

# Legislative Journal

TUESDAY, FEBRUARY 13, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 6

## HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

### PRAYER

THE HONORABLE ROGER RAYMOND FISCHER, member of the House of Representatives and guest chaplain, offered the following prayer:

Our Heavenly Father, we thank Thee for all the blessings that Thou has bestowed upon us. Father, we look to Thee for strength in our guidance and in our direction. When we look inside ourselves, Father, we sometimes find weakness and confusion and disorder that we do not completely understand. So many times, Father, we are selfish and think of ourselves, but we look to Thee for strength and guidance so that we might be Thy servants, Thy representatives in this place.

Father, we make mistakes. We ask that Thou would forgive us, and that Thou would give us direction and guidance for life. Come into our hearts, Father, and let us truly be people who represent You.

We sometimes make tumult in shouting. We sometimes like to think that we are captains or kings, but, Father, there is nothing very special about us. We just have been very lucky, and You have given us special responsibilities to be Your servants in this place.

When people look at us, Father, let them see reflected Your glory and Your direction. When they look at us, let them see examples of the way You want people to live. Let us then, Father, use our talents and abilities not to enhance ourselves, but to serve Thee on this earth and to bring others close to Thee.

We pray, Father, today for a troubled world. Let us also be representatives of peace. Let our influence be made known in the halls in the leadership positions of this nation, so that all men who represent this nation might seek to find peace in this world as we listen once again to very disturbing rumbles and roars from around the world.

Help us, Father; help all people to know Thee. Guide us and direct us then to represent You in this place and to serve You as you think best and not the way we think best. These things we ask in Your Son's name.

Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal

for Monday, February 12, 1979, will be postponed until printed.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I have no requests for leaves of absence.

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. The Chair thanks the gentlemen.

### MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll call. Will all members please come to the floor immediately, because only those present and in their seats will be recorded on the master roll?

The following roll call was recorded:

#### YEAS—200

Alden	Foster, W.	Lynch, F.	Salvatore
Anderson	Freind	Mackowski	Scheaffer
Armstrong	Fryer	Madigan	Schmitt
Arty	Gallagher	Manderino	Schweder
Austin	Gallen	Manmiller	Scirica
Barber	Gamble	McCall	Seltzer
Belardi	Gannon	McClatchy	Serafini
Beloff	Gatski	McIntyre	Seventy
Bennett	Geesey	McKelvey	Shadding
Berson	Geist	McMonagle	Shupnik
Bittle	George, C.	McVerry	Sieminski
Borski	George, M.	Michlovic	Sirianni
Bowser	Giammarco	Micozzie	Smith, E.
Brandt	Gladeck	Milanovich	Smith, L.
Brown	Goebel	Miller	Spencer
Burd	Goodman	Moehlmann	Spitz
Burns	Grabowski	Mowery	Stairs
Caltagirone	Gray	Mrkonic	Steighner
Cappabianca	Greenfield	Mullen, M. P.	Stewart
Cessar	Grieco	Murphy	Stuban
Chess	Gruppo	Musto	Sweet
Cianciulli	Harper	Nahill	Swift
Cimini	Hasay	Novak	Taddonio
Clark, B.	Hayes, D. S.	Noye	Taylor, E.
Clark, R.	Hayes, S. E.	O'Brien, B.	Taylor, F.
Cochran	Helfrick	O'Brien, D.	Telek
Cohen	Hoefel	O'Donnell	Thomas
Cole	Honaman	Oliver	Trello
Cornell	Hutchinson, A.	Perzel	Vroon
Coslett	Hutchinson, W.	Peterson	Wachob
Cowell	Irvis	Petrarca	Wagner
Cunningham	Itkin	Piccola	Wargo
Davies	Johnson, E.	Pievsky	Wass

Dawida	Johnson, J.	Pistella	Weidner
DeMedio	Jones	Pitts	Wenger
DeVerter	Kernick	Polite	White
DeWeese	Klingaman	Pott	Williams
DiCarlo	Knepper	Pratt	Wilson
Dietz	Knight	Pucciarelli	Wilt
Dininni	Kolter	Punt	Wright, D.
Dombrowski	Kowalyshyn	Pyles	Wright, J. L.
Donatucci	Kukovich	Rappaport	Yahner
Dorr	Lashinger	Reed	Yohn
Duffy	Laughlin	Rhodes	Zeller
Dumas	Lehr	Richardson	Zitterman
Durham	Letterman	Rieger	Zord
Earley	Levi	Ritter	Zwinkl
Fee	Levin	Rocks	
Fischer, R. R.	Lewis	Rodgers	Seltzer,
Fisher, D. M.	Livengood	Ryan	Speaker
Foster, A.	Lynch, E. R.		

Gallen	X	
Geesey	X	
Knepper	X	
Manmiller	X	
Moehlmann	X	
Pitts	X	
Scheaffer	X	
Sirianni	X	
Smith	X	
Wagner		X
Wilson	X	
Wilt		X
Wright	X	
Yohn	X	
Pievsky	X	
Dombrowski	X	
Goodman	X	
Hutchinson	X	
Itkin	X	
Musto	X	
Oliver	X	
Petrarca	X	
Rappaport	X	
Schweder	X	
Zwinkl	X	

NAYS—0

NOT VOTING—2

Brunner Street

The SPEAKER. Two hundred members having indicated their presence, a master roll is established.

**BILLS REPORTED FROM COMMITTEES**

**HB 20, PN 20** By Mr. MICOZZIE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, removing prohibitions on the use of studded tires during certain periods and prescribing penalties.

Transportation.

**HB 34, PN 35** By Mr. MICOZZIE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the posting of certain private property.

Transportation.

**HB 101, PN 112** By Mr. MICOZZIE

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), referred to as the Township State Highway Law, adding a route in Susquehanna Township, Dauphin County.

Transportation.

**COMMITTEE CHAIRMEN REPORTS PRESENTED**

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

Attendance Report

February 6, 1979.

	Present	Absent
MR. CHAIRMAN, McClatchy	X	
Bittle	X	
Brandt	X	
DeVerter	X	
Fisher	X	
Freind	X	

RICHARD McCLATCHY  
Chairman

CARMEL SIRIANNI  
Secretary

Printer's No. 58

THE GENERAL ASSEMBLY OF PENNSYLVANIA

House Bill No. 56

Session of 1979

INTRODUCED BY MR. McCLATCHY, FEBRUARY 5, 1979.

REFERRED TO COMMITTEE ON APPROPRIATIONS, FEBRUARY 5, 1979.

**AN ACT**

To further provide for the expenses of the Executive and Legislative Departments of the Commonwealth for the fiscal period July 1, 1978 to June 30, 1979, and to make additional appropriations from the Federal augmentation to the Executive and Legislative Departments for the fiscal period July 1, 1978 to June 30, 1979.

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 "Supplemental 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 and Legislative Departments of the Commonwealth for the payment of salaries, wages or other compensation and travel expenses 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 fis-

cal 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 Governor . . . . .	\$ 2,497,000
To the Department of Justice	
For general government operations:	
Civil Law . . . . .	\$ 1,668,000
To the Department of Public Welfare	
For county administration . . . . .	\$113,900,000
Supplemental grants — aged, blind and disabled . . . . .	59,552,000
For the purpose of developing, operating and purchasing day care services for children from State approved facilities . . . . .	10,516,000

II. Federal Augmentation Funds

The following sum, or as much thereof as may be necessary, is hereby specifically appropriated from the Federal augmentation funds to the following agency of the Executive Department of the Commonwealth for the payment of the expenses of implementing and carrying out the program stated herein for the fiscal year beginning July 1, 1978:

Executive Department  
To the Department of Public Welfare

The following Federal Title XX Social Services augmentation amount, or as much thereof as may be necessary, is hereby specifically appropriated to supplement the sum of \$19,244,000 appropriated from Commonwealth revenues for day care:

"Title XX — Social Services" — for provision of social services to eligible persons in day care programs . . . . .	\$59,477,000
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III. LEGISLATIVE DEPARTMENT

To the State Ethics Commission

For the salaries, wages and necessary expenses incurred pursuant to the act of October 4, 1978 (No. 170) referred to as the Public Official and Employees Ethics Law. . . . . \$100,000

Section 3. It is the intent of the General Assembly that any appropriation under the provisions of the act which is the same or similar to an appropriation under the act of May 31, 1978 (No. 16A), entitled "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," as amended, or the act of July 1, 1978 (No. 56A), 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, 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," shall replace such appropriations.

Section 4. (a) The act of May 31, 1978 (No. 16A), known as the "General Appropriation Act of 1978," as amended, is repealed insofar as it is inconsistent herewith.

(b) The act of July 1, 1978 (No. 56A), known as the "Federal Augmentation Act of 1978," is repealed insofar as it is inconsistent herewith.

Section 5. This act shall take effect immediately.

