 3068

THE GENERAL ASSEMBLY OF PENNSYLVANIA

House Bill No. 2246

Session of 1978

INTRODUCED BY MR. PIEVSKY, APRIL 3, 1978.

SENATOR SMITH, APPROPRIATIONS, IN SENATE, REPORTED AS AMENDED, APRIL 13, 1978.

An Act

to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1978 to June 30, 1979, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1978.

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

Section 1. This act shall be known and may be cited as the "General Appropriation Act of 1978."

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive, Legislative and Judicial Departments of the Commonwealth for the payment of the salaries, wages or other compensation and travel expense of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1978 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1978.

I. EXECUTIVE DEPARTMENT

To the Governor

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

Administration of the Office of the Governor . . . . .	\$1,882,000
For the Governor's share of the expenses of the Commonwealth Compensation Commission . . . . .	25,000
For the administration and operation of the Office for Human Resources . . . . .	204,000
For the administration and operation of the Office of Administration . . . . .	<del>3,061,000</del> 3,211,000
For the Council on Aging . . . . .	251,000
For the administration and operation of the Office of State Planning and Development . . . . .	586,000
For the administration and operation of the Office of the Budget . . . . .	1,534,000
For the salaries, wages and all necessary expenses for the proper administration and operation of the Human Relations Commission . . . . .	3,676,000
For the conduct of the work of the Pennsylvania Council on the Arts, requisitions to be signed by the Governor . . . . .	2,243,000
(1) Selma Burke Art Institute . . . . .	80,000
(2) American Wind Symphony Orchestra . . . . .	70,000
(3) Erie Philharmonic Orchestra . . . . .	70,000
(4) Lansdowne Philharmonic Orchestra . . . . .	5,000
(5) SCHOOLHOUSE ART CENTER — ALLEGHENY COUNTY . . . . .	50,000
(6) SCHUYLKILL COUNTY COUNCIL FOR THE ARTS . . . . .	85,000
For the administration and operation of the Pennsylvania Commission for Women . . . . .	141,000
For the salaries, wages and all necessary expenses for the proper administration and operation of the Governor's Energy Council . . . . .	284,000
To the Lieutenant Governor	
For the salaries, wages and all necessary expenses for the proper conduct of the Office of the Lieutenant Governor, including payment of expenses of the residence at the Edward Martin Military Reservation . . . . .	\$234,000
To the Department of the Auditor General	
For the salaries, wages and all necessary expenses for the proper conduct of the following activities:	
Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are	

supported out of the General Fund and for auditing justices of the peace, other fining offices, Volunteer Firemen's Relief Association Funds and the offices of elected State officials . . . . .	\$8,969,000
For the salaries, wages and all necessary expenses for the proper administration and operation of the Scranton office . . . . .	1,096,000
Auditing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations . . . . .	2,395,000
Administration of the Board of Arbitration of Claims . . . . .	212,000
To the Treasury Department	
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:	
For the administration of the Treasury Department . . . . .	\$4,517,000
For the administrative expenses in disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations . . . . .	2,274,000
For the administration of the Board of Finance and Revenue . . . . .	700,000
For the conduct of the work of the Commission on Interstate Cooperation and the traveling expenses of members to be paid in favor of the chairman or treasurer of the commission on presentation of his requisition and who shall file an accounting with the Auditor General . . . . .	30,000
For the support of the Council of State Governments to be paid to the order of the Executive Director of the Council of State Governments who shall file an accounting of such expenses with the Auditor General . . . . .	80,000
For the support of the Great Lakes Commission to be paid on requisition of the commissioners who shall file an accounting with the Auditor General . . . . .	20,000
For the National Conference of State Legislatures . . . . .	73,000
For the payment of replacement checks issued in lieu of outstanding checks when presented and to adjust errors . . . . .	50,000
For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State University . . . . .	15,000
For publishing statements of the General Fund and other funds of the Commonwealth . . . . .	17,000
For the compensation of the Commonwealth's Loan and Transfer Agent for services and expenses in connection with the registration, transfer and payment of interest on bonds of the Commonwealth and other services required to be performed by the Loan and Transfer Agent . . . . .	100,000
For the payment of legal fees, publication of advertisements, costs of engraving and other expenses incurred in issuing of tax anticipation notes . . . . .	100,000
For the payment into the Project 70 Land Acquisition Sinking Fund to meet the principal and interest requirements on notes and bonds issued . . . . .	6,026,000
For the payment into Land and Water Development Sinking Fund to meet the interest and Sinking Fund requirements of notes and bonds issued and to be issued . . . . .	32,421,000
For the payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds is-	



sued and notes and bonds to be issued . . . . .	114,309,000	proved by the department in advance . . . . .	25,000
<p>All moneys in the Vietnam Veterans' Compensation Fund not needed to pay claims presently on hand shall be transferred to the Vietnam Veterans' Compensation Sinking Fund in an amount sufficient to meet all debt service requirements during the 1978-1979 fiscal year.</p> <p>For payment into the Disaster Relief Redemption Fund to meet principal and interest requirements on bonds issued and bonds to be issued . . . . .</p>		<p>For planning and staging ten annual 4-H Club Horse and Pony Shows and one State-wide show to be held in the fall as preliminary to the Keystone International Livestock Show . . . . .</p>	30,000
	7,835,000	<p>For payment of compensation to owners of animals destroyed in disease eradication programs . . . . .</p>	200,000
<p>For payment into the Nursing Home Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued . . . . .</p>		<p>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. . . . .</p>	766,000 716,000
	3,516,000	<p>To the State Council of Civil Defense</p>	
<p>For payment into the Volunteer Fire and Rescue Loan Sinking Fund to meet principal and interest requirements on bonds issued . . . . .</p>		<p>For the salaries, wages and all necessary expenses for the proper administration of the State Council of Civil Defense, including emergency disaster assistance. . . . .</p>	\$640,000
	812,000	<p>To the State Civil Service Commission</p>	
<p>For payment of law enforcement officers' death benefits . . . . .</p>		<p>For the salaries, wages and all necessary expenses for the proper administration of the Civil Service Commission including administration of the merit system for employees under provisions of the Civil Service Act supra: Provided, That in addition to the amount hereby appropriated, any money collected by the commission by way of reimbursement under the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation . . . . .</p>	\$1,000
	400,000	<p>To the Department of Commerce</p>	
<p>TO THE DEPARTMENT ON AGING</p> <p>FOR THE SALARIES, WAGES AND ALL NECESSARY EXPENSES FOR THE PROPER ADMINISTRATION OF THE DEPARTMENT OF AGING . . . . .</p>		<p>For the salaries, wages and all necessary expenses for the proper administration of the Department of Agriculture, including the following programs: regulation of consumer products and promotion of fair business practices, plant health, animal health, rural services and agribusiness development . . . . .</p>	\$13,076,000 \$12,165,000
	\$875,000	<p>For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the following: tourism and travel development, industrial development, scientific and technological development and international trade . . . . .</p>	\$4,313,000
<p>To the Department of Agriculture</p>		<p>For the administration and operation of the Navigation Commission for the Delaware River . . . . .</p>	75,000
		<p>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 . . . . .</p>	500,000 1,000,000
<p>For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the following: tourism and travel development, industrial development, scientific and technological development and international trade . . . . .</p>		<p>For site development . . . . .</p>	
	50,000	<p>For the payment of grants to Appalachian Local Development districts . . . . .</p>	100,000
<p>For development and operation of an open Livestock Show, including cattle, swine, sheep and horses: Provided, That the department may make allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of a Livestock Show in the Pennsylvania Farm Show Complex: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure . . . . .</p>		<p>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 . . . . .</p>	397,000
	60,000	<p>For payment of ceremonies in recognition of the Distinguished Daughters of Pennsylvania . . . . .</p>	3,000
<p>For payment of reimbursement to legally constituted law enforcement agencies for kennel construction . . . . .</p>		<p>For transfer to the Minority Business Development Fund . . . . .</p>	1,500,000
		<p>For technical assistance for minority businesses . . . . .</p>	250,000
<p>For development and operation of an open Livestock Show, including cattle, swine, sheep and horses: Provided, That the department may make allocations of this appropriation as it deems appropriate to an incorporated association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the planning and staging of a Dairy Show in the Pennsylvania Farm Show Complex: And provided further, That the funds allocated by the department shall only be used for the specific items approved by the department in advance of the expenditure . . . . .</p>		<p>For tourist promotion assistance . . . . .</p>	2,000,000
	60,000	<p>For the Governor's Science Advisory Committee to finance research and information dissemination projects to be conducted by the Pennsylvania State University for the benefit of Pennsylvania industry to insure more jobs for Pennsylvania . . . . .</p>	120,000
<p>For promotion and holding of annual local, regional and State 4-H Clubs and Future Farmers of America Dairy Shows: Provided, That the department may make allocations of this appropriation as it deems appropriate to an association whose purposes are in accord with the purposes and intent of this appropriation, the funds so allocated to be used for the development and operation of Junior Dairy Shows: And provided further, That the funds allocated by the department shall only be used for the specific items ap-</p>		<p>For the Pennsylvania Industrial Development Authority . . . . .</p>	5,000,000 3,000,000

<del>For the Pennsylvania Science and Engineering Foundation</del> . . . . .	<del>950,000</del>	For payment of rental charges to the General State Authority for capital improvements at State-aided educational institutions. . . . .	4,024,000
For a coal desulfurization demonstration project including proper engineering and testing equipment necessary to monitor the results . . . . .	1,500,000	Operation, maintenance and administration of the State colleges and State-owned university including the McKeever Environmental Center . . . . .	181,300,000
To the Department of Community Affairs		Notwithstanding any provision of this act relating to the payment of retirement expenses, the State-owned colleges and university shall make all required payments to the State Employees' Retirement Fund from this appropriation.	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Community Affairs, including community action assistance, housing and redevelopment, area-wide services, municipal administrative support capability, local recreation areas and facilities and community development planning . . . . .	\$5,218,000	Expenses of the McKeever Environmental Center shall be paid by the State colleges and State-owned university in amounts proportionate to the use of the center by the colleges and university.	
For administration of the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act . . . . .	102,000	<del>Neither the Secretary of Education nor the State Treasurer shall make or honor any charges from any other executive department or agency for the payment of services, without first obtaining the written approval of the board of trustees of each institution.</del>	
For payments of grants to community action agencies as provided by the act of January 26, 1968 (P. L. 48, No.9), and to political subdivisions and organizations for social service programs . . . . .	1,500,000	A report shall be submitted by each State college and State-owned university to the Governor and the Appropriations and Education Committees of the Senate and House of Representatives and shall include data for all programs of the State college or State-owned university. Each such report, to be submitted prior to November 1, 1979, shall cover the 12-month period beginning September 1, 1978 and shall include for each term during the period:	
For the payments of grants to counties, cities, boroughs, townships, towns or regions for planning assistance . . . . .	100,000	(1) The following counts and distributions:	
For planning and administration of a Statewide manpower employment assistance and training program . . . . .	1,478,000	(i) The definitions and numbers of full-time faculty members, of part-time faculty members, of full-time students enrolled in graduate courses, of full-time students enrolled in undergraduate courses, of part-time students enrolled in graduate courses, and of part-time students enrolled in undergraduate courses.	
<del>For the Community Facilities Program pursuant to the act of December 22, 1959 (P. L. 1978, No. 728).</del> . . . . .	<del>1,800,000</del>	(ii) A distribution of part-time faculty members by the percentage of full-time employment.	
For payments of grants to regional councils of governments . . . . .	75,000	(iii) Total numbers of undergraduate student credit hours, divided into lower division and upper division levels, and of graduate student credit hours divided into three levels—master's, first professional and doctoral.	
For grants for housing and redevelopment assistance as authorized by the act of May 20, 1949 (P. L. 1633, No. 493), and for 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 . . . . .	16,000,000	(iv) Number of different courses scheduled by level of instruction, distributed by the number of sections scheduled in each course and the sections distributed by the number of students enrolled in each section.	
To the Council on Drug and Alcohol Abuse		(v) Number of terms scheduled and the dates thereof.	
For the salaries, wages and all necessary expenses for the proper conduct of the Council on Drug and Alcohol . . . . .	\$2,091,000	(2) A classification of faculty members or other professional employees by title including: professor, associate professor, assistant professor, instructor, lecturer, research associate, librarian and academic administrator; faculty members or other professional employees under each title to be subdivided by type of assignment: undergraduate courses only, graduate courses only, or both graduate and undergraduate courses; and each such set of faculty members or other professional employees to be further subdivided by type of employment: full-time or part-time; and the following aggregates for each such subdivided classification:	
For grants to counties and to private facilities to finance drug and alcohol abuse treatment and prevention programs . . . . .	19,000,000	(i) The number.	
To the Department of Education		(ii) The sum of credits assigned to undergraduate courses and the sum of credits assigned to graduate courses taught, divided into lower division, upper division, master's, first professional and doctoral levels.	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Education, including criminal law enforcement, general instruction, special education, compensatory programs, vocational education, higher education-professional support services, achieving economic independence-socially and economically disadvantaged, local recreation areas and facilities and educational programming . . . . .	\$12,577,000	(iii) The sum of undergraduate student credit hours and the sum of graduate student credit hours generated; divided into lower division, upper division, master's, first professional and doctoral levels.	
No funds appropriated herein shall be used in any way relating to State Colleges and University Distinguished Faculty Awards.		(iv) Total salary paid.	
To provide the necessary State match required by the Federal Government to administer vocational educational programs. . . . .	1,378,000	(v) Total salary paid from college or university funds.	
For the operation and maintenance of the Vocational Education Fire School . . . . .	250,000	(vi) Total salary paid from Federal funds.	
<del>For the purchase of a pumping apparatus truck for the Vocational Education Fire School</del> . . . . .	<del>100,000</del>	(vii) Total salary paid from other funds.	
For the district justice education program . . . . .	190,000	(3) For each term of the period covered for each full-time faculty member identified by school, department and title:	
For the operation of the State Library, providing reference services and administering aid to public libraries. . . . .	1,659,000	(i) An analysis of the average hours per week spent in college or university-related activities, stating specifically hours spent in undergraduate classroom contact and graduate classroom	

contact, hours spent in preparation, hours spent in research and hours spent in public service.

(ii) The total salary paid and the salary paid from college or university funds.

In addition to the above requirements relative to this appropriation, each report covering the 12-month period beginning September 1, 1978, shall include for all programs of the State college or State-owned university:

(1) Minimum number of credits required for a baccalaureate degree and for a master's degree.