ROLL CALL

House Bill 56

VOTE

MR. CHAIRMAN, McClatchy

nay

Bittle	nay
Brandt	nay
DeVerter	nay
Fisher	yea
Freind	yea
Gallen	nay
Geesey	yea
Knepper	yea
Manmiller	yea
Moehlmann	yea
Pitts	yea
Scheaffer	yea
Sirianni	yea
Smith	yea
Wagner	absent
Wilson	yea
Wilt	absent
Wright	yea
Yohn	nay
Pievsky	yea
Dombrowski	yea
Goodman	yea
Hutchinson	yea
Itkin	nay
Musto	yea
Oliver	yea
Petrarca	yea
Rappaport	yea
Schweder	yea
Zwinkl	yea

YEAS—22

NAYS—7

NOT VOTING—2

AMENDMENTS TO HOUSE BILL NO. 56

Mr. Max Pievsky  
Printer's No. 58

Amend Sec. 2, page 2, line 21, by striking out "\$113,900,000" and inserting \$100,217,000

ROLL CALL

House Bill 56

VOTE

MR. CHAIRMAN, McClatchy	yea
Bittle	yea
Brandt	yea
DeVerter	yea
Fisher	yea
Freind	yea
Gallen	yea
Geesey	nay
Knepper	yea
Manmiller	yea
Moehlmann	yea
Pitts	yea
Scheaffer	yea

Sirianni	yea
Smith	yea
Wagner	absent
Wilson	yea
Wilt	absent
Wright	yea
Yohn	yea
Pievsky	yea
Dombrowski	yea
Goodman	yea
Hutchinson	yea
Itkin	yea
Musto	yea
Oliver	yea
Petrarca	yea
Rappaport	yea
Schweder	yea
Zwikl	yea

YEAS—28  
 NAYS—1  
 NOT VOTING—2

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

Attendance Report

Meeting of the Committee on Judiciary, held the 6th day of February, 1979, in Room 140.

COMMITTEE MEMBERS

	Present	Absent
John Alden	X	
Norman Berson	X	
Anthony Cimini	X	
Ronald Donatucci		X
Arthur Early	X	
D. Michael Fisher	X	
William Hutchinson	X	
George Kanuck		X
Joseph Lashinger	X	
Stephen Levin	X	
E. Raymond Lynch	X	
Frank Lynch	X	
Terrence McVerry	X	
Marvin Miller		X
Robert O'Donnell	X	
Jeffrey Piccola	X	
Ralph Pratt		X
Joseph Rhodes	X	
Anthony Scirica	X	
MR. CHAIRMAN, Warren Spencer	X	
William Wachob	X	
Hardy Williams	X	
John White	X	

WARREN SPENCER  
 Chairman

JOSEPH C. LASHINGER, JR. Secretary	
ROLL CALL House Bill 82	
COMMITTEE MEMBERS	
John Alden	nay
Norman Berson	yea
Anthony Cimini	yea
Ronald Donatucci	absent
Arthur Early	nay
D. Michael Fisher	yea
William Hutchinson	yea
George Kanuck	absent
Joseph Lashinger	yea
Stephen Levin	yea
E. Raymond Lynch	yea
Frank Lynch	yea
Terrence McVerry	nay
Marvin Miller	absent
Robert O'Donnell	yea
Jeffrey Piccola	yea
Ralph Pratt	absent
Joseph Rhodes	yea
Anthony Scirica	yea
MR. CHAIRMAN, Warren Spencer	yea
William Wachob	yea
Hardy Williams	yea
John White	yea

YEAS—16  
 NAYS—3  
 NOT VOTING—4

JOSEPH C. LASHINGER, JR.  
 Chairman/Secretary

ROLL CALL  
 House Bill 82

COMMITTEE MEMBERS	
John Alden	yea
Norman Berson	yea
Anthony Cimini	yea
Ronald Donatucci	absent
Arthur Early	yea
D. Michael Fisher	yea
William Hutchinson	yea
George Kanuck	absent
Joseph Lashinger	yea
Stephen Levin	yea
E. Raymond Lynch	yea
Frank Lynch	yea
Terrence McVerry	yea
Marvin Miller	absent
Robert O'Donnell	yea
Jeffrey Piccola	yea
Ralph Pratt	absent

Joseph Rhodes	yea
Anthony Scirica	yea
MR. CHAIRMAN, Warren Spencer	yea
William Wachob	yea
Hardy Williams	yea
John White	yea

YEAS—19  
 NAYS—0  
 NOT VOTING—4

JOSEPH C. LASHINGER, JR.  
 Chairman/Secretary

ROLL CALL

House Bill 39

COMMITTEE MEMBERS	VOTE
John Alden	yea
Norman Berson	yea
Anthony Cimini	yea
Ronald Donatucci	absent
Arthur Early	yea
D. Michael Fisher	yea
William Hutchinson	yea
George Kanuck	absent
Joseph Lashinger	yea
Stephen Levin	nv
E. Raymond Lynch	yea
Frank Lynch	yea
Terrence McVerry	yea
Marvin Miller	absent
Robert O'Donnell	nv
Jeffrey Piccola	yea
Ralph Pratt	absent
Joseph Rhodes	nv
Anthony Scirica	yea
MR. CHAIRMAN, Warren Spencer	yea
William Wachob	yea
Hardy Williams	nv
John White	nv

YEAS—14  
 NAYS—0  
 NOT VOTING—9

JOSEPH C. LASHINGER, JR.  
 Chairman/Secretary

ROLL CALL

House Bill 39

COMMITTEE MEMBERS	VOTE
John Alden	yea
Norman Berson	yea
Anthony Cimini	yea
Ronald Donatucci	absent
Arthur Early	yea
D. Michael Fisher	yea
William Hutchinson	yea
George Kanuck	absent

Joseph Lashinger	yea
Stephen Levin	nv
E. Raymond Lynch	yea
Frank Lynch	yea
Terrence McVerry	yea
Marvin Miller	absent
Robert O'Donnell	nv
Jeffrey Piccola	yea
Ralph Pratt	absent
Joseph Rhodes	nv
Anthony Scirica	yea
MR. CHAIRMAN, Warren Spencer	yea
William Wachob	yea
Hardy Williams	nv
John White	nv

YEAS—14  
 NAYS—0  
 NOT VOTING—9

JOSEPH C. LASHINGER, JR.  
 Chairman/Secretary

ROLL CALL

House Bill 3, Printers No. 3

COMMITTEE MEMBERS	VOTE
John Alden	yea
Norman Berson	yea
Anthony Cimini	nay
Ronald Donatucci	absent
Arthur Early	yea
D. Michael Fisher	yea
William Hutchinson	yea
George Kanuck	absent
Joseph Lashinger	yea
Stephen Levin	yea
E. Raymond Lynch	yea
Frank Lynch	yea
Terrence McVerry	yea
Marvin Miller	absent
Robert O'Donnell	yea
Jeffrey Piccola	nay
Ralph Pratt	absent
Joseph Rhodes	yea
Anthony Scirica	yea
MR. CHAIRMAN, Warren Spencer	yea
William Wachob	yea
Hardy Williams	yea
John White	yea

YEAS—17  
 NAYS—2  
 NOT VOTING—4

JOSEPH C. LASHINGER, JR.  
 Chairman/Secretary

ROLL CALL

COMMITTEE MEMBERS

John Alden	yea
Norman Berson	yea
Anthony Cimini	yea
Ronald Donatucci	absent
Arthur Early	yea
D. Michael Fisher	yea
William Hutchinson	yea
George Kanuck	absent
Joseph Lashinger	yea
Stephen Levin	yea
E. Raymond Lynch	yea
Frank Lynch	yea
Terrence McVerry	yea
Marvin Miller	absent
Robert O'Donnell	yea
Jeffrey Piccola	yea
Ralph Pratt	absent
Joseph Rhodes	yea
Anthony Scirica	yea
MR. CHAIRMAN, Warren Spencer	yea
William Wachob	yea
Hardy Williams	yea
John White	yea

YEAS—19  
 NAYS—0  
 NOT VOTING—4

JOSEPH C. LASHINGER, JR.  
 Chairman/Secretary

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

February 12, 1979.

SUBJECT: Committee Activities  
 TO: Honorable H. Jack Seltzer, Speaker  
 FROM: Marvin D. Weidner, Chairman  
 Local Government Committee

The Local Government Committee met on Monday, February 5, 1979.

Attached are the minutes of the meeting and the attendance sheet.

MINUTES OF THE LOCAL GOVERNMENT COMMITTEE MEETING

Monday, February 5, 1979.

The re-organizational meeting of the House Local Government Committee was called to order by Chairman Marvin D. Weidner at 11:30 A.M. in Room 115-A.

Chairman Weidner reported the names of the Majority Subcommittee Chairman and asked Minority Chairman Lester K. Fryer to do likewise. Sub-committee assignments are as follows:

Majority Representative Carmel Sirianni      Boroughs

Majority Representative Joseph Levi II	Counties
Majority Representative A. Carville Foster	Townships
Minority Representative Fred A. Trello	Boroughs
Minority Representative Ronald Gamble	Counties
Minority Representative Joseph R. Zeller	Townships

House Bill 17 was then brought up for discussion. Chairman Weidner then informed the Committee that prompt action had to be taken on this bill because of the effective date, January 1, 1979, of Act 170, the Public Official and Employee Ethics Law. He explained that the Ethics Commission has not had sufficient time nor funds and has not been able to draw up the necessary regulations and forms for financial disclosure.

Chairman Weidner then presented two amendments to Act 170. The first extending the effective date to August 1, 1979 for Sub-sections (b), (c) and (e). The second amendment grants the Ethics Commission the power and duty to require the filing of the financial disclosure statements of candidates for elective office between August 1, 1979 and January 1, 1980 at least 60 days prior to such election or in the case of a special election at least 15 days prior to such election. The amendments were explained by Joseph Murphy, Legal Counsel for the Republican Caucus.

The amendments were discussed at length. Several members indicated they would like to postpone any action on this bill until further study was completed because of the complexity of Act 170.

Chairman Weidner advised that action had to be taken promptly to enable the prospective candidates for the up-coming election to file their petitions.