(2) Number of bachelor's degrees, master's degrees, first professional degrees, and doctoral degrees awarded in 1976, 1977, 1978, and estimated 1979.

The State colleges and State-owned university shall report their revenues and expenditures and present their financial statements required under the provisions of this act in accordance with Higher Education Finance Manual (1975).

No funds appropriated herein shall be deposited in the Pennsylvania State College Educational Services Trust Fund.

No funds received from any other source by the State colleges and university shall be deposited in the Pennsylvania State College Educational Services Trust Fund.

For Indiana University of Pennsylvania for the microfilming of documents related to the history of the soft coal industry in Western Pennsylvania . . . . . 25,000

For the operation, maintenance and administration of the Scranton State School for the Deaf . . . . . 1,558,000

For the operation, maintenance and administration of Scotland School for Veterans' Children . . . . . 3,613,000

For the operation, maintenance and administration of the Thaddeus Stevens State School of Technology . . . . . 1,655,000

For payments of subsidies to school districts on account of basic instructional and vocational education costs: Provided, That the Secretary of Education, with the approval of the Governor, may make payments from this appropriation in advance of the due date prescribed by law to school districts which are financially handicapped, whenever it is deemed necessary to make such advanced payments to enable the school districts to keep their public schools open . . . . . 1,243,602,000

~~The Department of Education shall withhold from the funds appropriated herein, any payments to the school district of Philadelphia on account of poverty students until the school district of Philadelphia submits to the Department of Education an audited report detailing extraordinary expenses made on account of poverty students for the school years 1976-1976 and 1976-1977, and an estimate of expenditures for 1977-1978 and 1978-1979, along with a delineation of revenues to support those expenditures.~~

For increase in the basic instructional and vocational education costs . . . . . 150,000,000

For payments to school districts on account of annual rental or sinking fund charges on school buildings . . . . . 167,000,000

For payments to school districts and intermediate units on account of pupil transportation . . . . . ~~106,680,000~~  
95,680,000

For payments to school districts and intermediate units on account of special education of exceptional children in public schools: PROVIDED, THAT IN THE EVENT A CLAIM EXISTS FOR AN INTERMEDIATE UNIT AND/OR A SCHOOL DISTRICT, THE SECRETARY OF EDUCATION SHALL, PRIOR TO ANY OTHER PAYMENTS, PAY THOSE PRIOR CLAIMS FIRST . . . . . 109,379,000

For payments to school districts on account of homebound instruction . . . . . 500,000

For payments for tuition to school districts providing education to nonresident orphaned

children placed in private homes by the court and nonresident inmates of children's institutions . . . . . 8,750,000

For payments of annual fixed charges to school districts in lieu of taxes for land acquired by the Commonwealth for water conservation or flood prevention . . . . . 80,000

For payments to intermediate units for maintenance of summer schools for school age children of migrant laborers . . . . . 100,000

To provide grants to school districts to assist in meeting the matching requirements of Federal grants received under Federal programs for the education of the disadvantaged where such programs meet criteria established by the Department of Education . . . . . 1,000,000

For payments to institutions of higher education on account of students in the Fifth Pathway Program . . . . . 120,000

For Special Education — Approved Private Schools . . . . . 28,000,000

For annual payments not to exceed \$500 per student to institutions of higher learning for defraying the expenses of deaf or blind students . . . . . 100,000

For payment of the Commonwealth's share of the approved operating costs and lease payments of intermediate units . . . . . 7,193,000

For grants to school districts to assist in meeting Federal matching requirements for grants received under the Federal Child Nutrition Act, and to aid in providing a food program for needy children . . . . . 9,054,000

For payment into the Social Security Contribution Fund the Commonwealth's share of Federal Social Security taxes for public school employees . . . . . 75,500,000

For payment of required contribution into the contingent reserve and supplemental accounts of the Public School Employees' Retirement Fund . . . . . 206,495,000

In addition to the regular contribution to the Retirement Fund, this appropriation includes \$21,000,000 for the repayment of past underfunding of the Commonwealth's obligation relating to school district employees funded by Federal grants. For fiscal year 1978-1979 and each fiscal year thereafter, the Commonwealth shall not be liable for any retirement expenses incurred by school districts for district employees funded by Federal funds.

In addition to the regular contribution to the Retirement Fund, this appropriation includes \$9,000,000 for continued repayment of past underfunding of the Commonwealth's obligations. This repayment will reduce the original deficit of \$90,000,000 to \$52,000,000.

It is the specific intent of the General Assembly to pay this deficit at the rate of \$9,000,000 a year for five years and \$7,000,000 the sixth year to reduce the balance to zero.

For payment of required contribution into the former teachers' account of the Public School Employees' Retirement Fund . . . . . 8,000

For operation and administration of programs of education and training at youth development centers . . . . . 3,149,000

For operation and administration of programs of education and training at State schools and hospitals . . . . . 11,400,000

For services to nonpublic schools . . . . . 25,577,000

For textbooks for nonpublic schools . . . . . 8,333,000

For student supplies for nonpublic schools . . . . . 2,842,000

For grants to public libraries for the development and improvement of a State-wide system of libraries and library services, including State aid to local libraries, county libraries, district library centers and regional library resource centers . . . . . 9,328,000

To provide aid to the Free Library of Philadelphia and the Carnegie Library of

Pittsburgh, to meet the costs incurred in serving as regional libraries in the distribution of braille reading materials, talking book machines and other reading materials, to persons who are blind or otherwise handicapped . . . . . 931,000

For development, administration and coordination of educational and training programs at the State-owned adult correctional institutions . . . . . 2,199,000

For payment of approved operating and capital expenses of community colleges and technical institutes . . . . . 47,998,000

Commonwealth allocations to the community colleges from the funds appropriated herein shall be separately calculated for community and public services including noncredit continuing education as defined by the Higher Education Finance Manual and the Higher Education General Information Survey.

No funds appropriated herein shall be allocated for the reimbursement of operating or capital expenses for which Federal funds have been received.

An independent audit report for the preceding fiscal year, which is consistent with the Higher Education Finance Manual shall be submitted by each community college to the Department of Education not later than 120 days after the close of the preceding fiscal year. The Department of Education may withhold whatever funds appropriated herein it feels necessary to ensure that such audit reports are submitted in the prescribed fashion.

For higher education equal opportunity program grants . . . . . 4,090,000

For the operation of the Ethnic Heritage Studies Center . . . . . 50,000

For the Pennsylvania Higher Education Assistance Agency

For payment of all scholarships and education assistance grants, including those to veterans, and dependents of prisoners of war or missing in action soldiers, and for death and disability hardship cases . . . . . \$68,440,000

For the purpose of being held in reserve to guarantee loans granted for payment of possible losses of such loans granted and for the payment of lender participation incentives . . . . . 1,000,000

For the purpose of administering the programs of the agency including payment of lender participation incentives . . . . . 3,543,000

For institutional assistance grants to be allotted by the Pennsylvania Higher Education Assistance Agency for the academic year beginning on or about September 1, 1978 pursuant to the criterion contained in the act of July 18, 1974 (P. L. 483, No. 174) . . . . . ~~12,600,000~~  
14,000,000

To the Department of Environmental Resources

For salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources . . . . . ~~\$13,628,000~~  
\$12,628,000

For topographic and geologic survey . . . . . ~~1,411,000~~  
1,000,000

For soil survey work . . . . . 100,000

For deep mine safety . . . . . 2,303,000

For occupational health . . . . . 593,000

For surface mine reclamation . . . . . 2,098,000

For land protection . . . . . ~~2,288,000~~  
2,000,000

For water quality management . . . . . 6,074,000

For air quality and noise control . . . . . ~~3,254,000~~  
3,000,000

For community environmental control . . . . . ~~5,665,000~~  
5,000,000

For radiological health . . . . . 631,000

For State forestry operations . . . . . 9,745,000

For the gypsy moth laboratory and research . . . . . ~~418,000~~

400,000

For gypsy moth spraying operations . . . . . 500,000

~~For insect spraying operations . . . . . 500,000~~

For State parks . . . . . 19,606,000

For stream improvement projects . . . . . 438,000

For the payment of the cost of manpower, equipment and materials used in the control and extinction of forest fires . . . . . 150,000

For payments to municipalities or municipal authorities for up to 50% of the cost of acquiring lands and rights-of-way and relocating roads and utilities to qualify for Federal flood control projects . . . . . 500,000

For grants to counties, municipalities and authorities to assist them in preparing official plans for sewage systems . . . . . 300,000

For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act . . . . . 1,000,000

For the support of the Ohio River Valley Water Sanitation Commission, requisitions to be signed by the Secretary of Environmental Resources . . . . . 55,000

For payment to the Great Lakes Basin Commission as the Commonwealth's assessment and payment for participation in the programs and plans of the Great Lakes Basin Commission . . . . . 15,000

For payment to the Ohio River Basin Commission as the Commonwealth's assessment and payment for participation in the development of a water resources program for the Ohio River Basin . . . . . 30,000

For the support of the Susquehanna River Basin Commission, requisitions to be signed by the Secretary of Environmental Resources . . . . . 200,000

For the support of the Interstate Commission on the Potomac River Basin, requisitions to be signed by the Secretary of Environmental Resources . . . . . 16,000

For grants to counties, municipalities and authorities to assist them in preparing official plans for solid waste disposal systems . . . . . 150,000

For payment of Pennsylvania's share of the expenses of the River Master for the Delaware River . . . . . 30,000

For the conduct of the work of the Delaware River Basin Commission to be paid in favor of the chairman of said commission who shall file an accounting with the Auditor General . . . . . 378,000

For payment by the State Conservation Commission to local sponsors for support of small watershed projects . . . . . 100,000

For payments to conservation districts for employment of executive assistants on a 50% cost-sharing basis, not to exceed \$5,000 per district for the State's share . . . . . 100,000

For payment of Pennsylvania's share of the cost of the Interstate Mining Commission . . . . . 10,000

For payment of annual fixed charges in lieu of taxes to counties and townships on land acquired for water conservation and flood control . . . . . 9,000

For payment of annual fixed charges in lieu of taxes to political subdivisions or school districts on lands acquired by the Commonwealth for Project 70 . . . . . 250,000

For payment of annual fixed charges in lieu of taxes to counties, school districts and townships on forest lands . . . . . 399,000

For the Commonwealth's share of utility facilities servicing:

Rockview Correctional Institution . . . . . 350,000

Caledonia State Park . . . . . 221,000

To provide grants for rat control programs including, but not limited to, extermination

measures, improvement of refuse collection and garbage collections, services and community educational activities designed to promote participation and support of the programs by residents and property owners.	500,000	For the operation of State Health Care Centers, including the district offices of the Department of Health . . . . .	8,895,000
<del>For support of the Pennsylvania Conservation Leadership School at Stone Valley Recreation Area</del>	<del>30,000</del>	For emergency health services . . . . .	2,311,000
To the Pennsylvania Fish Commission		For maternal and child health . . . . .	530,000
For the support of the Atlantic States Marine Fisheries Commission . . . . .	\$3,000	For the purpose of developing, operating and purchasing hemophilia services . . . . .	1,256,000
To the Department of General Services		For the purpose of developing, operating and purchasing sickle cell anemia services . . . . .	650,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of General Services including distribution of surplus State property, purchase, maintenance and disposition of State automotive equipment, standards and specifications of commodities for State agencies, purchase of commodities for State agencies, real estate and insurance, building, construction and engineering, maintenance and custody of State office buildings and grounds, General Services, Federal surplus property, and distribution of Federal surplus commodities . . . . .	\$18,985,000 \$16,985,000	For the purpose of developing, operating and purchasing Cooley's anemia services . . . . .	120,000
For the payment of base rental for State Office Building 1 and 2 and parking to the Harristown Development Corporation and for the insurance in the State demised areas . . . . .	5,549,000	For the purpose of developing, operating and purchasing renal disease services . . . . .	3,633,000
For the payment of common shared charges to the Harristown Development Corporation and for the payment of utility charges in the State demised areas . . . . .	1,169,000	For the purpose of operating and purchasing Coal Workers Pneumoconiosis Services excluding research . . . . .	707,000
No moneys shall be expended from any appropriation to pay either the Harristown Development Corporation, the County of Dauphin, the School District of Harrisburg or the City of Harrisburg any payments for the property occupied by the State in the Harristown project in lieu of tax during fiscal year 1978-1979.		For the purpose of funding research into the early detection and prevention of Coal Workers Pneumoconiosis . . . . .	100,000
For consideration to be paid under the terms of a contract which shall be entered into with the City of Harrisburg, Pennsylvania, for protection from and the extinguishment of any fires that may occur in or on the Capitol Complex of buildings or grounds . . . . .	100,000	For the operation, maintenance and administration of the Elizabethtown Hospital for Children and Youth . . . . .	3,470,000 3,070,000
For the cost of utilities in the Capitol complex, Pittsburgh and Philadelphia State office buildings . . . . .	4,400,000	For reimbursement to school districts on account of health services . . . . .	11,810,000
<del>For replacement of commercial and temporary fleet vehicles</del>	<del>500,000</del>	For providing aid to counties in the establishment and maintenance of local health departments . . . . .	11,872,000
For the printing of the Pennsylvania Manual . . . . .	181,000	For payment to the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania for the operation and maintenance of the Cancer Research Program . . . . .	418,000
For payment of rental charges to The General State Authority . . . . .	52,000,000	For payment to the Wistar Institute of Philadelphia, Pennsylvania for research in the field of cellular biology . . . . .	200,000
To the Department of Health		For payment to the Inglis House of Philadelphia for the detection and diagnosis of neurological diseases . . . . .	30,000
For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance, excluding quality assurance . . . . .	\$10,220,000	For the following research programs: Lankenau Hospital — Research . . . . .	75,000
For salaries, wages, and all necessary expenses for the proper administration of the Quality Assurance Program within the Department of Health which is designed to improve conditions and to assure appropriate care in health care facilities in Pennsylvania.	2,517,000	Cardio-vascular studies — University of Pennsylvania . . . . .	60,000
Central Penn Oncology Group . . . . .	100,000	Cardio-vascular studies — St. Francis Hospital, Pittsburgh . . . . .	60,000
For the operation of Bureau of Vital Statistics . . . . .	2,842,000	To engage or contract with any private institute, research foundation or any entity to perform research of Lupus Erythematosus . . . . .	75,000
For the operation of the State Laboratory . . . . .	2,202,000	For outpatient-inpatient treatment: Cerebral Palsy — St. Christopher's Hospital . . . . .	75,000
		Cerebral Dysfunction — Children's Hospital, Pittsburgh . . . . .	25,000
		Pittsburgh Cleft Palate . . . . .	30,000
		<del>For payment to the Burn Foundation of Greater Delaware Valley</del>	<del>155,000</del>
		Lancaster Cleft Palate . . . . .	30,000
		For a comprehensive program relating to persons with Tay-Sachs Disease at the Jefferson Medical College and Hospital, Philadelphia, Pennsylvania . . . . .	50,000
		Such program shall include the detection of Tay-Sachs Disease in the community, counselling of individuals and families, education of the public, institution, coordination of research into the treatment for Tay-Sachs Disease and the expansion of genetic diagnostic services and treatment of persons with the disease.	
		The Department of Health shall ascertain that the funds appropriated by this act are used by the Jefferson Medical College and Hospital, Philadelphia for the purposes herein set forth.	
		To the Pennsylvania Historical and Museum Commission	
		For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission including development and promo-	