Representative Thomas A. Michlovic at this point offered an amendment appropriating the sum of \$75,000 or as much as necessary for the fiscal period January 1, 1979 through June 30, 1979 for implementing the provisions of Act 170. The amendment was discussed and the Committee Members were so informed that the Appropriations Committee of the House would be considering this appropriation in the very near future and that the urgency at the present time was not the appropriation but delaying the effective date of the Act. A roll call vote was taken on the amendment and was defeated by a vote of 18 to 3.

Representative Zeller requested Chairman Weidner to contact the Chairman of the Appropriations Committee, Representative Richard A. McClatchy, Jr., and request a fiscal note promptly for the implementation of Act 170. Chairman Weidner indicated he would take care of this.

A motion was made by Representative Foster and seconded by Representative Sirianni to accept the two amendments offered. The roll call vote on the motion was 22 yeas and 1 not voting.

A motion was then made by Representative Levi, seconded by Representative Foster to report the bill out as amended. The roll call vote on the motion was 22 yeas and 1 not voting.

Upon no further business the meeting was adjourned.

Respectfully submitted,

PAUL WASS  
 Secretary

Attendance Report  
 Meeting of the Committee on Local Government, held the 5th day of February, 1979, in Room 115-A.

MAJORITY	Present	Absent
M. D. Weidner	X	
K. E. Brandt	X	
R. W. Cornell	X	
A. C. Foster, Jr.	X	
Joseph Levi, II	X	
W. D. Mackowski	X	
T. F. McVerry	X	
N. A. Micozzie		X
C. F. Nahill, Jr.	X	
C. Sirianni	X	
G. J. Spitz	X	
E. Z. Taylor	X	
Paul Wass	X	
MR. CHAIRMAN, N. W. Wenger	X	
MINORITY		
L. K. Fryer	X	
I. S. Cappabianca	X	
A. J. DeMedio	X	
R. Gamble	X	
W. W. Knight	X	
T. A. Michlovic	X	
J. M. Schweder	X	
F. A. Trello	X	
J. R. Zeller	X	

MARVIN D. WEIDNER  
 Chairman  
  
 PAUL WASS  
 Secretary

ROLL CALL

House Bill 17, Printer's No. 17

MAJORITY	VOTE
M. D. Weidner	nay
K. E. Brandt	nay
R. W. Cornell	nay
A. C. Foster, Jr.	nay
Joseph Levi, II	nay
W. D. Mackowski	nay
T. F. McVerry	nay
N. A. Micozzie	nv
C. F. Nahill, Jr.	nay
C. Sirianni	nay
G. J. Spitz	nay
E. Z. Taylor	nay
P. Wass	nay
MR. CHAIRMAN, N. W. Wenger	nay
MINORITY	
L. K. Fryer	nay
I. S. Cappabianca	nay
A. J. DeMedio	nay
R. Gamble	nay

W. W. Knight	nay
T. A. Michlovic	yea
J. M. Schweder	yea
F. A. Trello	nay
J. R. Zeller	yea

YEAS—3  
 NAYS—19  
 NOT VOTING—1

MARVIN D. WEIDNER  
 Chairman  
  
 PAUL WASS  
 Secretary

AMENDMENTS TO HOUSE BILL NO. 17

Printer's No. 17

Amend Title, page 1, line 7, by removing the period after "date" and inserting and making an appropriation.

Amend Bill, page 1, by inserting between lines 9 and 10 Section 1. The act of October 4, 1978 (No. 170), referred to as the Public Official and Employee Ethics Law, is amended by adding a section to read:  
Section 11.1. Appropriation.

The sum of \$75,000 or as much as may be necessary, is hereby appropriated to the commission, for the fiscal period January 1, 1979 through June 30, 1979, for implementing the provisions of this act.

Amend Sec. 1, page 1, line 10, by striking out "1." and inserting 2.

Amend Sec. 1, page 1, lines 10 and 11, by striking out "act of October 4, 1978 (No. 170), referred to as the Public Official Employee Ethics Law," and inserting of the act

Amend Sec. 2, page 1, line 17, by striking out "2." and inserting 3.

ROLL CALL

House Bill 17, Printer's No. 17

MAJORITY	VOTE
M. D. Weidner	yea
K. E. Brandt	yea
R. W. Cornell	yea
A. C. Foster, Jr.	yea
Joseph Levi, II	yea
W. D. Mackowski	yea
T. F. McVerry	yea
N. A. Micozzie	nv
C. F. Nahill, Jr.	yea
C. Sirianni	yea
G. J. Spitz	yea
E. Z. Taylor	yea
P. Wass	yea
MR. CHAIRMAN, N. W. Wenger	yea
MINORITY	
L. K. Fryer	yea
I. S. Cappabianca	yea
A. J. DeMedio	yea
R. Gamble	yea
W. W. Knight	yea
T. A. Michlovic	yea





the second time and agreed to, and ordered transcribed for third consideration:

**HB 39, PN 223.**

CALENDAR BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **HB 17, PN 234**, entitled:

An Act amending the act of October 4, 1978 (No. 170), referred to as the Public Official and Employee Ethics Law, changing the effective date.

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

The question is, Shall the bill pass finally?

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

Mr. GOEBEL. Thank you, Mr. Speaker. I will try not to take too long a time.

I would just like to point out that I believe this is nothing more than a watering down, the beginning of the watering down of the ethics bill. And I think you are going to find the same people who are supporting this bill, who are pushing this, will be the same ones who will be pushing for the exemption of the commissioners and the school directors. They say all they want is justice. That is all you are going to have on that bill, just us, when you are done, just us on that ethics bill, believe me.

I do not see any reason why it should be postponed. It was before election time that we ran this thing through. It was a good bill then. And now election day is over and the time has come, and we are going to start postponing and watering down and exempting people. This is step one. This is step one in the exempting of the school directors and the councilmen and the commissioners and local government people. I think we could, right now, let them go and proceed with the thing. They could file a statement. If the Ethics Commission is not ready for it right now, well, that is okay. They can catch up later on. Let everybody run in the primary knowing that the ethics bill is going to stay as it is.

Thank you, Mr. Speaker.

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

Mr. TRELLO. Mr. Speaker, I am going to vote for the final passage of HB 17, not because I want it delayed and not because I want it watered down. I am voting for it simply because the commission has no material to work with; they do not even have the forms. As you know, today is the first day to circulate the petitions for the coming primary election, and they have no material whatsoever to file this report with their county election departments.

Therefore, I feel that it should be extended to give the commission time to operate. But in no way am I voting for this bill to water it down or to delay it in any way, shape or form, but just so that the bill will be workable.

The SPEAKER. The Chair recognizes the gentleman from

Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I would strongly disagree with the gentleman from Allegheny who speaks of this costly, unwieldy bill in such endearing terms. I think it is one of the biggest problems the members in this chamber have to face, and if I had my option, I would have preferred that this matter be addressed to yesterday, because we are merely delaying. And I would hope for the sake of local government that Mr. Goebel's views would not prevail, because I do not think he realizes what a devastating effect financial disclosure in the ethics bill will have on local government. I am going to vote for this bill.

I asked yesterday on the floor of the House and I was assured by the Republican leadership that a vehicle would be before us that we could fully debate this issue, and at that time we will take up this matter. And I would like to address myself to that gentleman and to others who have similar erroneous opinions of how government should operate.

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

Mr. GOEBEL. Thank you, Mr. Speaker. I would just like to comment again to Mr. Fryer's remarks that this will have a devastating effect on local government if this ethics code eventually passes in its present form. I think that is what he was alluding to and I do not agree with him on this count. I polled my district. My biggest school district, North Hills School District, has 9,000 students, 450 teachers. In my school board there, the majority of them voted to endorse Act 170 as it now stands. My Ross Township commissioners—Ross Township is a first-class township, 40,000 people—that board of commissioners, the majority of them have also voted to endorse Act 170 as it now stands. Having served 5 years as a school director in the North Hills School District, I can tell you this ethics code is needed. I caught one of my colleagues doing \$1,100 worth of business with the school district. He was not allowed to do that, so he says, well, it was a mistake and all that, but the guy who did the work was really doing it as free-lance work and sent a new bill in, and so forth. He actually got paid for it and cashed the check anyhow, and finally I had the guy stop it there. There are violations on this local government. Where you are going to have the biggest hanky-panky to be found is in the awarding of contracts in the local government area. I do not think that we need it as much as they do in local government. I do not think you are going to have one person resign. You may have people deciding not to run because they do not want to disclose where the money is coming from.

So I just wanted to say that this is not going to have the effect that Mr. Fryer says. I think it is needed and I think that we should just leave this thing alone and go ahead with it. I think this filing of a financial statement right now is going to be good enough. If the commission is not ready, hey, that is not our problem; that is their problem. You know we passed this bill back in November. They had a lot of time to get geared up for it. I think this is just a smoke screen.

The SPEAKER. The Chair recognizes the majority whip, Mr. Hayes.

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

Let us be patient with the process. We are going to do no more today than to delay the effective date of Act 170. Assurances have been given on the floor of this House of Representatives that the proper committee of this House, the Local Government Committee, will give consideration to all those questions which have been raised. Once that committee has exhausted its factfinding mission, it will report back to this House. I do not believe this morning we should raise goblins on one side of the issue or the other. We are going to consider these matters in a deliberative way, and that is what this House of Representatives is all about. I urge support of HB 17. Thank you, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, a final reply to my distinguished colleague, Mr. Goebel, from Allegheny. How that gentleman can apply the same rule that we legislators and cabinet officers operate under to local officials, who work for little or no pay, is beyond me. Now, if the gentleman wants to make a financial striptease or whatever process he cares to go through, we cannot equate that with us, who are making \$18,000-plus, as with someone who is working for little or no pay. I would suggest the gentleman really research the matter, search his soul, and I am sure he will find us ready to greet him and welcome him into our camp. Thank you.