tion of Pennsylvania State and local history, museum development and operations, and development and preservation of historical sites and properties . . . . .	\$5,117,000	For payments of grants to political subdivisions to assist in the improvement of juvenile probation services . . . . .	1,452,000
For administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park . . . . .	513,000	For aid for local law enforcement . . . . .	725,000
For administration of the Brandywine Battlefield Park Commission and operation and maintenance of Brandywine Battlefield Park . . . . .	117,000	For payment of awards made by the Crime Victims Compensation Board . . . . .	1,300,000
For administration of the Anthracite Museum Complex . . . . .	310,000	For payment of the cost of the retrial of Tony Boyle involving the Yablonski homicide case . . . . .	200,000
For administration of Allentown Art Museum . . . . .	50,000	For a Medicaid Fraud Control Unit . . . . .	128,000
For administration of the Somerset Historical Center . . . . .	47,000	To the Department of Labor and Industry	
For refurbishing of the stone maintenance building at Conrad Weiser Park for the use of the Tulpehocken Settlement Historical Society for a geneological center for the preservation of Pennsylvania German ancestry . . . . .	18,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Labor and Industry, including regulation of consumer products and promotion of fair business practice, accident prevention, occupational health and safety, income maintenance and industrial relations stability . . . . .	\$11,148,000
To the Department of Insurance		For occupational disease payments . . . . .	21,000,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Insurance including policyholder services and protection, regulation of rates and policies, liquidation of companies and regulation of companies . . . . .	\$4,922,000	For the payment to the Vocational Rehabilitation Fund for work of the State Board of Vocational Rehabilitation . . . . .	9,000,000
To the Department of Justice		To carry out provisions of section 306(h) of the Pennsylvania Workmen's Compensation Act . . . . .	2,000,000
For general government operations:		To the Department of Military Affairs	
Attorney General . . . . .	\$408,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Military Affairs including emergency disaster assistance, financial assistance to students and income maintenance	\$7,609,000
Comptroller . . . . .	454,000	For the operation and maintenance of the Hollidaysburg Veterans' Home . . . . .	1,766,000
Regional Offices . . . . .	1,190,000		1,266,000
Community Advocate . . . . .	289,000	For the replacement of lockers at the National Guard Armory located in Chippewa Township, Beaver County, Pennsylvania . . . . .	15,000
Management Services . . . . .	637,000	For the operation and maintenance of the Soldiers' and Sailors' Home at Erie including those expenses necessary for interior renovations . . . . .	839,000
Criminal Law . . . . .	179,000	For payment of helicopter liability insurance . . . . .	150,000
Investigations . . . . .	521,000	For payment of gratuities for the education of children of certain veterans . . . . .	70,000
Governor's Justice Commission . . . . .	359,000	For assistance to veterans who are ill or disabled and without means of support . . . . .	650,000
Civil Law . . . . .	1,643,000	For pensions for veterans blinded through service-connected injuries or disease . . . . .	80,000
Consumer Protection . . . . .	867,000	For payment of pensions to dependents of soldiers of the Pennsylvania National Guard killed in the line of duty . . . . .	10,000
Consumer Protection — Allentown Office . . . . .	149,000	For the maintenance and upkeep of American Battle Monuments in France . . . . .	3,000
Consumer Protection — Scranton Office . . . . .	101,000	FOR ARMORY MAINTENANCE AND REPAIR . . . . .	500,000
Consumer Protection — Erie Office . . . . .	175,000	To the Milk Marketing Board	
Board of Pardons . . . . .	143,000	For payment into the Milk Marketing Fund in the State Treasury for the purpose for which such fund is appropriated . . . . .	\$841,000
The funds appropriated for general government operations of the Department of Justice are specifically appropriated to the bureau, division or office indicated and shall not be used for the purposes or functions of any other bureau, division or office of the department.		To the Pennsylvania Board of Probation and Parole	
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 . . . . .	3,302,000	For the salaries, wages and all necessary expenses for the proper administration of the Board of Probation and Parole reintegration of offenders . . . . .	\$9,447,000
For the operation and administration of the Pennsylvania Crime Commission . . . . .	1,480,000	Payments for grants-in-aid to counties for providing improved adult probation services	1,763,000
For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission . . . . .	254,000	To the Department of Public Welfare	
For salaries, wages and all necessary expenses of the Crime Victims Compensation Board . . . . .	229,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Public Welfare including but not limited to, health services support and development, mental health systems, serv-	
For the operation, maintenance and administration of the State Correctional Institutions . . . . .	70,723,000		
No funds from this appropriation are to be used for currently existing or new community service centers.			
For the operation, maintenance and administration of the community service centers . . . . .	1,949,000		
No funds from this appropriation are to be used to establish or operate community service centers beyond the 15 currently existing centers.			

ices to the communities, family support services, mental retardation systems and income maintenance . . . . . \$17,011,000

~~The Department of Public Welfare shall not enter into any contract without the approval of the General Assembly in accordance with the procedure established by the act of April 7, 1955 (P. L. 23, No. 8), known as the "Reorganization Act of 1955," and a message to the General Assembly from the Governor for the purposes of executing such function shall be transmitted as in other cases under the Reorganization Act of 1955 with the exception of janitorial and maintenance of equipment or facilities contracts or for a contract which does not exceed \$10,000 per annum with the same contractor. The Governor shall submit to the General Assembly in regards to each proposed contract, the following:~~

- ~~(1) The full text of the contract.~~
- ~~(2) A full disclosure of all of the parties with whom the department proposes to contract, to include, in the case of corporations and unincorporated associations, the names of all of the officers and directors of such corporation or association.~~

For the provision of security programs and facilities for youth offenders including 200 security beds . . . . . 4,570,000

For the provision of community based programs and facilities for youth offenders . . . . . 985,000

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 . . . . . 16,567,000

The appropriation structure herein specified for the above three appropriations in no way constrains or attempts to define the cost allocations necessary to implement the cost and billing procedures required by act of July 9, 1976 (P. L. 846, No. 148).

In addition to any other information requested by the House of Representatives and Senate Appropriations Committees of the General Assembly, the Department of Public Welfare shall provide for each succeeding fiscal year, the following program information for the above three appropriations:

- (1) An unduplicated count of the number of youth offenders served by each program or facility.
- (2) A per diem cost for each program or facility.
- (3) The number of youth offenders recidivating into the same or any other program or facility for youth offenders funded from the above three appropriations.
- (4) The number of previous commitments of recidivists to a program or facility funded from the above three appropriations.

Recidivism data shall be provided in a pure statistical manner not revealing the identity of any involved individual.

For the operation, maintenance and administration of the State restoration centers . . . . . 7,242,000

For the operation, maintenance and administration of the State medical and surgical hospitals . . . . . 6,500,000

For the operation, maintenance and administration of the State institutions for the mentally ill and the mentally retarded . . . . . 315,267,000

For administration of the State mental health and mental retardation legislation exclusive of capital improvements; for payments to reimburse counties, county institution districts and private institutions; and for the care of mental patients boarded out by the State institutions for the mentally ill and mentally retarded . . . . . 105,849,000

For grants to counties to purchase community based residential care, treatment and training for the mentally retarded . . . . . ~~30,129,000~~  
28,129,000

For the provision of services to the blind at:

- Center for the Blind — Delaware County . . . . . 25,000
- Beacon Lodge Camp . . . . . 25,000
- Center for the Blind — Philadelphia . . . . . 25,000
- Pittsburgh Association for the Blind . . . . . 25,000
- Rudolph Residence for the Blind . . . . . 25,000

GREATER PITTSBURGH GUILD FOR THE BLIND . . . . . 25,000

For assistance payments and county administration of the public assistance programs and medical assistance programs:

Cash assistance . . . . . 594,064,000

~~No part of this appropriation shall be used to pay general assistance to any full time student at a college or university who has not participated in a Federally subsidized program for dependent children.~~

County administration . . . . . 64,668,000  
68,168,000

Office of information systems . . . . . 4,876,000

Office of program accountability . . . . . 4,774,000

Medical assistance . . . . . 441,540,000

~~No money shall be disbursed from this appropriation to pay for, make reimbursement for, or otherwise to support the performance of any abortion except where the abortion is certified in writing by a physician to be necessary to save the life of the mother.~~

~~Subject to Federal law and regulations, the fee for outpatient hospital visits to any hospital outpatient clinic certified by the Office of Medical Programs, and any medical clinic operated by a nonprofit medical, educational or professional organization if such clinic is approved by the department and complies with the regulation of the Medical Assistance Program pursuant to Medical Assistance Regulation 9412.1 shall be \$7 per visit and the fee for outpatient hospital visits to hospital clinics, hospital emergency rooms, and independent nonprofit neighborhood health clinics shall be \$11 per visit for these institutions qualified to participate under Title XIX of the Federal Social Security Act and meet the special criteria for clinic participation established by Medical Assistance Regulation 9412.11.~~

FOR PAYMENT TO HOSPITALS FOR INPATIENT HOSPITAL CARE AND INPATIENT HOSPITAL ADJUSTMENTS . . . . . \$274,884,000

WITH RESPECT TO INPATIENT HOSPITAL CARE PROVIDED AFTER JUNE 30, 1978, REASONABLE COST SHALL BE DEFINED SO AS NOT TO EXCEED 115% OF THE PER DIEM REASONABLE COST ALLOWED DURING THE TWELVE MONTHS IMMEDIATELY PRIOR TO JULY 1, 1978 AND NO PORTION OF THIS APPROPRIATION SHALL BE USED TO PAY FOR AN INTERIM PER DIEM RATE IN EXCESS OF 112% OF THE INTERIM PER DIEM RATE ALLOWED IN THE SAME MONTH IN THE PREVIOUS YEAR. AFTER JULY 31, 1978, NO PORTION OF THIS APPROPRIATION SHALL BE USED TO PAY FOR INPATIENT HOSPITAL CARE PROVIDED ON A FRIDAY, SATURDAY, OR SUNDAY IF THE ADMISSION IS ON A FRIDAY OR SATURDAY AND IS NOT AN EMERGENCY AS DEFINED BY THE DEPARTMENT OF PUBLIC WELFARE. NO MONEY SHALL BE DISBURSED FROM THIS APPROPRIATION TO PAY FOR, MAKE REIMBURSEMENT FOR, OR OTHERWISE TO SUPPORT THE PERFORMANCE OF ANY ABORTION EXCEPT WHERE THE ABORTION IS CERTIFIED IN WRITING BY A PHYSICIAN TO BE NECESSARY TO SAVE THE LIFE OF THE MOTHER.

FOR MEDICAL ASSISTANCE AND SERVICES EXCEPT THOSE WHICH PROVISION IS OTHERWISE MADE IN THIS ACT . . . . . \$166,656,000

NO PORTION OF THIS APPROPRIATION SHALL BE USED TO PAY FOR NONLEGEND DRUGS, OTHER THAN INSULIN AND OXYGEN, EFFECTIVE JULY 1, 1978, AND SUBJECT TO FEDERAL LAW AND REGULATIONS, ONE PAIR OF EYEGLASSES PER YEAR SHALL BE AVAILABLE TO PERSONS WITH A REFRACTIVE ERROR OF 1.5 DIOPTERS, THE RATE FOR PARTIAL HOSPITALIZATION SHALL BE \$32 A DAY, THE RATE FOR HOME HEALTH CARE SHALL BE \$15 A VISIT, AND THE RATE FOR OUTPATIENT VISITS AT THOSE HOSPITAL CLINICS AND EMERGENCY ROOMS AND INDEPENDENT NEIGHBORHOOD CLINICS MEETING THE SPECIAL CRITERIA FOR CLINIC PARTICIPATION ESTABLISHED IN MEDICAL ASSISTANCE REGULATION 9412.11 SHALL BE \$15 A VISIT. NO MONEY SHALL BE DISBURSED FROM THIS APPROPRIATION TO PAY FOR, MAKE REIMBURSEMENT

**FOR, OR OTHERWISE TO SUPPORT THE PERFORMANCE OF ANY ABORTION EXCEPT WHERE THE ABORTION IS CERTIFIED IN WRITING BY A PHYSICIAN TO BE NECESSARY TO SAVE THE LIFE OF THE MOTHER.**

Private nursing homes . . . . . 80,000,000  
 For payment to private nursing homes for skilled nursing care and intermediate care for persons eligible for medical assistance services, provided after June 30, 1978. No money shall be disbursed from this appropriation for services provided in long-term care units of acute care hospitals. Regional group ceilings for reimbursement of private facilities shall be established in accordance with the amount appropriated by the General Assembly based upon Standard Metropolitan Statistical Area (SMSA) as designated in departmental regulations.

Public nursing homes . . . . . 37,072,000  
 Supplemental grants — aged, blind and disabled . . . . . 64,052,000

Provided, That any rule, regulation or policy adopted by the Secretary of Public Welfare during the fiscal period 1978-1979 which adds to the cost of any public assistance programs shall be effective only from and after the date upon which it is approved as to the availability of funds by the Governor.

For the payment of grants and for the purpose of developing, operating and purchasing services for the aged and other adults, including but not limited to model projects, demonstration projects, homemaking services, community care services, foster care services, protective care services and counseling services . . . . . 8,715,000

For the conduct, operation of or contracting for training courses to be given by accredited graduate schools of public health, for the personnel of county homes, nursing and convalescent homes, and non-profit homes for the aged . . . . . 50,000

For subsidy payments for services for the blind . . . . . 940,000

For payment to counties for child welfare programs and for the care of delinquent and deprived children committed by the courts to a private or public facility . . . . . 70,000,000

For the purpose of developing, operating and purchasing day-care services for children from State approved facilities . . . . . 19,244,000

For the provision of programs to combat juvenile gang warfare and outreach programs . . . . . 100,000

For payment to the Home for Crippled Children, Pittsburgh, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law . . . . . 440,000

For payment to Children's Heart Hospital, Philadelphia, Pennsylvania, for maintenance in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law . . . . . 880,000

The hospitals named above shall file a report with the Department of the Auditor General within 90 days of the last day of each quarter. Failure to file the report timely as required hereunder shall disqualify the institution from receiving funds for the quarter covered by the untimely filed report.

For the purpose of developing, operating and purchasing social services . . . . . 2,476,000

Arsenal Family and Children's Center . . . . . 100,000

Blair County Society for Crippled Children and Adults . . . . . 25,000

For adult programs for victims of cerebral palsy and other severe physically disabling diseases:

- (1) Scranton: United Cerebral Palsy of Lackawanna County . . . . . 58,600
- (2) Pittsburgh: United Cerebral Palsy of

Pittsburgh and vicinity . . . . .	28,500
(3) Bethlehem: United Cerebral Palsy of Lehigh Valley . . . . .	6,700
(4) Erie: United Cerebral Palsy of Northwest Pennsylvania . . . . .	18,800
(5) Reading: Association of Retarded Citizens . . . . .	7,300
(6) Pottsville: United Cerebral Palsy of Schuylkill County . . . . .	11,100

To the Department of Revenue  
 For salaries, wages and all necessary expenses for the proper administration of the Department of Revenue including corporation taxes, county collections, cigarette and beverage taxes, education tax administration and administration of the personal income tax . . . . . \$46,494,000

For the distribution of Public Utility Realty Tax . . . . . 34,000,00

To the Pennsylvania Securities Commission  
 For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Securities Commission . . . . . \$866,000  
 \$998,000

To the Department of State  
 For salaries, wages and all necessary expenses for the proper administration of the Department of State including regulation of consumer products and promotion of fair business practice and maintenance of the electoral process . . . . . \$3,123,000

For publication of proposed constitutional amendments . . . . . 60,000

For costs incurred resulting from the operation of the voter registration by mail program . . . . . 394,000

For costs related to absentee voting by persons in military services . . . . . 10,000

TO DEFRAY EXPENSES INCURRED BY BEAVER COUNTY IN COMPLYING WITH SUPREME COURT ORDER MANDATING REPRINTING OF BALLOTS . . . . . 20,000

To the State Employees' Retirement System  
 For payment of medical/hospital insurance costs for Commonwealth annuitants who have elected such coverage . . . . . \$15,347,000

To the Pennsylvania State Police  
 For salaries, wages and all necessary expenses for the proper administration of the Pennsylvania State Police, including juvenile crime prevention, criminal law enforcement, prevention and control of civil disorders, emergency disaster assistance and fire prevention. No State Police substation shall be closed until the State Police have presented justification for such action before a public hearing of the Appropriation Committees of the House of Representatives and the Senate . . . . . \$37,628,000

For salaries, wages and all necessary expenses for the proper administration of the Municipal Police Officers Education and Training Commission . . . . . 1,085,000

To the State Tax Equalization Board  
 For the salaries, wages and all necessary expenses for the proper administration of the State Tax Equalization Board . . . . . \$754,000

To the Department of Transportation  
 For the salaries, wages and all necessary expenses for the proper administration of the Department of Transportation including urban, rural and intercity mass transportation, rail freight transportation and port development . . . . . \$1,019,000

For urban mass transportation assistance for grants to local transportation organizations; to be used only for purchase of service



projects and advertising and promotion programs . . . . .	87,000,000 88,500,000
For rural and intercity transportation: for operating subsidies, lease payments and maintenance projects on rail freight lines; and operating subsidies and demonstration projects for passenger rail and bus services, including the Rural Highway Public Demonstration Program . . . . .	
	2,499,000
For payment to the City of Philadelphia for the maintenance, repair, improvement and administration of the Port of Philadelphia . . . . .	
	1,000,000
For payment to the Erie Port Commission of the City of Erie, for the maintenance, repair, improvement and administration of the Port of Erie . . . . .	
	250,000
For payment of services in connection with the functions of the Civil Air Patrol . . . . .	
	35,000
To the Pennsylvania Public Television Network Commission . . . . .	
	4,389,000
For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Public Television Network Commission including network station grants . . . . .	
	2,000,000
No allocations may be made from this appropriation for the support of instructional television by either the commission or its member stations.	
For programming services . . . . .	
	2,000,000
No allocations may be made from this appropriation for the support of instructional television by either the commission or its member stations.	

II. LEGISLATIVE DEPARTMENT  
To the Senate

For the salaries, wages and all necessary expenses for the following purposes:	
Salaries for 50 Senators and extra compensation to the President pro tempore of the Senate . . . . .	
	\$1,318,000 \$1,535,000
Salaries and wages for per diem and session officers and employees, including returning officers . . . . .	
	600,000
Salaries of employees of the President of the Senate . . . . .	
	78,000
Salaries of salaried employees of the Senate . . . . .	
	3,000,000
Salaries and wages of employees of the Chief Clerk and all necessary expenses to be allocated and disbursed at the direction of the President pro tempore . . . . .	
	458,000 585,000
Mileage:	
Fifty Senators, Officers and Employees . . . . .	100,000
Postage:	
Chief Clerk and Legislative Journal . . . . .	95,000
Lieutenant Governor . . . . .	9,000
Librarian . . . . .	9,000
Contingent Expenses:	
Secretary . . . . .	85,000
Librarian . . . . .	18,000
President . . . . .	20,000
President pro tempore . . . . .	20,000
Chief Clerk . . . . .	40,000
Majority Floor Leader . . . . .	6,000
Minority Floor Leader . . . . .	6,000
Majority Whip . . . . .	3,000
Minority Whip . . . . .	3,000
Chairman of Majority Caucus . . . . .	3,000
Chairman of Minority Caucus . . . . .	3,000
Secretary of Majority Caucus . . . . .	3,000
Secretary of Minority Caucus . . . . .	3,000
Chairman of Majority Appropriations Committee . . . . .	6,000
Chairman of Minority Appropriations Committee . . . . .	6,000

Chairman of the Majority Policy Committee . . . . .	2,000
Chairman of the Minority Policy Committee . . . . .	2,000
Majority Caucus Administrator . . . . .	2,000
Minority Caucus Administrator . . . . .	2,000
The above appropriations for postage and for contingent expenses shall be paid prior to the payment of such expenses on warrant of the State Treasurer in favor of the officers above named upon the presentation of their requisitions for the same: Provided, That the total amount of requisitions for advance- ments less the total amount of expenditures made as certified by such officers to the State Treasurer shall not exceed the amount of the bond of the officer having control of the disbursement from the funds advanced.	
Miscellaneous Expenses:	
Incidental Expenses . . . . .	240,000
Expenses, Senators: in addition to annual reimbursement for expenses heretofore authorized by law for each member of the Senate, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1978-1979 . . . . .	
	375,000
Legislative Printing and Expenses . . . . .	1,642,000
Attending Meetings of the Council of State Governments . . . . .	6,000
The above appropriation for incidental expenses shall be paid to the Chief Clerk of the Senate, the appropriations for legislative printing and expenses and attending National Legislative Conference shall be paid to the Secretary of the Senate and the appropriation for attending meetings of the Council of State Governments shall be paid to the President pro tempore in the same manner and under the same conditions as the appropriations for postage and contingent expenses above.	
For the payment of the expenses of the Committee on Appropriations (D) of the Senate in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State Treasury, in analyzing reports, expenditures and the general operation and administration of said institutions and agencies, in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states, attending seminars, conferences, and in cooperation and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense, and all other expenses DEEMED NECESSARY BY THE CHAIRMAN in compiling data and information connected with the work of said committee THE SENATE in compiling comparative costs and other fiscal data and information for the use of said committee and the Senate during legislative sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any State office, department, institution, board, committee, commission or agency or any institution or agency supported, in whole or in part, by appropriation from the State Treasury and to administer oaths. The committee may issue subpoenas	

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

375,000

For the payment of the expenses of ~~one minority party member~~ of the Committee on Appropriations (R) of the Senate designated by a majority vote of the minority party Senate Caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State Treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the Senate during Legislative Sessions and during the interim between Legislative Sessions to the discharge of such duties. ~~The sum appropriated shall be paid on warrant by the State Treasurer in favor of the member so designated by the majority vote of the minority party Senate Caucus on the presentation of his requisition for the same.~~ UPON PRESENTATION OF REQUISITIONS BY THE CHAIRMAN OF SUCH COMMITTEE 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. Such ~~member so~~

~~designated~~ CHAIRMAN shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents whenever possible, in the office of the minority party member of the Committee on Appropriations of the Senate of his expenses since the filing of the prior account . . . . .

375,000

For the ~~payment to the~~ Special Leadership Account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Majority Leader may be required or arise during Legislative Sessions and during the interim between Legislative Sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. ~~The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Majority Leader on the presentation of his requisition for the same.~~ UPON PRESENTATION OF REQUISITIONS BY THE MAJORITY LEADER 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. 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 . . . . .

875,000

For the ~~payment to the~~ Special Leadership Account (R) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Minority Leader may be required or arise during Legislative Sessions and during the interim between Legislative Sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. ~~The sum appropriated shall be paid on warrant of the State Treasurer in favor of the Minority Leader on the presentation of his requisition for the same.~~ UPON PRESENTATION OF REQUISITIONS BY THE MINORITY LEADER 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. 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 . . . . .

875,000

For allocation in such amounts as may be designated by the Legislative Management Committee (D) to the several standing committees (other than the Appropriations Com-

mittee) 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. . . . . 1,800,000

For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the 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. . . . . 1,450,000

For the Commonwealth Emergency Medical System . . . . . 50,000

For the President pro tempore's share of the expenses of the Commonwealth Compensation Commission . . . . . 25,000

To the House of Representatives

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

~~Salaries of Representatives and extra compensation to the Speaker of the House of Representatives . . . . . \$5,162,000~~

~~Salaries and wages for per diem and session officers and employees, including returning officers . . . . . 2,185,000~~

~~Salaries of salaried employees of the House of Representatives . . . . . 2,980,000~~

~~Salaries of employees of the Chief Clerk . . . . . 625,000~~

Security officers . . . . . 42,000

Mileage:  
Representatives, Officers and Employees . . . . . 675,000

Postage:  
Chief Clerk and Legislative Journal . . . . . 235,000

Contingent Expenses:  
Speaker . . . . . 20,000  
Chief Clerk . . . . . 220,000  
Secretary . . . . . 70,000  
Majority Floor Leader . . . . . 6,000  
Minority Floor Leader . . . . . 6,000  
Majority Whip . . . . . 3,000  
Minority Whip . . . . . 3,000  
Chairman of Majority Caucus . . . . . 3,000  
Chairman of Minority Caucus . . . . . 3,000  
Secretary of Majority Caucus . . . . . 3,000  
Secretary of Minority Caucus . . . . . 3,000  
Chairman of Majority Appropriations Committee . . . . . 6,000  
Chairman of Minority Appropriations Committee . . . . . 6,000

Chairman of Majority Policy Committee . . . . . 2,000  
Chairman of Minority Policy Committee . . . . . 2,000  
Majority Caucus Administrator . . . . . 2,000  
Minority Caucus Administrator . . . . . 2,000  
Administrator for Minority Staff . . . . . 20,000

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

Miscellaneous Expenses:  
~~Legislative Office for Research Liaison . . . . . 50,000~~  
~~Incidental Expenses . . . . . 1,000,000~~

~~Expenses, Representatives: In addition to annual reimbursement for expenses heretofore authorized by law for each member of the House of Representatives, each member shall be entitled to reimbursement for actual expenses, not exceeding the sum of \$2,500, incurred for lodging and meals while away from home on official legislative business, official postage, staff and all other expenses incidental to legislative duties. Such additional accountable expense amount shall be available for all such accountable expenses incurred during the fiscal year 1978-1979 . . . . . 1,563,000~~

~~Legislative Printing and Expenses . . . . . 3,000,000~~

Attending National Legislative Conference . . . . . 77,000

Attending Meetings of the Council of State Governments . . . . . 5,000

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

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

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

375,000

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

375,000

For the payment to the Special Leadership Account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the Majority Leader may be

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

950,000

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

950,000

~~For allocation in such amounts as may be designated by the Legislative Management Committee (D) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation of 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 . . .~~

~~2,000,000~~

~~For allocation in such amounts as may be designated by the Legislative Management Committee (R) to the several standing committees (other than the Appropriations Committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensa-~~

~~tion 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.~~ 2,000,000

For the Commonwealth Emergency Medical System . . . . . 50,000

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

School for new members . . . . . 10,000

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 . . . . . \$1,342,000

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

For the printing of Laws (including the Pennsylvania Consolidated Statutes) . . . . . 153,000

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 . . . . . 647,000

To the Legislative Budget and Finance Committee

For the salaries, wages and all necessary expenses for the work of the Legislative Budget and Finance Committee . . . . . \$330,000

To the Legislative Data Processing Committee

For the operation of the Legislative Data Processing Center . . . . . \$975,000

To the Joint State Government Commission

For the salaries, wages and all necessary expenses for the work of the Joint State Government Commission to be paid on warrants of the State Treasurer in favor of the chairman of said commission on the presentation of his requisition for the same, the chairman shall file an accounting of said expenses together with supporting documents whenever possible in the office of the Joint State Government Commission . . . . . \$1,047,000

To the Local Government Commission

For the salaries, wages and all expenses necessary for the work of the Local Government Commission . . . . . \$192,000

For the compilation and distribution of various municipal codes . . . . . 10,000

To the State Legislative Air and Water Pollution Control Commission

For the salaries and expenses of the State Legislative Air and Water Pollution Control Commission . . . . . \$162,000

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

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

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

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

For the purchase of Pennsylvania, National and Bicentennial flags to be sent to residents of Pennsylvania . . . . . \$40,000

To the Legislative Audit Advisory Commission

For the salaries, wages and all expenses necessary for the work of the commission . . . . . \$100,000

III. JUDICIAL DEPARTMENT

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

Supreme Court

For the salaries and expenses of the Supreme Court; including the salaries and expenses for the Supreme Court judges, for the office of prothonotary and for the library in the Eastern District and Western District, for the office of prothonotary in the Middle District, for criers, tipstaves, official stenographers, court officers and the law secretary of the Chief Justice in Eastern, Middle and Western Districts and Workmen's Compensation Insurance Premiums for all Supreme Court Employees, for the office of State reporters; including the salaries and compensation of employees and expenses of judges; including the fees for prothonotaries of the Supreme Court of the Eastern, Middle and Western Districts on assignment to judges to counties other than their own; including the salaries and expenses of the State Board of Law Examiners; including the Judicial Inquiry and Review Board; including printing and miscellaneous expenses; including the expenses of procedural rules committees . . . \$2,867,000

Court Administrator, including the expenses of the Judicial Council of Pennsylvania and the District Justice Administrator created by the act of July 15, 1976 (P. L. 1014, No. 204) . . . . . 1,459,000

No allocation may be made from this appropriation for the development, implementation or support of a judicial information system in the absence of matching Federal funds for the same purposes.