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

Mr. COWELL. Thank you, Mr. Speaker. Last fall I was the sponsor of much of the language that ultimately became Act 170. I believe that we need to adopt the bill that is before us today but postpone the effective date of the legislation. I am very much supportive of the language that is in Act 170. I strongly disagree with the remarks that were made by Mr. Fryer. I think he is dead wrong, but we will argue that issue on another day. I think that Act 170 and the ethics law that we have today deserve the opportunity to be implemented at a time and in a fashion where we are going to get an accurate measurement of just what it means and what its impact is. I am afraid that if we ask Act 170 to be implemented today, if we ask local officials to abide by Act 170 as it is written today, that would not be a true and accurate test, and, in fact, that will simply feed the arguments that are made by ladies and gentlemen like Mr. Fryer. I do not want to strengthen their arguments. I want to fight that battle on another day on its own merits. I think we will prevail in terms of arguing that local officials as well as state officials need to be covered, but, for the time being, let us postpone the implementation for the 6 months. The officials who are seeking local office this year can be required to file, by the Ethics Commission, prior to the general election, and I think that will be sufficient protection for the time being.

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

Mr. ZELLER. Mr. Speaker, we are not going to get anywhere today unless some of the former—I do not mean Mr. Cowell, but some of the former—adjectives that were used against each other by some of the Senator Claghorns are dropped, but we

have to be careful that we are not going to jeopardize the thinking that is really behind Act 170. After you check the criminal justice reports and you find that out of 239 officials who were convicted in the State of Pennsylvania, 70 percent of them were local officials, and if anybody wants to know, I can give you a list in my own area, as a matter of fact, that I personally was involved in—not involved as being prosecuted, but on the other end of the stick, in exposing their operations—and when you get to the debate, like Mr. Cowell said, we will have all the facts and we will bring them out, and some of the people who were very, very “voiceful” prior to the election, which made them look good back home, are now the Senator Claghorns who are making all the noise about how bad it is and how we have to protect these local officials, and I will give you a list of them and, as a matter of fact, it might shake you up a little bit. So I am in favor of holding it for 6 months, and let us get on with the debate then.

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

Mr. DAVIES. Thank you, Mr. Speaker. I, too, am going to vote in support of the action, although I feel as if it falls far short and I certainly do not want to qualify for Mr. Zeller's Claghorn role, or whatever it is, but I have to agree with my colleague from Berks County, Mr. Fryer, that this thing does not address itself to, for example, the city of Philadelphia School Board and the administration of that district. We were down there a few short weeks and uncovered some things that I think are rather substantial and far-reaching as far as the operation of that district, that I have some genuine concerns with, and this bill has never reached that.

We started out and we should have addressed ourselves to our own ethics. It should have been our only and one concern to start with, and in the heat of the end of that session, we tried to pass an all-inclusive bill. It is true that local government does have 70 percent of the problems in this Commonwealth, but local government should deal with its own concerns, and all we have to do is give them the implementation to do it; not create a bureaucracy here in Harrisburg which is going to require additional millions of dollars just to administrate for the purpose of getting after those few who do indulge in wrongdoing. That can well be done on the county and local level, and I, of course, intend to introduce every one of those amendments that address themselves to that issue. Thank you, Mr. Speaker.

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

Mr. GAMBLE. Mr. Speaker, I used restraint the first time, but now it is getting a little bit difficult. We do have amendments to deal with the local government problem, and I see those against that legislation are inserting their licks. I think we are going to go through all this later, because it has been more or less promised that we will deal with the local government problem, but I must take issue with my good friend, Joe Zeller, on the statement that 70 percent of those indicted were from local government. That is a very unfair figure, Mr. Speaker, because there are 53,000 local government officials and there are 253 of us, so I say to you that that is about 200

percent more officials than we have. So that 70-percent figure has nothing to do with it. I would ask that the rest of the legislature use restraint, and we will cover this problem later. Let us vote on this issue and get down to business. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I do not think there are any of us here who, this early in the game, want to impose the rules of whether or not the debate is germane, but I agree almost with everybody on everything they have said, except they are saying it at the wrong time. The question as to whether local government should or should not be in the law will come up at a later date. Today we want to address ourselves to whether or not Act 170 should be delayed for 6 months. Now there is a joint session scheduled—you can tell by the chairs if by no other reason—this afternoon. There is a bill that we will pass today, or we will consider today, that has amendments to it. That is the deficiency appropriation bill, and it is important that we have some time in caucus to address ourselves to those amendments. I am not asking that the rules be imposed, because the latitude already has been given, but I am saying to everyone, we will take up the problem of Mr. Goebel; we will take up the problem of Mr. Fryer; and everyone is going to have a shot at Act 170 at a later date. Right now, do we want it delayed for 6 months or do we not? Really try to hold yourselves to that.

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

Mr. CUNNINGHAM. Thank you, Mr. Speaker. I rise not to speak to the merits of this bill, but I rise to speak to the question of the advisability of the delay until August. Many newspapers in this Commonwealth, at the time of the passage of Act 170, commented on the sincerity or lack of sincerity of the General Assembly in enacting this legislation and reserved judgment saying, we will wait and see what happens after the elections. How sincere is the General Assembly about ethical reform? I would suggest that this delay today will create the appearance of insincerity and will, in fact, harden the cynicism that is already very pervasive in this Commonwealth, and as a consequence of that and as a consequence of the fact that much of what we do has enormous symbolic value, we are going to have a tremendous perception problem if we effect this delay, and I would urge the defeat of HB 17. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, real short, I always respected the comments and the ability to get the facts from my good friend, Mr. Gamble, because I respect him very highly. But on his last statement in regard to 253 members of the House of Representatives and the Senate versus some 53,000 local employes, I think he should check the facts and find out that we are dealing with state officials versus local officials and he will find that it would be about a 50-percent ratio difference, not the ratio that he is talking about, because we are dealing with people who were in general services—if you will remember, that one fellow was doing some time in a little place out in Allenwood. We have in other areas some people who are going to be

making the trip soon, and we have people who are not Senators and not Representatives; these are people in other areas. So I think that Mr. Gamble should get the facts in regard to the state officials we are talking about. We are talking about all kinds of state officials and then versus local officials. So it is not the 253 versus the 53,000. So let us get our facts straight.

On the question recurring,  
Shall the bill pass finally?

Agreeable to the provision of the constitution, the yeas and nays will now be taken.

YEAS—174

Anderson	Gallagher	Madigan	Scheaffer
Armstrong	Gallen	Manderino	Schmitt
Arty	Gamble	Manmiller	Schweder
Austin	Gannon	McCall	Scirica
Barber	Gatski	McClatchy	Seventy
Beloff	Geesey	McIntyre	Shadding
Bennett	Geist	McMonagle	Shupnik
Berson	George, C.	McVerry	Sirianni
Bittle	George, M.	Michlovic	Smith, E.
Bowser	Giammarco	Micozzie	Smith, L.
Brandt	Gladeck	Milanovich	Spencer
Brown	Goodman	Miller	Spitz
Burd	Grabowski	Moehlmann	Stairs
Caltagirone	Greenfield	Mowery	Steighner
Cappabianca	Grieco	Mullen, M. P.	Stewart
Cessar	Halverson	Murphy	Stuban
Chess	Harper	Musto	Sweet
Cimini	Hasay	Nahill	Swift
Clark, B.	Hayes, D. S.	Novak	Taddonio
Cochran	Hayes, S. E.	Noye	Taylor, E.
Cole	Honaman	O'Brien, B.	Taylor, F.
Cornell	Hutchinson, A.	O'Brien, D.	Thomas
Coslett	Hutchinson, W.	O'Donnell	Trello
Cowell	Irvis	Oliver	Vroon
Davies	Itkin	Peterson	Wachob
Dawida	Johnson, E.	Petrarca	Wagner
DeMedio	Johnson, J.	Piccola	Wargo
DeVerter	Jones	Pievsky	Wass
DeWeese	Klingaman	Pistella	Weidner
DiCarlo	Knepper	Pitts	Wenger
Dietz	Knight	Polite	White
Dininni	Kolter	Pott	Williams
Dombrowski	Kowalyszyn	Pratt	Wilson
Donatucci	Kukovich	Pucciarelli	Wilt
Dorr	Laughlin	Punt	Wright, D.
Duffy	Lehr	Pyles	Wright, J. L.
Dumas	Letterman	Rappaport	Yahner
Earley	Levi	Rhodes	Yohn
Fee	Levin	Richardson	Zeller
Fisher, D. M.	Lewis	Rieger	Zitterman
Foster, A.	Livengood	Ritter	Zwikl
Foster, W.	Lynch, E. R.	Rodgers	
Freind	Lynch, F.	Ryan	Seltzer,
Fryer	Mackowski	Salvatore	Speaker

NAYS—24

Alden	Cunningham	Hoeffel	Reed
Belardi	Durham	Kernick	Rocks
Burns	Fischer, R. R.	Lashingar	Serafini
Cianciulli	Goebel	McKelvey	Sieminski
Clark, R.	Gruppo	Mrkonic	Telek
Cohen	Helfrick	Perzel	Zord

NOT VOTING—4

Borski	Brunner	Gray	Street
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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.