Superior Court

For the salaries and expenses of the Superior Court; including the salary and expenses of the Superior Court judges, for criers, tipstaves, official stenographers, court officers and law secretary of the president judge and Workmen's Compensation Insurance Premiums for all employees of the Superior Court, for the Prothonotary's Office in the Philadelphia District; including salaries and compensation for employees and expenses of judges; including the expenses of dockets, stationery, supplies, books for the library and other costs of the Superior Court and its offices . . . . . \$1,698,000

Commonwealth Court

For the salaries and expenses of judges and employees . . . . . \$2,210,000

Courts of Common Pleas

Courts of Common Pleas; including the salaries and expenses of judges; including the expenses of traveling judges; including the mileage in divided judicial districts; including the salaries and mileage of associate judges . . . . . \$16,664,000

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

For the payment of a per diem salary, mileage, and miscellaneous expenses to retired or active visiting judges for the performance of their official duties . . . . . 500,000

Community Courts — District Justices of the Peace

For the salaries of Community Court Judges and District Justices of the Peace . . . \$12,594,000

Philadelphia Traffic Court

For the salaries and expenses of judges . . . \$168,000

Philadelphia Municipal Court

For the salaries and expenses of judges . . . \$1,139,000

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

Miscellaneous

For payment into the State Employees' Retirement Fund of the Commonwealth's share of retirement contributions due through fiscal year 1978-1979, including past charges that remain unpaid, to the credit of the various departments, boards, agencies, and commissions, including the Auditor General and the State Treasurer, at the direction of the Budget Secretary. . . . . \$77,953,000

Any past due obligations shall be satisfied before any other credits are made.

This appropriation does not include retirement contributions for personnel of the Legislative Department, the Judicial Department, the State-owned Colleges and University, the Pennsylvania State University, the State General Hospitals and the Milk Marketing Board. This appropriation does not include retirement contributions for employees which are reimbursable under Federal grants as appropriated in the Federal Augmentation Act.

For the coordination of the "911 Emergency System" program to be allocated by the Governor to that agency of the Executive Department having such responsibility. . . . . 150,000

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

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

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

Section 6. The term "expenses" and "maintenance" shall include all printing, binding and stationery, food and forage, materials and supplies, traveling expenses, training, motor vehicle supplies and repairs, freight, express, and cartage, postage, telephones and telegraph rentals and toll charges, newspaper advertising and notices, fuel, light, heat, power and water, minor construction and renovation, repairs or reconstruction of equipment, buildings and facilities, rent of real estate and equipment, premiums on workmen's compensation, insurance premiums on policies of liability insurance, premiums on medical payment insurance and surety bonds for volunteer workers, premiums on employee group life insurance, and employee and retired employee group hospital and medical insurance, payment of the Commonwealth's share of social security taxes and unemployment compensation costs for State employ-

ees, the purchase of replacement or additional equipment and machinery and all other incidental costs and expenses, including payment to the Department of General Services of mileage and other charges for the use of automobiles and rental payments for permanently assigned automobiles and of expenses or costs of services incurred through the Purchasing Fund. The term "expenses" also shall include the medical costs for the treatment of inmates of State institutions when the inmate must be transferred to an outside hospital: Provided, That in no case shall the State institution pay more for patient care than that provided under the State medical assistance program.

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

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

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

(c) In addition to any funds specifically appropriated by this act, all moneys received by a department or agency of the Commonwealth from any other source, except the Federal Government, as contributions or supplements to the department or agency for a program or administration of an act included in this act shall be paid into the General Fund and credited to the appropriation for that program or administration of the act.

Section 9. (a) Except as provided in subsection (b), that part of all appropriations in this act unexpended, uncommitted and unencumbered as of June 30, 1979 shall automatically lapse as of that date.

(b) The appropriations to the Department of Community Affairs for grants pursuant to the act of May 20, 1949 (P. L. 1633, No. 493), known as the "Housing and Redevelopment Assistance Law," and to the Legislative Department shall be continuing appropriations.

Section 10. This act shall take effect immediately.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, for a brief explanation on the amendments inserted by the Senate.

This is the general appropriation bill. The gentleman may proceed.

Mr. PIEVSKY. Mr. Speaker, the other body seemed to do some major surgery on our bill that we sent over. I would urge nonconcurrence, and if it is the will of the House, I could read what the Senate amendments do or what cuts were made.

I can start, Mr. Speaker, with the Department of Agriculture. They cut \$966,000. PIDA — Pennsylvania Industrial Development Authority — was cut by \$2 million; school transportation subsidies, by \$11 million; Department of Environmental Resources were cut by \$3,166,000. I see a minor cut here of \$20 million for the legislative salaries.

Do I have to go on, Mr. Speaker?

The SPEAKER. I think the explanation has been complete enough.

Mr. PIEVSKY. Shall I quit while I am ahead?

I urge nonconcurrency. I would submit this for the record.

The SPEAKER. The gentleman moves that on the motion to concur, the vote be in the negative.

On the motion to concur, the gentleman asks that the vote be in the negative.

#### PARLIAMENTARY INQUIRY

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

Mr. SELTZER. I rise to a parliamentary inquiry.

Mr. SPEAKER. The gentleman will state it.

Mr. SELTZER. Mr. Speaker, is it possible to divide the question?

The SPEAKER. Which question, on the concurrence?

Mr. SELTZER. On the Senate amendments?

The SPEAKER. No; not in the opinion of the Chair.

Mr. SELTZER. Thank you, Mr. Speaker.

Mr. SPEAKER. In the opinion of the Chair, the only thing that needs to be voted upon is "yes" or "no" to the concurrence.

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

Mr. KNEPPER. Mr. Speaker, could I interrogate Mr. Pievsky, please?

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

Mr. KNEPPER. From my reading of this Senate-amended version and from your remarks, it is my understanding that they have deleted the salaries of the House of Representatives in its entirety.

Mr. PIEVSKY. That is true.

Mr. KNEPPER. Do you have some possible explanation for a naive member like myself as to why they might do this?

Mr. PIEVSKY. Mr. Speaker, I cannot be responsible for what the other body does. I have enough problems over here.

Mr. KNEPPER. Well, it would seem to me that while the public seems to have a lot of mistrust for what a lot of us do in Harrisburg, that there must be a tremendous amount of distrust between the Democratic leadership of the House, the Senate, and the Governor's office if we have to resort to the type of tactics that the Senate has resorted to here. I think it is a cheap shot and I think that it is a personal affront to my own integrity, and I would hope that you would reflect that attitude on your behalf to the Senate.

Mr. PIEVSKY. I certainly agree with you, Mr. Speaker, and, if you wish, you can concur.

Mr. KNEPPER. I do not intend to concur on this, but I do think that it is rather absurd to go to those limits and I do think it is a reflection on the type of respect that this body and that body has for one another. I think it is a sad commentary in this Commonwealth that it should happen.

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

Mr. POLITE. Thank you, Mr. Speaker.

Mr. Speaker, I wonder if it is possible to waive the rules or suspend the rules. I want to make a motion to table this bill after suspension so that I can prepare an amendment to cut out the Senators' salaries also.

The SPEAKER. The gentleman may move to suspend the rules. The reason for the gentleman's motion would be because by rule we cannot allow to amend Senate amendments. But if the rules were suspended, then, of course, the Senate amendments could be amended.

#### MOTION TO SUSPEND RULES

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

Mr. POLITE. I make that motion, Mr. Speaker.

I move to suspend the rules for the purpose of amending the bill.

On the question,

Will the House agree to the motion?

The SPEAKER. It has been moved by the gentleman, Mr. Polite, that the rules of the House be suspended so as to make the bill on concurrence amenable to amendment on the floor of the House.

On that motion, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would ask all the members to vote in the negative on the move to suspend the rules.

I think everyone knows that if we nonconcur, the bill will go to conference and the salaries and the employees' salaries will be placed back in the bill.

The SPEAKER. Does the gentleman from Montgomery, Mr. Polite, wish to speak for the second time on the motion?

Mr. POLITE. Mr. Speaker, this happened last year, only they cut out the funds from the chief clerk's office, and we could not spend any money, and they are doing it again this year.

I think we should not have to be put to this test. I think we have to stop this chicanery once and for all and I think we should suspend the rules today.

This bill does not have to be passed until June 30. We can do it again tonight, if we want to. So I urge everybody to vote to suspend the rules.

#### PARLIAMENTARY INQUIRY

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

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

Mr. SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, Mr. Seltzer asked a moment ago whether or not—and let us assume that we do it through a suspension of the rules—we could vote on these amendments put in by the Senate on a one-by-one basis by division.

I believe your answer was in the negative, saying that the question before the House is concurrence or nonconcurrency. Assuming for a minute that Mr. Polite's motion prevails and the rules are suspended, would we then be in a position to do what Mr. Seltzer was inquiring about, and that is, treat the amendments of the Senate on a one-by-one basis?

The SPEAKER. In the opinion of the Chair, we would be in that exact position.

Mr. RYAN. All right, Mr. Speaker. Now going the next step, and this is, I think, a pragmatic approach to the problem raised by Mr. Polite. Assuming for the moment that we go through the Senate amendments on a one-by-one basis and we knock out one or two of them that we do not like and then we concur in eight of the 10 Senate amendments.

At that point, Mr. Speaker, would not the bill with those eight of the 10 amendments go back to the Senate where they could insist that—

The SPEAKER. Precisely.

Mr. RYAN. —and it would end up in conference committee anyway?

The SPEAKER. Precisely.

Mr. RYAN. Yes, that is what I was afraid of.

The SPEAKER. The end result of any maneuvering on the floor of the House, for the general information of the members, the irate ones included, would be a committee of conference. It is only a question of time as to whether or not you wish to maneuver and delay it. That is your choice. But the end result will be a committee of conference.

The question is on the suspension of the rules. The Chair recognizes the gentleman from York, Mr. Foster.

Mr. A. C. FOSTER. Mr. Speaker, I urge a negative vote on the suspension of the rules. I agree that the Senate has acted capriciously, but that is no reason whatsoever for the House to act capriciously. I would urge a negative vote on suspension of the rules.

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

Mrs. KERNICK. Thank you, Mr. Speaker. I, too, urge a negative vote on the suspension of the rules. It would do only two things if we suspended them—we would waste the taxpayers' time and money and we would be sinking as low as the Senate, and I do not want to go down that low. Thank you.

The SPEAKER. The spirit of brotherhood which prevails on the floor of the House between the two sovereign bodies of the legislature is astonishing the Speaker.

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

The following roll call was recorded:

YEAS—31

Brandt	Geesey	Manmiller	Ryan
Burd	Goebel	McGinnis	Salvatore
Cimini	Grieco	O'Brien, D.	Sirianni
Dietz	Hamilton	Pancoast	Smith, E.
Dininni	Hopkins	Peterson	Spitz
Dorr	Hutchinson, W.	Piccola	Vroon
Fischer, R. R.	Katz	Polite	Wright, J. L.
Fisher, D. M.	Lashingner	Pott	

NAYS—165

Abraham	Geisler	McCall	Scirica
Anderson	George, C.	McClatchy	Seltzer
Armstrong	George, M.	McIntyre	Shuman

Barber	Giammarco	McLane	Shupnik
Bellomini	Gillette	Mebus	Smith, L.
Bennett	Gleeson	Meluskey	Spencer
Berlin	Goodman	Milanovich	Stairs
Berson	Gray	Miller	Stapleton
Bittinger	Greenfield	Milliron	Stewart
Bittle	Greenleaf	Miscevich	Stuban
Borski	Halverson	Moehlmann	Sweet
Brown	Harper	Mowery	Taddonio
Brunner	Hasay	Mrkonic	Taylor, E.
Caltagirone	Haskell	Mullen, M. P.	Taylor, F.
Caputo	Hayes, D. S.	Musto	Tenaglio
Cassidy	Hayes, S. E.	Novak	Thomas
Cessar	Helfrick	Noye	Trelo
Cianciulli	Hoeffel	O'Brien, B.	Valicenti
Cohen	Honaman	O'Connell	Wagner
Cole	Hutchinson, A.	O'Donnell	Wansacz
Cowell	Itkin	O'Keefe	Wargo
Davies	Johnson	Oliver	Wass
DeMedio	Jones	Parker	Weidner
DeVerter	Kelly	Petrarca	Wenger
DeWeese	Kernick	Pievsky	White
DiCarlo	Klingaman	Pitts	Wiggins
Dombrowski	Knepper	Pratt	Williams
Donatucci	Kolter	Prendergast	Wilson
Doyle	Kowalyszyn	Pyles	Wilt
Duffy	Kukovich	Rappaport	Wise
Dumas	Laughlin	Ravenstahl	Wright, D.
Englehart	Lehr	Reed	Yahner
Fee	Letterman	Renwick	Yohn
Foster, A.	Levi	Rhodes	Zearfoss
Foster, W.	Levin	Richardson	Zeller
Freind	Lincoln	Rieger	Zitterman
Fryer	Livengood	Ritter	Zord
Gallagher	Logue	Ruggiero	Zwilk
Gallen	Lynch	Scanlon	
Gamble	Mackowski	Scheaffer	Irvis,
Garzia	Madigan	Schmitt	Speaker
Gatski	Manderino	Schweder	

NOT VOTING—6

Arthurs	Burns	Morris	Shelton
Beloff	Flaherty		

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

On the question recurring,  
Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Wright.

Mr. J. L. WRIGHT. Thank you, Mr. Speaker.

The majority leader or Mr. Pievsky, I forget which, suggested a nonconcurrence, and then he went into some detail explaining to us what the surgery was that the Senate performed on the bill. I would suggest that the only major piece of surgery they may have performed was the elimination of our salaries.

I would suggest that even if this bill were to pass in its current form, we could handle that problem, which personally affects us, by a supplemental appropriation bill in the near future. I would suggest that if we wanted to take the responsible position, making sure that all facets of state government, including employes' salaries and welfare payments were met on time, and our constituents had assurances that they were being met now, rather than biting their fingernails and worrying as to whether we will do it by July 1, the safest thing we could do would be to concur in the Senate amendments and go back a



couple of weeks from now and worry about the supplementary appropriation bills.