### RESOLUTION

#### COMMITTEE TO ESCORT THE SENATE

Mr. BELARDI offered the following resolution, which was read, considered and adopted:

In the House of Representatives,  
February 13, 1979.

RESOLVED, That the Speaker appoint a committee of two to escort the members and officers of the Senate to the hall of the House for the Purpose of Attending the Joint Session of the General Assembly.

#### COMMITTEE TO ESCORT SENATE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, the lady from Lancaster, Mrs. Honaman, as chairperson; and the gentleman from Allegheny, Mr. Gamble.

#### ADDRESS TO HOUSE

Mr. WHITE, under unanimous consent, addressed the House.

Mr. WHITE. Mr. Speaker, I rise to, at this time, ask that the members of the House would join with me in remembering the great contributions of the Reverend Richard Allen, who was born a slave in Philadelphia, Pennsylvania, in 1760. He worked as a slave for the then Attorney General of this great Commonwealth, Mr. Benjamin Chew.

Richard Allen bought his freedom by working odd jobs beyond those hours known as slave hours. He spent the years during the Revolutionary War traveling about the colonies preaching and ministering to the troops. In 1786, Richard Allen returned to Philadelphia where he preached at the historical St. George's Methodist Church. Some years later he founded what has become known worldwide as the African Methodist Episcopal Church, a church which boasts of more than 2 million members in this country; a congregation represented by more than 5,000 churches in the world.

I ask that the members of this House remember the great works of Richard Allen. Let us remember him as a humanitarian, as a churchman, as an educator, as a promoter of self-worth, of personal dignity and of self-help, because the ideals that he preached during the 71 years that he lived and the more than 60 years that he worked in the ministry are the same ideals and the same principles that we, as legislators, as public servants, must strive each and everyday of our careers to achieve.

Let us also remember that there is another man who worked primarily in the city of Philadelphia for the emancipation of what we termed those invisible shackles of segregation and discrimination. The Honorable Cecil B. Moore died this morning after an illustrious career as not only a civil-rights fighter, but as a noted attorney, an advocate of human rights and human

concerns. His death will leave a void in the minds and hearts of the people whom he tried to represent. It will leave a void in the lives of the people whom he tried to serve. And I would hope that we, too, will rededicate ourselves to meeting that principle that we are in fact all created equal; that we are entitled to those inalienable rights; that we will stand as Cecil stood, as Richard Allen stood, with the audacity to demand three meals a day for our bodies, education and culture for our minds, dignity and freedom for our spirits. Thank you, Mr. Speaker.

#### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker. I would suggest that we caucus now and return to the floor about 1:15 p.m.

#### ANNOUNCEMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Yes, Mr. Speaker. You were looking in the wrong direction.

Mr. Speaker, I would ask the minority party and any of our members, if they have amendments to the deficiency appropriation bill, to kindly, right now, before you leave this chamber, give them to the respective leadership. Some of you have already done this. Of course, it does not apply to you. But the worst thing that can happen to us is to come back on the floor and think we are going to handle a problem and find that there are more amendments that have to be considered and have to retire to the caucus rooms.

The purpose of our caucus is to discuss Legislative Reference Bureau candidates and the consideration of any amendments to the deficiency appropriation bill. Hopefully, we will get out of here today. If we have trouble with the deficiency appropriation, taking care of that problem, it may be that these ground rules will change. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if I could have unanimous consent to address the House?

The SPEAKER. The Chair asks the gentleman to yield until we come back after our recess.

Mr. RICHARDSON. I think that at that time there will be a joint session. Mr. Speaker, I just wanted to know if I could make some remarks about—

The SPEAKER. The Chair is asking the gentleman to yield. He will be recognized at the conclusion of the joint session. The House will be in session the rest of the afternoon to conduct other business.

#### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Does the minority leader have any announcements to make?

Mr. IRVIS. Yes, Mr. Speaker.

It will be necessary for the Democrats to meet in caucus. We

would ask that you go to get lunch now and come to the caucus chamber at precisely 12:45 p.m. There will be time then for a caucus of about one-half hour and then we shall have to come on the floor of the House. We ask that you please report to the minority caucus room at 12:45 p.m. Thank you, Mr. Speaker.

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

Mr. GEESEY. For the purpose of the introduction of a bill, Mr. Speaker.

The SPEAKER. Can the gentleman yield and offer those remarks after we come back?

Mr. GEESEY. Surely.

The SPEAKER. The Chair thanks the gentleman.

### RECESS

The SPEAKER. The Chair now declares this House in recess until 1:15 p.m.

Without objection, the recess is extended, at the request of the minority leader, for another half hour. The Chair hears none.

### AFTER RECESS

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

### HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

**No. 224** By Mr. STEWART, Mrs. CLARK, Messrs. TELEK, WASS and YAHNER

An Act amending the "Eminent Domain Code," approved June 22, 1964 (P. L. 84, No. 6), further providing for measure of damages; defining certain mobile homes as real property and adding a definition.

Referred to Committee on Judiciary.

**No. 225** By Messrs. WACHOB, W. D. HUTCHINSON, IRVIS, RYAN, MANDERINO, SCIRICA, NOYE, RHODES, MULLEN, RAPPAPORT, POLITE, RICHARDSON, LETTERMAN, O'DONNELL, ZELLER, WILLIAMS, KNEPPER, D. M. FISHER, CIMINI, WHITE, LASHINGER, COHEN, DeWEESE, KUKOVICH, D. R. WRIGHT, STUBAN, DONATUCCI, ALDEN, DAWIDA, MICHLOVIC, STEIGHNER, CAPPABIANCA, and SHADDING

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a program of pre-trial diversion.

Referred to Committee on Judiciary.

**No. 226** By Messrs. RHODES, SPENCER, WHITE, D. M. FISHER, RICHARDSON, WACHOB, O'DONNELL, WILLIAMS, LEVIN, MILLER, PICCOLA, DONATUCCI and KUKOVICH.

An Act establishing visitation rights for married inmates of State correctional institutions.

Referred to Committee on Judiciary.

**No. 227** By Messrs. W. D. HUTCHINSON, SPENCER, BERSON, IRVIS, SCIRICA, RHODES, WHITE, RICHARDSON, CIMINI, MILLER, ALDEN, LASHINGER, WACHOB, LEVIN, KUKOVICH, DONATUCCI, LEVI, PICCOLA and HELFRICK

An Act amending Title 42 (Judiciary and Judicial Procedures) of the Pennsylvania Consolidated Statutes, further providing for the qualifications, selection and service of jurors and providing penalties.

Referred to Committee on Judiciary.

**No. 228** By Mrs. GEORGE, Messrs. WEIDNER, GALLAGHER, YAHNER, WENGER, STUBAN, COLE, BURNS, WILSON, J. L. WRIGHT, FRYER and RODGERS

An Act amending the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," approved December 19, 1974 (P. L. 973, No. 319), further providing for duties of the county assessor, preferential assessment forms and separation or split-off of certain land.

Referred to Committee on Agriculture and Rural Affairs.

**No. 229** By Messrs. D. M. FISHER, KNEPPER, McVERRY, POTT, Mrs. KERNICK and Mr. TADDONIO

An Act proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for county offices in counties of the second class.

Referred to Committee on Urban Affairs.

**No. 230** By Messrs. COLE, ZORD, WILLIAMS, BARBER, POTT, IRVIS, Mrs. ARTY, Messrs. MILLER, RYAN, Mrs. HARPER, Messrs. NOYE, MANDERINO, STUBAN, COSLETT, DiCARLO, GOODMAN, SHUPNIK, D. R. WRIGHT, HOFFEL, DeWEESE, McCALL, STEWART, REED, O'DONNELL, GEORGE, B. F. O'BRIEN, WHITE, GRAY, ALDEN, RAPPAPORT, McMONAGLE, ZITTEMAN, KUKOVICH, PIEVSKY, JONES, ZELLER, J. J. JOHNSON, OLIVER, GAMBLE, MILANOVICH, TRELLO, Mrs. GEORGE, Messrs. SEVENTY, COWELL, GATSKI, AUSTIN, ZWIKL, DAWIDA, KNIGHT, DUFFY, YAHNER, FREIND, F. J. LYNCH and MRKONIC

An Act creating the Pennsylvania Cancer Control and Research Advisory Board and the Pennsylvania Cancer Control and Research Fund, \*\*\* to award grants and contracts for cancer control and research to nonprofit associations organized in Pennsylvania and to governmental agencies in Pennsylvania.

Referred to Committee on State Government.