I would strongly suggest to the members of the House that we concur in the Senate amendments and send the bill on to the Governor's desk. I urge a concurrence in Senate amendments to the bill.

The SPEAKER. On the question of concurrence, the Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, may I interrogate the majority leader, please?

Mr. MANDERINO. I knew I was standing here for something.

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman, Mr. Wright, is in order and may proceed.

Mr. D. R. WRIGHT. Mr. Speaker, if we do not concur, this bill will go to a committee of conference. I am correct in that, am I not?

Mr. MANDERINO. No. If we do not concur, it will go to a committee of conference.

Mr. D. R. WRIGHT. The committee of conference will be open to the public, is that right?

Mr. MANDERINO. Yes.

Mr. D. R. WRIGHT. It will be open to the press and to the members of this House?

Mr. MANDERINO. Yes.

Mr. D. R. WRIGHT. Will that be contrary to the procedure of the past?

Mr. MANDERINO. That depends on which conference committee you are talking about. I believe that the last conference committee on an appropriation bill ended up in public sessions.

Mr. D. R. WRIGHT. What I am really asking, Mr. Speaker, is that if I vote to nonconcur and this goes to a committee of conference, can I be assured that the conference committee will be open, that I will know when it is meeting, and that the members of the public, the press, and this body will be permitted to attend?

Mr. MANDERINO. You can be assured of that. The conference committee is usually governed by the rules of that body which chairs the conference committee. The rules of this body are that all of our committee meetings are open, and Mr. Pievsky, who will probably be the chairman of the conference committee, has indicated that the meetings will be public.

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Snyder, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

My only question is a brief one for the chairman of the Appropriations Committee, Mr. Pievsky.

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

Mr. THOMAS. I am wondering what all of the changes of the Senate amendments did to the final total dollarwise?

Mr. PIEVSKY. A little less than \$40 million.

Mr. THOMAS. Which way?

Mr. PIEVSKY. Lower.

Mr. THOMAS. What does that do to the Commonwealth of Pennsylvania as far as revenue expectations are concerned? Does it leave us with a balance?

Mr. PIEVSKY. I think it would be a surplus.

Mr. THOMAS. A surplus in the amount of about \$40 million. Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny County, Mr. Goebel.

Mr. GOEBEL. Thank you, Mr. Speaker.

You know it seems to me, being only down here 15 months or so, some things you see pretty quickly is that the Senate kind of runs the show down here, and I do not know why they should. We have 203 members here; they have 50 senators over there. We have about four times the brain power sitting over here. I think the fellows ought to start using their brains and figure out a way that we can turn the tables on these senators.

Now, every major piece of legislation that passed last year and HB 1349, you know, they took and stripped it and put their budget in and sent it over. All we could do was concur or nonconcur. HB 67, they took that rinky-dink bill and put it into the school subsidy thing, with a new formula. They are running the show down here, and I think we ought to turn the tables. Let us figure out—you guys have the experience and the expertise to know how to do this, and we should do it. We are just like a bunch of little puppets on a string. The doggoned senators force us into doing things that we do not want to do. They are running the show.

Myself, I do not know very much about this business, but I think one thing we should do is concur. If we want to stop them, we should say, whatever crazy thing you do to that budget, we are going to agree with it, and that is the way it is. You send something over here that is crazy, we are going to approve it. If it is good for you, it is good for us. Then worry about how you are going to manipulate this stuff later. I am saying you have got the brain power here. Let us use it and turn the tables and start making the Senate dance to the tune.

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

Mr. ZELLER. Mr. Speaker, a little history: Last year the Senate passed the appropriations bill in April and sent it to us. Then after we played our games with it and sent it back to them—and we did the same thing that they did to us just now—it went into conference, and no one could even imagine what they did to it. Then all of a sudden, the budget was no good. They did then start to work on it in regard to repairing what they wanted originally, and it was told to us that they originally wanted to go to conference committee, and that is why they were playing games.

So, their intent in April was not right; it was not honest with us or sincere. So I say—and I talked to members here—that in the last 15 to 20 years there has not been an appropriation bill that the budget did not wind up in a conference committee. So, I have to agree that maybe this is the route to go this time. We will all stop playing games. We did it last year; they are doing it

now. I say let us concur, let us concur with it, and then we can take care of the salary end of it under a supplemental appropriation later. But I feel that right now what we should do really, members, is to concur with this, and we are going to come out of this shining. I will tell you why, because you can look in there and see where the Senate has increased theirs. This is one area where, if you fellows want any real political mileage on the Senate, you can surely get it with the increase that they gave themselves in their appropriation in the Senate whereas they cut ours out altogether.

So, I say again, let us stop the nonsense and say, okay, we concur, and then we will take care of it later on as to what the problems are. But let us stop playing games. Let us concur with it. As a matter of fact, I intend, if the leadership wants to non-concur, to vote "no," because I cannot understand why we continue to be, as Mr. Goebel has said, a bunch of yo-yos over here on a string with that Senate, and it is about time we let them know where the bear took a walk in the buckwheat.

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

Mr. GALLEN. Mr. Speaker, would the majority leader stand for interrogation?

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman, Mr. Gallen, is in order and may proceed.

Mr. GALLEN. Mr. Speaker, would you have any idea as to who would be the nominees to serve on a conference committee should one be appointed? I assume Mr. Pievsky would be one, and another member of your co-op, a prominent member such as yourself.

Mr. MANDERINO. That is a pretty good guess.

Mr. GALLEN. And I assume Mr. O'Connell will be a nominee here.

Now, in line with the interrogation of Mr. Wright of Clarion County on the openness of the conference committee, I have some concern about the rather easy answer which you gave to Mr. Wright, that it would be open. I am concerned about the fact that it is possible that the meeting will be open but things will be cut and dried before the people sit down to meet.

Mr. MANDERINO. That is known to happen.

Mr. GALLEN. Pardon?

Mr. MANDERINO. That is known to happen.

Mr. GALLEN. Known to happen. I am wondering, Mr. Manderino, if you and Mr. Pievsky and Mr. O'Connell would agree that you would open all communications-telephone conversations, meetings, and so on, that you would have with people with regard to any settlement that you were about to make in the conference committee?

Mr. MANDERINO. Let me just make this statement—and Mr. Pievsky and I are willing to live by it—in the conduct of the conference committee on HB 2246, neither Mr. Pievsky nor I intend to violate the rules of this House nor the letter or spirit of the Sunshine Act.

Mr. GALLEN. Would you go into that a little bit further, Mr. Majority Leader?

Mr. MANDERINO. No.

Mr. GALLEN. Well, I still have the concern, Mr. Speaker,

that although the conference committee itself may be subject to the Sunshine law provisions, that it has been decided previously with regard to the final form of the new budget and will not be out in the open. I am quite concerned about that.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Delaware, Mr. Garzia.

Mr. GARZIA. Mr. Speaker, may I interrogate Mr. Pievsky, please?

The SPEAKER. Will the gentleman, Mr. Pievsky, stand for interrogation? The gentleman, Mr. Pievsky, indicates he will stand for interrogation. The gentleman, Mr. Garzia, is in order and may proceed.

Mr. GARZIA. This is going to be a friendly one this time.

Mr. Speaker, do I understand right that the Senate stripped out our salaries?

Mr. PIEVSKY. They sure did.

Mr. GARZIA. Now, Mr. Speaker, we will be getting paid up until June 30, I presume, under the old budget.

Now, Mr. Speaker, someone mentioned that we ought to concur with this and then put in a supplemental bill to put that money back into the budget so we can get our salaries from July 1 on. Is that the way it is done?

Mr. PIEVSKY. I really do not know. If that is what they said, I will go along with it.

Mr. GARZIA. No, I was speaking to a Representative back here who mentioned that maybe we should pass a supplemental bill in order to put that money back into the budget. Am I correct in saying that?

The SPEAKER. If the gentleman is interested in a simple answer, it could be done that way.

Mr. GARZIA. Right.

The SPEAKER. A supplemental appropriation could be passed. But the Chair would remind the gentleman that such an appropriation must pass both Houses. It would have to go to the Senate. The Senate would have to approve it, and the Governor would have to sign it.

The Senate might very well refuse to accept it and you would be in exactly the same position you are in now.

Mr. GARZIA. Well, yes, Mr. Speaker, that is what I was trying to get to. If we pass it and the Senate turns it down, what happens to my July, August, September, October, November, December salaries? Do I get paid?

Mr. Speaker, I am asking that of Mr. Pievsky.

Mr. PIEVSKY. No, you would not get paid.

Mr. GARZIA. Well, Mr. Speaker, for everyone of us who decided we are going to vote to concur in this budget, I hope most of you have another income. This is my sole income. I would hate like heck to go 5 or 6 months without a salary.

So, it may sound foolish and ridiculous to some members, but I think it also includes those people sitting up there, these pages and everyone who works for the House of Representatives. They will go without salaries. So, think about it.

Thank you, sir.

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

Mr. POLITE. Mr. Speaker, will the majority leader consent to a brief interrogation?

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

Mr. POLITE. Mr. Speaker, were you a member of the conference committee last year?

Mr. MANDERINO. I was.

Mr. POLITE. On the budget.

Mr. MANDERINO. I was.

Mr. POLITE. Were the meetings open last year?

Mr. MANDERINO. The meetings last year, because the bill originated in the Senate, were governed by the rules of the Senate.

The House has had open meetings for sometime. The Senate at that time did not provide for open meetings in its rules. And the chairman of the conference committee indicated originally that he felt that the Sunshine Act did not require open meetings. As I understand it, there was an action in court which determined that the meetings must be open. And the meetings from then on were held in the open.

Mr. POLITE. Mr. Speaker, one more question: When do you think the conference committee will be appointed? Today? Tomorrow? The next day? Or do you not know?

Mr. MANDERINO. I would expect the conference committee would be appointed immediately.

Mr. POLITE. Okay. Will they advertise or notify the news media and make sure that they are allowed to go into these meetings when they deliberate the conference report?

Mr. MANDERINO. Very definitely.

Mr. POLITE. Thank you very much.

The SPEAKER. It is moved by the gentleman from Bucks, Mr. James Wright, that the House do concur in the amendments inserted by the Senate. It is suggested by the gentleman, Mr. Pievsky, that the vote be in the negative.

Those who wish to concur, therefore, will vote "aye." Those who wish to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—23

Fisher, D. M.	McClatchy	Polite	Spencer
Geesey	McGinnis	Pott	Wass
Goebel	Mowery	Pyles	Wright, J. L.
Hopkins	Pancoast	Ritter	Zearfoss
Hutchinson, W.	Peterson	Scheaffer	Zeller
Lashingier	Piccola	Smith, L.	

NAYS—173

Abraham	Fryer	Livengood	Scanlon
Anderson	Gallagher	Logue	Schmitt
Armstrong	Gallen	Lynch	Schweder
Barber	Gamble	Mackowski	Scirica
Bellomini	Garzia	Madigan	Seltzer
Beloff	Gatski	Manderino	Shuman
Bennett	Geisler	Manmiller	Shupnik
Berlin	George, C.	McCall	Sirianni

Berson	George, M.	McIntyre	Smith, E.
Bittinger	Giammarco	McLane	Spitz
Bittle	Gillette	Mebus	Stairs
Borski	Goodman	Meluskey	Stapleton
Brandt	Gray	Milanovich	Stewart
Brown	Greenfield	Miller	Stuban
Brunner	Greenleaf	Milliron	Sweet
Burd	Grieco	Miscevich	Taddonio
Caltagirone	Halverson	Moehlmann	Taylor, E.
Caputo	Hamilton	Morris	Taylor, F.
Cassidy	Harper	Mrkonic	Tenaglio
Cessar	Hasay	Mullen, M. P.	Thomas
Cianciulli	Haskell	Musto	Trello
Cimini	Hayes, D. S.	Novak	Valicenti
Cohen	Hayes, S. E.	Noye	Vroon
Cole	Helfrick	O'Brien, B.	Wagner
Cowell	Hoefel	O'Brien, D.	Wansacz
Davies	Honaman	O'Connell	Wargo
DeMedio	Hutchinson, A.	O'Donnell	Weidner
DeVerter	Itkin	O'Keefe	Wenger
DeWeese	Johnson	Oliver	White
DiCarlo	Jones	Parker	Wiggins
Dietz	Katz	Petrarca	Williams
Dininni	Kelly	Pievsky	Wilson
Dombrowski	Kernick	Pitts	Wilt
Donatucci	Klingaman	Prendergast	Wise
Dorr	Knepper	Rappaport	Wright, D.
Doyle	Kolter	Ravenstahl	Yahner
Duffy	Kowalyshyn	Reed	Yohn
Dumas	Kukovich	Renwick	Zitterman
Englehart	Laughlin	Rhodes	Zord
Fee	Lehr	Richardson	Zwikl
Fischer, R. R.	Letterman	Rieger	
Foster, A.	Levi	Ruggiero	Irvis,
Foster, W.	Levin	Ryan	Speaker
Freind	Lincoln	Salvatore	

NOT VOTING—6

Arthurs	Flaherty	Pratt	Shelton
Burns	Gleeson		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

MOTION INSISTING UPON NONCONCURRENCE AND APPOINTMENT OF A CONFERENCE COMMITTEE

Mr. PIEVSKY moved that the House insist upon nonconcurrency in Senate amendments to HB 2246, PN, 3068, and that a committee of conference be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 2246

The SPEAKER. The Chair appoints the following members as a committee of conference on the part of the House:

Messrs. PIEVSKY, MANDERINO and O'CONNELL.

Ordered, That the clerk inform the Senate accordingly.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from

Lebanon, Mr. Seltzer. For what purpose does the gentleman rise?

Mr. SELTZER. I rise to a parliamentary inquiry.

Mr. SPEAKER. The gentleman will state it.

Mr. SELTZER. Mr. Speaker, is it possible for this House to make specific directions to the committee of conference which is going to represent this House on this particular bill?

The SPEAKER. Will the gentleman repeat the question, please? Someone else had the attention of the Chair at the moment.

Mr. SELTZER. Is it possible, Mr. Speaker, under the rules of this House, for this House to direct its committee of conference on this bill as to various positions they should take on the issue when they meet with the committee of conference on behalf of the other body?

The SPEAKER. The House is always in control of the functions of its own committees. And the House could, on motion of any member, direct the committee of conference as to the wishes of the House.

Mr. SELTZER. Mr. Speaker, I thank you. May I be recognized, sir, for a motion?