- No. 231** By Messrs. COLE, ZORD, WILLIAMS, BARBER, POTT, IRVIS, MILLER, Mrs. ARTY, Messrs. RYAN, COSLETT, NOYE, MANDERINO, STUBAN, GOODMAN, SHUPNIK, GRAY, D. R. WRIGHT, HOEFFEL, DeWEESE, McCALL, STEWART, REED, O'DONNELL, GEORGE, B. F. O'BRIEN, Mrs. HARPER, Messrs. WHITE, ALDEN, McMONAGLE, ZITTERMAN, RAPPAPORT, KUKOVICH, PIEVSKY, JONES, ZELLER, J. J. JOHNSON, OLIVER, GAMBLE, MILANOVICH, TRELLO, Mrs. GEORGE, Messrs. SEVENTY, COWELL, GATSKI, AUSTIN, KNIGHT, ZWIKL, DAWIDA, DUFFY, YAHNER, FREIND, F. J. LYNCH and MRKONIC
- An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), increasing the rate of the tax and changing disposition of the tax.
- Referred to Committee on Finance.
- No. 232** By Mr. A. K. HUTCHINSON
- An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing a cost-of-living supplement.
- Referred to Committee on Education.
- No. 233** By Mr. A. K. HUTCHINSON
- An Act providing for the creation and appointment of a Fire Safety Board and the appointment of a Fire Safety Commissioner.
- Referred to Committee on State Government.
- No. 234** By Messrs. A. K. HUTCHINSON and PETRARCA
- A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, prohibiting the Supreme Court from suspending laws enacted by the General Assembly.
- Referred to Committee on State Government.
- No. 235** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing licensed clubs composed of volunteer firemen to serve persons who are active members of any volunteer fire fighting group in this Commonwealth.
- Referred to Committee on Liquor Control.
- No. 236** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act declaring certain indemnification covenants, promises, agreements or understandings to be void and unenforceable and providing for limited exceptions.
- Referred to Committee on Judiciary.
- No. 237** By Mr. A. K. HUTCHINSON
- An Act providing for leaves of absence for persons elected or appointed to certain governmental positions and providing penalties.
- Referred to Committee on Business and Commerce.
- No. 238** By Mr. A. K. HUTCHINSON
- An Act disqualifying certain persons from holding an elective office longer than the withdrawal date upon the filing of a nominating petition for another office.
- Referred to Committee on State Government.
- No. 239** By Mr. A. C. FOSTER, Miss SIRIANNI and Mr. CUNNINGHAM
- An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), requiring the home address at the time of application for an absentee ballot of persons in the military service.
- Referred to Committee on State Government.
- No. 240** By Messrs. A. C. FOSTER, GEESEY, CUNNINGHAM, LEHR and DORR
- An Act amending the act of June 1, 1956 (P. L. 1959, No. 657), referred to as the Public Official Compensation Law, abolishing the Commonwealth Compensation Commission.
- Referred to Committee on State Government.
- No. 241** By Messrs. A. C. FOSTER, KOLTER, GEESEY, BITTLE, LEHR and DORR
- An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for the exclusion of the sale and use of smoke detectors from the tax for education.
- Referred to Committee on Finance.
- No. 242** By Mr. A. K. HUTCHINSON
- An Act amending "The Auctioneers' License Act," approved September 29, 1961 (P. L. 1745, No. 708), further defining unlawful act and penalties therefor.
- Referred to Committee on Professional Licensure.
- No. 243** By Mr. A. K. HUTCHINSON
- An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further defining powers and duties of chief counsel to the Auditor General.
- Referred to Committee on Judiciary.
- No. 244** By Messrs. A. K. HUTCHINSON, PETRARCA and GEORGE
- A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for further limitations on disqualifications for service as election officers.
- Referred to Committee on State Government.
- No. 245** By Messrs. A. K. HUTCHINSON and SCHMITT
- An Act providing for certain medical insurance benefits to be included in certain policies.
- Referred to Committee on Insurance.

- No. 246** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), adding a definition of "local office" and further providing for powers of the department as to public assistance, changing county boards to advisory boards and redefining the powers and duties and further defining public assistance administration at the departmental and local levels.
- Referred to Committee on Health and Welfare.
- No. 247** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act amending the act of September 18, 1961 (P. L. 1389, No. 615), referred to as the County and Municipal State Highway Law, deleting a route in the City of Greensburg, Westmoreland County.
- Referred to Committee on Transportation.
- No. 248** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act providing for the registration and regulation of certain off-road vehicles including but not limited to all-terrain vehicles and trail bikes; imposing powers and duties on the Department of Environmental Resources and providing fees and penalties.
- Referred to Committee on State Government.
- No. 249** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, adding certain employees to the State Employees' Retirement System.
- Referred to Committee on State Government
- No. 250** By Mr. A. K. HUTCHINSON
- An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing certain sales on election day.
- Referred to Committee on Liquor Control.
- No. 251** By Mr. A. K. HUTCHINSON
- An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for compensation for accidental injury in certain instances.
- Referred to Committee on Insurance.
- No. 252** By Mr. A. K. HUTCHINSON
- An Act amending the act of April 18, 1978 (No. 24), entitled "A supplement to the act of December 22, 1977 (P. L. 346, No. 102), entitled 'An act providing for the capital budget for the fiscal year 1977-1978,' itemizing public improvement projects, to be constructed by the Department of General Services, together with their estimated financial cost; \*\*\*," providing for the emergency replacement of the boiler at Torrance State Hospital and making an appropriation.
- Referred to Committee on Appropriations.
- No. 253** By Messrs. A. K. HUTCHINSON and PETRARCA
- An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), providing for the vesting of pension benefits after twenty years of service.
- Referred to Committee on Local Government.
- No. 254** By Mr. GOEBEL
- An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing the use of tires containing studs during certain periods upon the payment of a fee.
- Referred to Committee on Transportation.
- No. 255** By Messrs. A. K. HUTCHINSON and PETRARCA
- A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania authorizing political activity by judges.
- Referred to Committee on State Government.
- No. 256** By Mr. A. K. HUTCHINSON
- An Act amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," providing cost-of-living allowances.
- Referred to Committee on Local Government.
- No. 257** By Mr. A. K. HUTCHINSON, Miss SIRIANNI, Messrs. DiCARLO and PETRARCA
- An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the width of certain vehicles.
- Referred to Committee on Transportation.
- No. 258** By Messrs. PICCOLA, LETTERMAN, ZORD, STAIRS, D. S. HAYES, KLINGAMAN, MANMILLER, REED, PRATT, F. J. LYNCH, TELEK, Mrs. ARTY, Messrs. HALVERSON, ITKIN, WILSON, NOYE, ZELLER, Mrs. TAYLOR and Mr. VROON
- An Act amending the "Pennsylvania Solid Waste Management Act," approved July 31, 1968 (P. L. 788, No. 241), further providing for certain publication and notice.
- Referred to Committee on Conservation.
- No. 259** By Messrs. PICCOLA, D. S. HAYES, MANMILLER, Mrs. TAYLOR, Messrs. NOYE, WILSON, ITKIN, HALVERSON, Mrs. ARTY, Messrs. TELEK, PRATT, REED, KNEPPER and VROON
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for eligibility to the office of school director.
- Referred to Committee on Education.
- No. 260** By Messrs. THOMAS, YAHNER, WENGER, W. W. FOSTER, STAIRS, MADIGAN, STUBAN, COLE, FRYER, ZELLER, KLINGAMAN, DeVERTER, HELFRICK,

<p>Mrs. HONAMAN, Messrs. ARMSTRONG, LEVI, ANDERSON, WILT, WASS, GRIECO, CIMINI, BOWSER, PITTS, Mrs. TAYLOR, Messrs. BROWN, CALTAGIRONE, CHESS, D. R. WRIGHT, A. C. FOSTER, Mrs. GEORGE and Mr. SCHEAFFER</p>	<p><b>No. 266</b> By Messrs. KNEPPER, J. L. WRIGHT, COHEN, D. M. FISHER, Mrs. KERNICK, Messrs. NOYE, REED, D. R. WRIGHT, KOLTER, ZORD, VROON, HOFFFEL, MILLER, BURD, WILT, WAGNER, ZWIKL and SCIRICA</p>
<p>An Act restricting the right to condemn prime agricultural lands for certain purposes. Referred to Committee on Agriculture and Rural Affairs</p>	<p>An Act requiring certain records of the Commonwealth,*** providing for remedial relief from the courts of common pleas; and providing penalties. Referred to Committee on Urban Affairs.</p>
<p><b>No. 261</b> By Messrs. PICCOLA, D. S. HAYES, MANMILLER, KNEPPER, PRATT, Mrs. ARTY, Messrs. HALVERSON, WILSON, NOYE, ZELLER, Mrs. TAYLOR and Mr. VROON</p>	<p><b>No. 267</b> By Messrs. KNEPPER, TRELLO, POTT, GAMBLE, MILANOVICH and GOEBEL</p>
<p>An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for alternative methods of equalizing tax levies among certain school districts. Referred to Committee on Education.</p>	<p>An Act making an appropriation to the Department of Transportation for the reconstruction of the Sewickley Bridge and the Thornburg Bridge in Allegheny County. Referred to Committee on Urban Affairs.</p>
<p><b>No. 262</b> By Messrs. PICCOLA, MANMILLER, REED, TELEK, NOYE, D. R. WRIGHT, SCHMITT and SALVATORE</p>	<p><b>No. 268</b> By Messrs. BITTLE, GEESEY, McCALL, HASAY, MUSTO, W. W. FOSTER, MACKOWSKI, LETTERMAN, WILT, KOWALYSHYN, SALVATORE, WARGO, SHUPNIK, ZELLER, Miss SIRIANNI, Messrs. HALVERSON, TELEK, SPENCER, GATSKI, B. F. O'BRIEN, L. E. SMITH, WILSON and SCHWEDER</p>
<p>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,***" removing sheriffs and district attorneys from the prison board. Referred to Committee on Local Government.</p>	<p>An Act establishing the responsibilities and liabilities of ski area operators and skiers in the sport of skiing. Referred to Committee on Business and Commerce.</p>
<p><b>No. 263</b> By Mr. SALVATORE, Mrs. ARTY, Messrs. ALDEN, PERZEL, McKELVEY, D. M. O'BRIEN and ROCKS</p>	<p><b>No. 269</b> By Mr. FREIND</p> <p>An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the Municipal Police Education and Training Law, further providing for the addition of first class city housing authorities in the definitions of "police officer" and "political subdivision." Referred to Committee on Urban Affairs.</p>
<p>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.</p>	<p><b>No. 270</b> By Mr. FREIND</p> <p>An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the duties of the Department of Justice. Referred to Committee on State Government.</p>
<p><b>No. 264</b> By Messrs. HASAY, B. F. O'BRIEN, SWEET, MUSTO, CAPPABIANCA, SERAFINI, BELARDI and COSLETT</p>	<p><b>No. 271</b> By Mr. FREIND</p> <p>An Act concerning the unit pricing of consumer commodities. Referred to Committee on Business and Commerce.</p>
<p>An Act providing for the licensing of clubs to conduct certain games of chance; providing for suspensions and revocations of licenses; requiring records and prescribing penalties. Referred to Committee on Liquor Control.</p>	<p><b>No. 272</b> By Mr. FREIND</p> <p>An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), requiring the affixing of official seals to liquor and alcohol packages and providing penalties. Referred to Committee on Liquor Control.</p>
<p><b>No. 265</b> By Messrs. KNEPPER, J. L. WRIGHT, COHEN, D. M. FISHER, HOFFFEL, NOYE, D. R. WRIGHT, KOLTER, MILLER, REED, ZORD, VROON, Mrs. KERNICK, Messrs. BURD, WILT, WAGNER, ZWIKL and SCIRICA</p>	<p><b>No. 273</b> By Mr. FREIND, Mrs. ARTY and Mr. GANNON</p> <p>An Act amending "The Marriage Law," approved August 22,</p>
<p>An Act amending the act of July 19, 1974 (P. L. 486, No. 175), entitled "An act requiring public agencies to hold certain meetings and hearings open to the public and providing penalties," further providing for open meetings of public agencies. Referred to Committee on Urban Affairs.</p>	