#### MOTION TO DIRECT HOUSE CONFEREES

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

Mr. SELTZER. Mr. Speaker, I move that this House direct its members on the committee of conference that they agree to no general appropriation bill whose total figure will be higher than that which is before us today.

The SPEAKER. In order to make the motion more specific, we are going to delay a moment because I want the exact amount of money to be placed in that motion rather than the general language.

For the information of the gentleman, Mr. Seltzer, when the House passed its particular version of HB 2246, the gross figure was \$5,489,045,000. The bill which was before the House now on concurrence totalled \$5,451,511,000, or roughly the difference of \$38 million. Now, which of the two figures does the gentleman wish to include in this motion?

Mr. SELTZER. Mr. Speaker, when we voted to nonconcur today, we were not voting to nonconcur on the total amount of the Senate version. We were voting to nonconcur the way it was divvied up. So, Mr. Speaker, in response to your question, my motion is for the lower figure, the \$5,451,511,000 figure.

The SPEAKER. The gentleman will yield.

Mr. CAPUTO. Mr. Speaker, a point of personal privilege.

The SPEAKER. The gentleman will not state it until the floor has stated the motion. Then the gentleman may raise whatever he wishes.

The motion on the floor of the House by the gentleman, Mr. Seltzer, is that the House instruct the committee of conference on the part of the House that it shall not agree to a general appropriation bill in excess of the figure \$5,451,511,000.

Now, the gentleman from Allegheny County, Mr. Caputo, may raise his question.

Mr. CAPUTO. Mr. Speaker, Mr. Seltzer is not speaking for me when he says that my vote was based on the way it was dis-

tributed. My vote very easily could have been on the amount of money contained in the bill as returned by the Senate.

The SPEAKER. So, the gentleman would be against the motion.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, when this House passed its appropriation bill for the next fiscal year — HB 2246 — it passed it in proper form. It passed it with the explanation of revenue estimates that our budget analysts and our employes of the Appropriations Committee indicated would be available for the next fiscal year. The Senate saw fit to use a different figure. The vote that took place today to nonconcur in what the Senate had done, to me, is, I think, an affirmative of the position that the House originally took, in part, at least.

I ask members to vote in the negative on placing constraints on the conferees on the dollar figure that the Senate has used. The dollar figure that the Senate had used is not a realistic figure. It will be impossible to balance the budget within the figure, and the Senate well knew it and that is the reason that over 50 percent of the money that they cut from the budget is in the area of House salaries and employes salaries, which none of us here believe can stand and can exist.

This House has demonstrated its ability quite recently in instructing its conferees when the figures were not pleasing to the members of the House. We have had to go back to conference committee three and four and five times. I think this House will have its chance to express its will in the event the conferees come back with something that this House does not want to accept.

I also think it is a bad precedent to set, to tie the hands of just half of the conferees. The purpose of the conference committee is for the House to sit down with the Senate members and iron out the differences. If we, the House conferees, are placed within the constraints of the Seltzer motion, we will not have the ability to negotiate as well. We will not have the ability, in my opinion, to come back with a bill that will be acceptable to the members of the House to take care of the needs of this Commonwealth. I urge a negative vote.

#### PARLIAMENTARY INQUIRY

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

Mr. DiCARLO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, I have very grave concern that the motion made by Mr. Seltzer is a dangerous precedent to set before this House, and, as a point of clarification, can the Chair indicate to me and this body by what right or with what rule Mr. Seltzer's motion is in compliance? By interpretation of the House rules, I feel he is out of order, the motion is out of order, and to even put such a motion before the floor of this House takes a reconsideration of the rules, suspension of the rules.

The SPEAKER. The Chair is of the opinion that the gentleman is in error. In the absence of prohibition to the contrary, the House is always in control of its own committees. The House members of the committee of conference are named by

the House.

Now, the gentleman should have paid attention to what the majority leader said. If the House agrees to this motion, it cannot control the committee of conference by a statement; it can control the three members of the House who are the members of the committee of conference. Under Rule 48, second paragraph: "The conferees shall confine themselves to the differences which exist between the House and Senate."

By this motion—and I am not speaking my personal opinion as to the wisdom of the motion, as that is beyond the right of the Chair to so speak, but if the House were to adopt this motion—it would still fall within the purview of that paragraph for the conferees to limit themselves to a discussion of the differences between the Senate and the House. Mr. Seltzer's motion does not go beyond the rules. It simply says to the conferees of the House, you may not sign any committee of conference report the total of which is beyond \$5,451,511,000. Again, I do not specify the wisdom of that choice.

Mr. DiCARLO. Mr. Speaker, is it also the opinion of the Chair that, contrary to Rule 54, Mr. Seltzer can make that motion orally without it being in writing, without it being distributed to this membership?

The SPEAKER. If the gentleman objects, and if the gentleman insists, then the gentleman, Mr. Seltzer, would be obliged to place the motion before the House, but not as a resolution. That is not necessary. The simple motion would be required.

If the gentleman were to argue that this is a dilatory motion, then, of course, that would be a question of the interpretation of the rules of the House, under 54.

Mr. DiCARLO. Thank you, Mr. Speaker.

The SPEAKER. Who now rises? The gentleman, Mr. Polite. I should never have denied him his lunch.

Mr. POLITE. Mr. Speaker, I wonder if the majority leader would consent to a brief interrogation?

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

Mr. POLITE. Thank you, Mr. Speaker.

Mr. Speaker, in your remarks to oppose the motion made by Mr. Seltzer, you said that it was unreasonable, the budget at \$5.451 million. Are you inferring that the other body was unreasonable in sending that to us?

Mr. MANDERINO. I was inferring, Mr. Speaker, that the cuts made by the other body, when 50 percent of the cut that they made is in an area that they know that cannot stand, that will not stand, and will not eventually be part of the appropriation bill. I am sure they knew that and I am sure that we all know that here. To that extent, certainly, the cuts are not realistic. Now, if you want to say that "realistic" means unfair or unreasonable—

Mr. POLITE. You used the word "unreasonable".

Mr. MANDERINO. I think unreasonable means without reason, and I would imagine what they did is without reason.

Mr. POLITE. Do you think they had another method in their madness so that we would not concur? Do you agree with that?

Mr. MANDERINO. I would certainly think that that is what they did.

Mr. POLITE. Thank you very much.

Mr. SPEAKER. On the motion of the gentleman, Mr. Seltzer, the Chair recognizes now the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Before the majority leader sits down, I wonder if I might pose a question to him, Mr. Speaker?

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

Mr. DeVERTER. Mr. Speaker, operating within the confines of the total figure that we had in leaving the House with \$5.489 billion, in attempting to resolve the difference in conference, taking into consideration even Mr. Seltzer's motion, is there any possible way that you, as conferees, would concede to having that figure rise any higher?

Mr. MANDERINO. Rise any higher from what figure?

Mr. DeVERTER. The total figure as it left the House originally? In other words, what I am saying is, to appease those, perhaps, in the Senate who might have some outside interest in attempting to see certain areas raised, would you concede that you could go to a higher figure than when it left the House?

Mr. MANDERINO. The only way that we could go to a higher figure, in my opinion, would be if we had revenue estimates that backed up the higher figure. In talking with the Revenue Secretary of this Commonwealth, I do not think that that is about to happen. I would expect that the budget that would come back from the Conference Committee would be no higher than the budget as it left the House. That would be my expectation.

Mr. DeVERTER. And that would be based on the Secretary of Revenue's estimates?

Mr. MANDERINO. The Secretary of Revenue, frankly, has not yet made his estimate for the next fiscal year. There have been projections made, but there has been no official estimate made.

Mr. DeVERTER. There has been no certification, then?

Mr. MANDERINO. That is correct.

Mr. DeVERTER. So that it is conceivable they could be higher than the sum that left the House, and that figure could be raised as to the total budget?

Mr. MANDERINO. That is within the realm of possibility. I think it is unrealistic, though.

Mr. DeVERTER. It is unrealistic. Thank you, Mr. Speaker.

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

Mr. CAPUTO. Mr. Speaker, I wonder if the gentleman, Mr. Seltzer, would agree to a couple of questions?

The SPEAKER. Will the gentleman, Mr. Seltzer, stand for interrogation? The gentleman indicates that he will so stand. The gentleman, Mr. Caputo, is in order and may proceed.

Mr. CAPUTO. It is my understanding, Mr. Speaker, that the motion before the House limits the budget to \$5,451,000,000—plus.

Mr. SELTZER. That is my understanding also, Mr. Speaker.

Mr. CAPUTO. Mr. Speaker, does that mean that the gentleman, Mr. Seltzer, has some information from the Revenue Secretary that that is the estimated yield of revenues to the

Commonwealth for the next fiscal period?

Mr. SELTZER. No, Mr. Speaker.

Mr. CAPUTO. Is it the opinion of Mr. Seltzer, Mr. Speaker, that the revenue yields will be not be more than \$5,450,000,000?

Mr. SELTZER. Mr. Speaker, I have not been made aware of any information that the Revenue Secretary has as to revenue estimates for the next fiscal year.

Mr. CAPUTO. Mr. Speaker, does Mr. Seltzer agree that it would be good government and good for the citizens of this Commonwealth to pass a budget that would equal the revenue yield of the Commonwealth and take care of the many services that are needed by its citizens?

Mr. SELTZER. Not necessarily, Mr. Speaker. I will let the gentleman continue and I will answer it more fully then.

Mr. CAPUTO. Well, then, Mr. Speaker, for the record, is Mr. Seltzer advocating a budget less than the revenue yield and curtailing the services that the people of Pennsylvania might be entitled to if the revenue yield were more than \$5,451,000,000?

Mr. SELTZER. Mr. Speaker, if this General Assembly passes the budget totaling \$5,451,000,000—plus, services will not be curtailed. There will be more services provided, more money spent for 1978-79 than for 1977-78.

Mr. Speaker, I only want to remind the members of this House of Representatives, this is the lowest budget that they will be able to vote for 1978-79. Each succeeding version of the budget that will come before you is going to cost more money unless this motion passes.

Mr. CAPUTO. Mr. Speaker, I do not think Mr. Seltzer answered my question.

Mr. SELTZER. I apologize to the gentleman.

Mr. CAPUTO. I asked if he would go on record as advocating a budget not to exceed \$5,451,000,000 and cutting any services that the revenue yield could provide for the citizens of Pennsylvania if the revenue estimates exceeded that figure? I would like him to go on record whether he does advocate that or not?

Mr. SELTZER. Mr. Speaker, I see nothing wrong, if the revenues come in at a higher total number than has been anticipated, and that can be applied toward a future surplus in succeeding years. I see nothing wrong with that. But at this point, Mr. Speaker, we have no knowledge as to what the official revenue estimates are or will be or what they will be calculated to be.

Mr. CAPUTO. If that answer means that Mr. Seltzer will support a supplemental budget if there is more than that amount of money, \$5,451,000,000, I will accept that as an answer.

Mr. SELTZER. Mr. Speaker, in further response to the gentleman, as long as the needs of the Commonwealth are met, I see no reason to needlessly spend additional money just for the sport of spending it.

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

Mr. CASSIDY. Mr. Speaker, I would like nothing more than to support his motion, but I cannot. Not only did they take out legislative salaries, which was a gimmick, but they took out other things from this bill that cannot be made up unless we go

back to the House's original spending figure.

The Senate Appropriations Committee took out the funding for the nursing wing of the Veterans' Hospital at Hollidaysburg. That is a commitment this legislature has made to the veterans of this state, that we will operate a veterans' home system. If the budget passes without that in it, we are saying we have reneged on that commitment. I cannot support the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—85

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

NAYS—110

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

NOT VOTING—7

Arthurs	Flaherty	Halverson	Shelton
Burns	Gleeson	Pratt	

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

MOTION TO DIRECT HOUSE CONFEREES

The SPEAKER. The Chair recognizes the minority leader.

Mr. SELTZER. Mr. Speaker, without appearing dilatory, I move that this House direct its Committee on Conference to stay within the confines of the larger amount, the amount that passed this House originally of \$5,489,045,000.

The SPEAKER. The Chair recognizes the majority leader.

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

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

Mr. CAPUTO. Mr. Speaker, earlier in today's session, we were informed that the meetings of the conference committee would be open to the public. I have set up meetings with two groups in Pittsburgh — the mentally retarded and other groups of similar stature — who feel that the budget presented by the House does not take care of their problems.

I do not want to shut them out without giving them a chance to argue. I feel that any limitations on the negotiating powers of the members of this House on that committee are unfair and unrealistic. I urge a "no" vote to this motion as well.

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

Mr. ZELLER. Mr. Speaker, I cannot understand that kind of a statement for the simple reason that this is no different from any organization that directs their members who are going to a committee such as a union or any other committee. The body directs them to do the job that you want them to do. If they do not do it, you let them know about it.

That Conference Committee is representing us, this body right here, nobody else. It is not representing the Senate, not representing anybody else but this body right here which represents the people of Pennsylvania.

We have that right to tell the Conference Committee what we want. I cannot understand the thinking here. In other words, you are trying to tell us that this Conference Committee is God. They are going to do the duty of this body right here. If we tell them what we want, that is what they are going to do.

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

Mr. CAPUTO. Mr. Speaker, I might tell Mr. Zeller that this committee has to come back to us for affirmation of what they do. We have the power to veto their activities, to change them, to send them back again to do what we would like to have them do.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—190

Abraham	Geesey	Manmiller	Scheaffer
Anderson	George, C.	McCall	Schmitt

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

NAYS—2

Caputo	Geisler
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NOT VOTING—10

Arthurs	Dumas	Musto	Shelton
Barber	Flaherty	Pratt	Williams
Burns	Gleeson		

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

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 2447 By Messrs. FREIND, ANDERSON, CIMINI, MRKONIC, SCHEAFFER, W. W. FOSTER, REED, MORRIS, BROWN, MADIGAN, POLITE, ZEARFOSS, POTT, STAIRS, ZELLER, TRELLO, GIAMMARCO, NOYE, LETTERMAN, CALTAGIRONE, Miss SIRIANNI, Mrs. TAYLOR, Mrs.

HONAMAN, Messrs. WENGER, SCIRICA, SPITZ, RYAN, E. H. SMITH, PETERSON, D. S. HAYES, LYNCH, MANMILLER, YAHNER, Mrs. HARPER and Mr. L. E. SMITH

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), changing exclusions from the sales tax for charitable, firemen's, educational or religious organizations.

Referred to Committee on Finance.

**No. 2448** By Messrs. HASAY, McCLATCHY, GEESEY, D. S. HAYES and WEIDNER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting personal and joint accounts from the personal income tax on interest received from financial institutions.