1953 (P. L. 1344, No. 383), providing for an immunity test for rubella and for certain disclosures.

Referred to Committee on Health and Welfare.

**No. 274** By Mr. J. L. WRIGHT

An Act amending the act of June 28, 1968 (P. L. 281, No. 136), entitled "An act concerning highways and bridges over the Delaware River," removing toll provision.

Referred to Committee on Transportation.

**No. 275** By Messrs. HALVERSON, SPENCER, HELFRICK, D. S. HAYES, ZORD, KLINGAMAN, L. E. SMITH, GOODMAN, STAIRS, GRIECO, POLITE, HASAY, E. H. SMITH, E. R. LYNCH, WILT, DIETZ, Mrs. CLARK, Messrs. TELEK, MUSTO, DOMBROWSKI, MADIGAN, BURD, WEIDNER, E. G. JOHNSON, R. R. FISCHER, PRATT, VROON, ZELLER, Mrs. TAYLOR, Messrs. BENNETT, ITKIN, PETERSON, SEVENTY, McCLATCHY, THOMAS, D. R. WRIGHT, BELARDI and SALVATORE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, removing prohibitions on the use of studded tires during certain periods and prescribing penalties.

Referred to Committee on Transportation.

**No. 276** By Messrs. REED, MRKONIC, CIMINI, STEWART and BROWN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for trespass.

Referred to Committee on Judiciary.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Senate presented the following bill for concurrence:

**SB 2, PN 2.**

Referred to Committee on Finance.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 13**

(Concurrent)

By Messrs. DiCARLO and SALVATORE

The General Assembly of the Commonwealth of Pennsylvania direct the Department of General Services to comply with the requirements of the Office of the Budget and immediately commence such work as is necessary to provide, as expeditiously as possible, emergency lighting for the Main Capitol Building.

Referred to Committee on Rules.

### COMMITTEE TO ESCORT SENATE

The SPEAKER. Will the committee appointed to wait upon the Senate proceed to the Senate?

### JOINT SESSION POSTPONED

The SPEAKER. For the information of the House, the members of the Senate have asked that we postpone the joint session for another 30 minutes. During the interim, it is the position of the Chair that we will start considering the amendments to HB 56.

Will the members please come to the floor and take their seats so that the business at hand can begin.

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

Mr. RITTER. Mr. Speaker, before you get to amendments, may I please interrogate the chairman of the Appropriations Committee, because unless I get a satisfactory answer, I cannot support any amendments.

The SPEAKER. The gentleman will yield until the bill is before us. I will then recognize him.

### CALENDAR BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 56, PN 116**, entitled:

An Act to further provide for the expenses of the Executive and Legislative Departments of the Commonwealth for the fiscal period July 1, 1978 to June 30, 1979, and to make additional appropriations from the Federal augmentation to the Executive and Legislative Departments for the fiscal period July 1, 1978 to June 30, 1979.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the gentleman from Lehigh, who indicates that he would like to interrogate the chairman of the Appropriations Committee, Mr. McClatchy. Will McClatchy permit himself to be interrogated?

Mr. McCLATCHY. Yes, Mr. Speaker.

The SPEAKER. Mr. McClatchy indicates that he will. The gentleman, Mr. Ritter, may proceed.

Mr. RITTER. Mr. Speaker, we are talking about approximately \$31 million or \$32 million in additional money. Is that correct?

Mr. McCLATCHY. That is right, Mr. Speaker.

Mr. RITTER. Mr. Speaker, would the gentleman indicate where this money is coming from?

Mr. McCLATCHY. Yes, I will, if the membership will be a little patient. The bill, I think, as it is presented, is a little hard to understand. Many members of our caucus thought the amounts appearing were new amounts.

If you look on line 21, for instance, you will see an amount in there of \$113,900,000 crossed out and a new figure inserted, reading \$100,217,000. This does not represent 100 million new dollars for the county boards of assistance. What it represents is a new figure of the 1978-79 budget for the county boards of assistance.

The original figure, when we passed that legislation, was roughly \$69 million, and to that this bill adds the \$31 million; roughly bringing it up to \$100,217,000.

Mr. RITTER. Mr. Speaker, I understand where the money is going. What I would like to know is, where did the money come from?

Mr. McCLATCHY. Okay. The funds for these items are coming from the following way: The first is \$21,900,000 from an unappropriated balance. This is money from the original revenue estimate last July, which gave us a little extra money in the budget that we had not yet appropriated or spent.

Secondly, we had a reduction in the supplemental grants of \$4,500,000, and this is state money. This was possible because of an unanticipated recovery of funds from the Federal Government. That state money is being replaced by Federal money.

Thirdly, we had the day-care fund reduction of state money of \$8,289,000, and this will again be replaced by Federal dollars, so that you have the unappropriated, \$21,900,000 and the reductions or the replacement by Federal money of \$4,500,000, \$8,289,000, and that is where the money is coming from for this appropriation.

Mr. RITTER. In other words, Mr. Speaker, there are no existing programs being cut?

Mr. McCLATCHY. That is right.

Mr. RITTER. And you are saying that the \$21.9 million is from unappropriated revenues that we had just—

Mr. McCLATCHY. That is correct.

Mr. RITTER. Mr. Speaker, one other question: I understand that there was an additional \$11 million from the Federal Government, and the figure you gave to me indicate that we are getting \$12.8 million in additional Federal dollars. Is there an explanation for that?

Mr. McCLATCHY. Do you mean the \$11 million as it appears in the bill?

Mr. RITTER. No. The explanation that I have is that we are getting an additional \$8.7 million from the Federal Government. That would replace the state money that we had put in for the day-care programs, but then you also said that we are adding \$4.5 million?

Mr. McCLATCHY. The \$4.5 million and the \$8,289,000 is the replacement of the Federal dollars. I do not know where you get the \$11 million from.

Mr. RITTER. In other words, you are saying then that we got an additional \$12.8 million, approximately?

Mr. McCLATCHY. That is correct.

Mr. RITTER. I thank the gentleman, Mr. Speaker.

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

Mr. PICCOLA. Would the chairman of the Appropriations Committee yield for interrogation?

Mr. McCLATCHY. I will.

The SPEAKER. The gentleman indicates that he will, and the gentleman, Mr. Piccola, may proceed.

Mr. PICCOLA. Mr. Speaker, the additional \$31 million that you were referring to in your interrogation by Mr. Ritter, will that, in your opinion, be sufficient to carry our county boards of assistance through this fiscal year to January 30 of 1979?

Mr. McCLATCHY. Mr. Speaker, the amount of money the county boards of assistance need to continue until the end of the year is a matter of debate. The department feels that it needs \$44,900,000. The Appropriations Committee, in its wisdom, felt that at this point in time it was only willing to give them \$31,207,000. I have no way of knowing whether this will,

in fact, carry us into the end of the year. I am willing, however, to give our Governor at least 2 months to work on this \$31-million figure, to make the attempt to live within that guideline, to try and keep costs back or to try and determine that he in fact needs more money.

That is where we stand, at least where I stand, on my recommendation of the \$31 million.

Mr. PICCOLA. From your response then, I can assume that it is quite likely that there will be a request for another supplemental appropriation, perhaps sometime in May, to carry us through June?

Mr. McCLATCHY. Mr. Speaker, that is a possibility. We have a long list of deficiencies that we should be dealing with. I see some amendments on the floor today trying to deal with others. Hopefully, within 2 months we will know exactly where we stand on how much money will be available to give to county boards, if in fact they need more; to give the nursing homes, if in fact we can; to give the medical assistance program additional funds, if in fact we can at that point.