Referred to Committee on Finance.

**No. 2449** By Messrs. HALVERSON and CAPUTO

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), establishing certain limitations on coal purchased from certain suppliers.

Referred to Committee on Mines and Energy Management.

**No. 2450** By Messrs. HALVERSON and BITTINGER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of flashing red lights.

Referred to Committee on Transportation.

**No. 2451** By Messrs. BITTINGER, STEWART, ENGLEHART, DAVIES, MUSTO, FEE, YAHNER, RENWICK, SHUPNIK, PIEVSKY, SCHMITT, STUBAN, MILLIRON, NOVAK, A. K. HUTCHINSON, ABRAHAM, COWELL, Mrs. KERNICK, Messrs. McLANE, O'KEEFE, GARZIA, MANDERINO, CASSIDY, MANMILLER, LOGUE, IRVIS, KUKOVICH, STAIRS, L. E. SMITH, HALVERSON and REED

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the installation of flood monitoring systems in earthen dams.

Referred to Committee on Conservation.

**No. 2452** By Messrs. BRUNNER, ZEARFOSS, CIANCIULLI, RIEGER, Mrs. SCANLON, Messrs. GIAMMARCO, OLIVER, JONES and BORSKI

An Act providing for the operation and licensing of slot machines, imposing powers and duties on the Department of Revenue, imposing fees and a tax, providing for the disposition of the proceeds, and providing penalties.

Referred to Committee on Finance.

**No. 2453** By Messrs. SCHWEDER, PRENDERGAST, KOWALYSHYN and RUGGIERO

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), referred to as the Township State Highway Law, deleting a portion of a route in Hanover Township, Northampton County.

Referred to Committee on Transportation.

### SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Senate concurred in and returned **HB 2103, PN 2740.**

### SENATE MESSAGE

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Senate informed that the Senate insists on concurrence by House of Representatives in Senate amendments to **HB 2246, PN 3068.**

And has appointed Messrs. MESSINGER, SMITH and TILGHMAN a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

### BILL SIGNED BY SPEAKER

The following bill, having been prepared for presentation to the Governor, was signed by the Speaker:

**HB 3, PN 3008**

An Act authorizing the Commonwealth of Pennsylvania through the Department of Environmental Resources to enter into such agreements and to acquire such interest as may be necessary to establish protect and maintain the Appalachian Trail and providing for the establishment protection and maintenance of such trail.

### BILLS PASSED OVER

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

### ADDRESS TO HOUSE ON BUDGET DELETION

Mr. DAVIES, under unanimous consent, addressed the House.

Mr. DAVIES. Mr. Speaker, I would be remiss if I did not seek unanimous consent to address one item relative to the budget. I am not instructing the committee or anything like that. I do not intend it so to be. I just want to, of course, criticize the Senate for the action that they have taken on a mere \$18,000 for the preservation of what I consider is becoming an unheard-from minority. We must do something to try to preserve the geological background of the Pennsylvania German, and I think they have actually done something here that I think most



historians and many people in our region will, of course, take as a direct affront.

Of course, I intend to address the Senate directly in a letter to that effect. But I did want to express my concern at this time about that action. Thank you, Mr. Speaker.

### REMARKS SUBMITTED FOR THE RECORD

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

Mr. REED. Mr. Speaker, one of the items of unfinished business that we have thus far in this session is the business of ethics and the formation of an ethics commission.

I will not belabor the House at this point. I would like to submit some remarks for the record pertinent to that. These are remarks almost identical to testimony I delivered this morning in the Senate. I would like to share it with the House.

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

Mr. REED submitted the following remarks for the Legislative Journal:

The ten pieces of House and Senate legislation we are studying each contain good provisions. I know that our job is to study them all and report a comprehensive bill. I shall not deal today with details concerning procedures of what I am recommending to be an independent ethics commission for the Commonwealth. I shall list, however, an outline of what I feel a comprehensive bill should have.

I recommend that the General Assembly enact legislation to establish and provide for:

(1) Formation of an independent ethics commission comprised of three persons with not more than two of them being from the same political party. I do not believe the enforcement of a code of ethics and related provisions can be adequately done by a special or standing committee of the legislature. These three persons should be appointed by the Governor with two-thirds confirmation needed by the Senate—but with a stipulation that failure to take action to accept or reject any of the nominations within thirty legislative days would result in the installation of that person as a member of the ethics commission.

Such a Commission should have access to the records and resources of the State Treasury, State Auditor General and other state agencies as needed and should be allowed under state law to request and receive the assistance of the Justice Department, State Police or state regulatory agency as needed. Referrals to law enforcement or investigatory agencies should be mandated when it is found that any matter under an Ethics Commission finding or investigation may constitute a criminal violation.

It should be provided in law that the Commission must keep adequate records along with full transcripts of any hearings it conducts and its conclusive findings should be a matter of public record.

The Commission must have subpoena power. In that I recommend they be able to mandate the assistance of the State Police, Justice Department or state regulatory agencies, the need for a large Commission staff is mitigated and costs would be kept low.

I do not feel the Commission members should be paid.

(2) The people covered by the Ethics Commission should include all elected Commonwealth officials, every appointed official requiring Senate consent and any state employee whose

salary is \$20,000 or more. Additionally, I believe that present lobbyist registration and disclosure laws should be amended to provide that the Ethics Commission be the administering agency as well as enforcement agency, and that future laws dealing with the regulation of lobbyists be a matter under this Commission's jurisdiction, and not a matter for the Legislature's chief clerks to handle.

(3) Annual Financial Disclosure of the persons covered by this Commission should be required and this disclosure should be for both the person covered and his or her spouse. This disclosure statement should be filed with the Commission and should include a complete listing of all income for the affected year — both earned income and income from any other source. Further, such a statement should require a listing of assets owned by the individual and spouse and should still further require a listing of all entities in which the person or spouse has a direct or indirect interest or partnership and a list of debts over \$500 owed any creditor by the individual or spouse. There should be a criminal penalty provided for any person who converts ownership of any interest to another person for the purpose of avoiding the requirement that it be listed in the annual financial disclosure report.

You will note that in the aforementioned recommendation, I indicated that the financial statement should include a listing of any direct or indirect interest the individual and spouse owns in any entity and did not limit it to just those entities having business with the Commonwealth. Such a complete disclosure report would set an example of reporting for all levels of government, inspire confidence in elected and appointed officials and open to the public information that would either dispell or confirm any suggestion that the individual has direct ties with any particular entity or business.

(4) The conflicts of interest I would like to see prohibited by statute would include (a) that no elected or appointed official covered by the Commission would, if he or she was an attorney, be allowed to represent a client before a state regulatory agency and further require that if that individual's law firm does so, that such information be included as part of the annual disclosure statement that individual files with the Commission. Such disclosure should identify the types of cases handled, before what agency of the Commonwealth and the number of cases they handled. This should not, of course, relate to cases before any Court and is aimed at state agencies other than Courts.

(b) no entity in which any of these elected or appointed officials have a direct or indirect interest should be permitted to provide any goods or services to the Commonwealth unless this was done through the competitive bidding process

(c) none of these elected or appointed officials should be permitted to influence the awarding of contracts or to use his or her position to secure special privileges not provided by law to them specifically or available to any other citizen of similar status or circumstance

(d) these officials should be prohibited from providing confidential information to which they have access by virtue of their position to anyone for personal gain or compensation

(e) these officials should not receive or solicit any compensation for representing or assisting any person or business in any transaction involving the Commonwealth

(f) these officials should be prohibited from receiving more than one salary or compensation from the Commonwealth at any one time—or in other words, are prohibited from holding more than one job with the Commonwealth at the same time and prohibited from being a consultant with one agency for compensation while drawing a salary from another; this prohi-

bition should include that the individual is not permitted to be drawing compensation from an entity providing consulting services or other contractual activity with the Commonwealth in which that individual is participating while also drawing a Commonwealth salary.

(g) these officials may not directly or indirectly accept any compensation, gift, loan, entertainment, favor or service given for the purpose of influencing the individual in the discharge of his or her duties with the obvious legal exception being campaign contributions allowable under other Pennsylvania law

(h) these officials should be prohibited from accepting compensation for consulting work with any entity if that consulting work directly deals with the work the individual does for the Commonwealth

(5) Other Related Recommendations:

(a) I believe that this legislation should contain modifications of the aforementioned provisions applied to all municipal officials, particularly in the area of conflict of interests. The number of examples of clear-cut cases of conflict of interest involving local officials in Pennsylvania indicates we need to deal with them too. This Commission should be empowered to enforce provisions dealing with municipal officials, school district, county and political authority members.

(b) Senatorial Scholarships: knowing that the Senate Rules Committee yesterday voted not to abolish Senatorial scholarships, I strongly recommend that as an alternative the Senate include in this legislation or a separate piece of legislation a standard by which Senatorial scholarships would be issued and further, that the issuance of a Senatorial scholarship be a matter of public record and disclosure.

(c) I do not feel we have adequately provided for the regulation or disclosure of lobbying activities in Pennsylvania and therefore feel that separate legislation to this should be passed requiring that all registered lobbyists file monthly a report indicating all monies directly or indirectly spent in their lobbying activities and specifically prohibit the conveyance of any gift or service other than meals or beverages as an inducement or reward for an official to take any action or not to take any action—and this has to cover both Executive and Legislative branches.

Criminal penalties for violating this and most of the other provisions recommended here should be provided for.

(d) Campaign Finances: I do believe that the issue of ethics with regard to at least elected officials will always be a sore issue with the public until we enact, in addition to this legislation, provisions requiring pre-election day disclosure of contributors to campaigns. Further, the full name, address, occupation and name and address of employer should be required for all contributors who give \$25 or more to any candidate for state or local office. I also feel that a limit should be placed on how much one person can contribute to any state or local candidate for public office at the levels of:

Statewide candidates: \$1000

Legislative candidates: \$750

Local candidates: \$500

These same restrictions should apply to political action committees as well as individual citizen contributors.

### WELCOMES

The SPEAKER. The Chair at this time is delighted to welcome to the hall of the House the Honorable Eugene Ianuzzi, who has been nominated by the Governor of the Commonwealth to be judge of Blair County. He is here as the guest of

the Blair County delegation: John Milliron, Michael Cassidy and Sam Hayes.

The Chair is also pleased to welcome to the halls of the House Mr. and Mrs. John Klusaritz of Whitehall Township. They are here as the guests of Mr. Frank J. Meluskey and the Lehigh County delegation.

Messrs. John Davies and John Peterson have a guest here today: Mr. Charles Clark, who is the manager of Hamburg Borough.

The Chair is delighted to announce, although the lady is not on the floor of the House, the presence in the Capitol today—I think she is in her son's office—of Mrs. James Musto.

Now, many of you may not have served with Jimmy Musto, who was the father of Raphael. Jimmy Musto served for years here as a Representative on the floor of the House. He was one of the finest Representatives we have ever had and one of the most splendid orators the Speaker has ever heard. He was a fiery character, with strong opinions, and he made himself heard on the floor of this House, and he made his influence known across this Commonwealth.

The wife of Jimmy Musto, and the mother of the present Representative, Raphael Musto, is here in the Capitol. I do not think she is in the gallery. We welcome you to the Capitol. We are glad that you feel well enough to be here, and we hope that you will present yourself on the floor of the House sometime so that we may give you due honor.

The Chair is delighted to welcome to the hall of the House, Mr. and Mrs. Russell McCoy from Indiana, Pennsylvania. They are here as guests of the gentleman from Indiana, Mr. Wass.

### ADJOURNMENT

Mrs. GEORGE moved that this House of Representatives do now adjourn until Monday, May 22, 1978, at 1 p.m., e.d.t., unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

### YEAS—165

Abraham	Geisler	Lynch	Schmitt
Anderson	George, C.	Mackowski	Schweder
Armstrong	George, M.	Madigan	Scirica
Barber	Giammarco	Manderino	Seltzer
Bellomini	Gillette	Manmiller	Shupnik
Berlin	Gleeson	McCall	Sirianni
Berson	Goebel	McClatchy	Smith, E.
Bittinger	Goodman	McGinnis	Smith, L.
Bittle	Gray	McLane	Spencer
Borski	Greenfield	Mebus	Spitz
Brandt	Greenleaf	Meluskey	Stairs
Brown	Grieco	Miller	Stapleton
Brunner	Halverson	Milliron	Stewart
Burd	Hamilton	Miscevich	Stuban
Caltagirone	Harper	Moehlmann	Sweet
Cassidy	Hasay	Morris	Taddonio
Cimini	Haskell	Mrkonic	Taylor, E.
Cohen	Hayes, D. S.	Mullen, M. P.	Taylor, F.
Cole	Hayes, S. E.	Musto	Tenaglio
Cowell	Helfrick	Novak	Thomas

Davies	Hoeffel	O'Brien, B.	Trello
DeMedio	Honaman	O'Brien, D.	Vroon
DeVerter	Hopkins	O'Connell	Wagner
DeWeese	Hutchinson, A.	O'Donnell	Wansacz
DiCarlo	Hutchinson, W.	O'Keefe	Wargo
Dietz	Itkin	Pancoast	Wass
Dininni	Johnson	Peterson	Wenger
Dombrowski	Jones	Petrarca	White
Dorr	Katz	Piccola	Williams
Doyle	Kernick	Pitts	Wilson
Duffy	Klingaman	Polite	Wilt
Dumas	Kolter	Pott	Wise
Englehart	Kowalyshyn	Prendergast	Wright, D.
Fee	Kukovich	Pyles	Yahner
Foster, A.	Lashingier	Rappaport	Yohn
Freind	Laughlin	Ravenstahl	Zearfoss
Fryer	Lehr	Renwick	Zeller
Gallagher	Letterman	Rhodes	Zitterman
Gallen	Levi	Richardson	Zwikl
Garzia	Levin	Ritter	
Gatski	Lincoln	Ryan	Irvis,
Geesey	Logue	Salvatore	Speaker

## NAYS—7

Fischer, R. R.	Milanovich	Reed	Wright, J. L.
Livengood	Noye	Weidner	

## NOT VOTING—30

Arthurs	Fisher, D. M.	Oliver	Scheaffer
Beloff	Flaherty	Parker	Shelton
Bennett	Foster, W.	Pievsky	Shuman
Burns	Gamble	Pratt	Valicenti
Caputo	Kelly	Rieger	Wiggins
Cessar	Knepper	Ruggiero	Zord
Cianciulli	McIntyre	Scanlon	
Donatucci	Mowery		

The question was determined in the affirmative, and the motion was agreed to, and, at 5:16 p.m., e.s.t., the House adjourned.