Mr. PICCOLA. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. PIEVSKY offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 22 and 23  
Private nursing homes . . . . . 93,683,000  
For payment to private nursing homes for skilled nursing care and intermediate care for persons eligible for medical assistance services.  
No money shall be disbursed from this appropriation for services provided in hospital based long-term care facilities or long-term care units of acute care hospitals.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I briefly mentioned beforehand that the Appropriations Committee, in its wisdom, cut back the county boards' requests by \$13 million. At this point in time I have no way of knowing whether they will be able to continue the county boards for the full year on this amount. I certainly would hope that they can. What I would like to do is to give our new Governor and the new Secretary of Welfare, who has not even been approved by the Senate yet, a chance to work on these deficiencies and these needs.

The amendment before us purports to use the \$13 million for private nursing homes. I am opposing this amendment at the present time for at least a period of 2 months to see where we are and, hopefully, at that time we can determine how much extra money we will have from any other deficiency or any other unappropriated funds, or whatever, that we might, in turn, use towards both nursing homes and county boards.

I think it would just give the new Governor and the new Secretary a little added time before we deal with this important matter.

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

Mr. PIEVSKY. Mr. Speaker, I offered an amendment to HB

56 in the committee last week that reduced the appropriation for county welfare administration from \$44,900,000 to \$31,217,000, a reduction of \$13,683,000. Having reduced HB 56 by \$13,683,000, this amount is now available for the appropriation as we determine.

Mr. Speaker, I propose to amend HB 56 now to place that \$13,683,000 in the appropriation for private nursing homes. This appropriation reimburses private nursing homes for services provided to medical-assistance eligible clients.

Last week, Governor Thornburgh reaffirmed Governor Shapp's request for a \$16 million state fund deficiency for private nursing homes in the remaining months of this fiscal year. This is the second year in a row that a deficiency has developed in this appropriation because of a rapid growth in the number of days of service provided to eligible clients by an increasing number of service providers. We are behind in funding an appropriation which pays for services provided to the aged and infirmed citizens in virtually every legislative district across this state. We are all aware of the difficulties in placing constituents in nursing homes. So we should at least not make this situation worse.

Let me remind every member, Mr. Speaker, that when funds run out and this appropriation payment for service providers stops—Let me repeat that, Mr. Speaker: When the funds run out in this appropriation, payments to nursing homes stop.

Earlier this year the Welfare Department informed us that if funds are not provided to cover the \$16-million deficiency for the current fiscal year, payments will stop at the end of April, 1 month sooner than last year.

Given the normal lag of 2 months from the time a nursing home submits an invoice for payment until payment is received and the fact that most nursing homes do not have large cash reserves to cover operating expenses when payments are delayed, any additional time added to the payment cycle because this General Assembly has not appropriated sufficient funds could be disastrous.

Mr. Speaker, because of last year's shortfall in this appropriation, many nursing homes had to seek short-term bank loans to continue operating. Those homes fortunate enough to obtain loans, paid double-digit interest for such funds. Those not so fortunate—and I am speaking primarily of the small nursing homes—continued operating only because vendors agreed to supply without payment.

This year, I am told, homes have already been notified of the possible cutoff of funds 2 months before the end of the fiscal year. I am also told—and maybe some of you have been told by the nursing homes in your own districts—that the banks are refusing to provide credit or are charging prohibitively high interest rates. And it is important to note, Mr. Speaker, that even though interest charges will be reimbursed by the state, such reimbursements will be made only up to the regional ceilings.

In addition, Mr. Speaker, interest costs are apportioned over all clients in a facility. Therefore, private patients end up paying a portion of the interest cost incurred.

Mr. Speaker, the consequences of not providing additional funds to insure continued reimbursement of private nursing

homes, especially those homes serving large numbers of medical-assistance patients, are serious. Therefore, I am offering an amendment to HB 56 that increases the current state-fund appropriation for private nursing homes from \$80,000,000 to \$93,683,000. This increase of \$13,683,000 is the amount cut from the additional appropriation of county administrations by the Appropriations Committee.

Mr. Speaker, I urge every member to support this amendment and also to support the bill when it is finally voted. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, just a couple of points in response to Mr. Pievsky's argument in support of the nursing home appropriation.

I think it is important for all of the members to understand that we are not giving the nursing homes any more money. They are not running out of money the way the county boards of assistance are going to run out of money at the end of this month. They still have two additional months to go before they find a shortage in their funds. Again, we are not giving them any more money. All we are talking about now is to continue their funding in the months of May and June.

I am asking for a delay in this appropriation for at least 2 months to give the new Governor a chance to peruse exactly how much the county boards do need and, in fact, whether they do need any more or whether they can live within the \$31 million, and then to appropriate either to nursing homes for medical assistance or to any of the others on the long list of the deficiencies that are now facing the state. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, I will relinquish the floor to Mr. Pievsky. Apparently he has some further remarks to make.

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

Mr. PIEVSKY. Mr. Speaker, I wonder if I could interrogate briefly the majority appropriations chairman?

The SPEAKER. The gentleman indicates that he will stand for interrogation. You are in order and may proceed, Mr. Pievsky.

Mr. PIEVSKY. Mr. Speaker, do you recall a meeting in the Governor's mansion last Wednesday?

Mr. McCLATCHY. Yes, Mr. Speaker.

Mr. PIEVSKY. Was there a deficiency in the nursing home appropriation according to Dr. Wilburn and the Governor?

Mr. McCLATCHY. Yes, Mr. Speaker, and that purported deficiency will be about \$16 million.

Mr. PIEVSKY. How much was that appropriation?

Mr. McCLATCHY. Sixteen million dollars.

Mr. PIEVSKY. That is correct.

In other words, you are saying, Mr. Speaker, that there is true deficiency in the nursing home appropriation according to Dr. Wilburn and according to the Governor?

Mr. McCLATCHY. That is true, Mr. Speaker. Yes.

Mr. PIEVSKY. Mr. Speaker, I have no further questions.

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

Mr. LAUGHLIN. Mr. Speaker, would the gentleman, Mr. McClatchy, please stand for interrogation?

Mr. McCLATCHY. Yes, Mr. Speaker.

Mr. LAUGHLIN. Mr. Speaker, the deficiency appropriation that we are going to be voting on for the nursing homes, as well as the major portion of HB 56 dealing with the deficiency for the Welfare Department, I talked to Deputy Secretary Jones today relative to these appropriations, and the information I am getting, Mr. Speaker, is that even though we are making these appropriations today to save ourselves from the March 1 deadline, when the department will no longer be able to pay the salaries of these people working in the counties who handle these projects, we are also faced with the proposition of a funding shortfall come June 1 to June 10, even though they do not fill vacancies that are presently available in the Welfare Department in these sections. Could you tell me if you have any information on that particular matter, Mr. Speaker?

Mr. McCLATCHY. Mr. Speaker, are you talking about the \$31-million appropriation?

Mr. LAUGHLIN. Yes, I am.

Mr. McCLATCHY. I think the department's position up until now, from everything I can read, is that they need the \$44,900,000 appropriation, that was originally brought before the Appropriations Committee, to avoid any cutback in service until the end of June.

Mr. LAUGHLIN. Mr. Speaker, then I would ask you this question: By transferring this \$13-million appropriation to nursing homes, which we are doing by taking it out of one fund and putting it aside for a separate appropriation, we really are not solving the problem; we are merely putting it off until June 10?

Mr. McCLATCHY. That is correct, Mr. Speaker, and, in addition, if we spend the money for the nursing homes, there is every possibility that the county boards will close in June without any money to continue their operations, and welfare checks will stop in June.

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

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

Mr. MULLEN. Mr. Speaker, I would like to interrogate my friend, the Appropriations Committee chairman.

The SPEAKER. Mr. McClatchy indicates he will stand for interrogation. Mr. Mullen may proceed.

Mr. MULLEN. Actually I would like to make a little admonishment, because I am terribly concerned about what is happening here today. If you recall, Mr. Speaker, just a month or so ago we appropriated \$10 million for a deficiency. Now we have another \$31 million. That is \$41 million, and then you tell us we may have another deficiency that will come later on for the last 2 months of the fiscal period. So, really, basically we should be coming up with a deficiency appropriation for this one item alone of \$50 million in state money. Now when you re-

call that the Federal Government puts up 56 percent of the money and we put up 44 percent of the money, we are going to have a deficiency in this one item alone in excess of \$100 million. Now what I am trying to do—and I had that job that you have for many years and I know it is difficult, but all I am trying to do, since I am no longer on the Appropriations Committee—but I wish you fellows, when you adopt a budget this year, will come up with some realistic figures.

Now getting back to the amendment that is before us today, Mr. Pievsky's amendment, this has me upset, too. Mr. Pievsky is asking for a \$13-million deficiency appropriation for the nursing homes. Now you say that the Governor has already admitted that there is going to be a deficiency of \$15 million or \$16 million. Again we have a situation there where the Federal Government puts up 56 percent of the money and the state is putting up 44 percent, and we are only talking about, you know, 44 percent of the money, and we are talking about \$15 million. So what has happened here, really, when you put both the deficiency for the cash grant payments and the deficiency for the nursing homes, you are talking about in the neighborhood of over \$100 million, and we just cannot operate the government this way and hope to avoid new taxes. So all I can say to you is, please, when you get down to brass tacks this time, come up with some realistic figures, because nobody can tell me that we can make mistakes like this. Now I know we lost this countercycle money. We should have never counted that in because we were not planning on getting it, and we have also been told that we are not going to have any deficiency at all. Now is that your impression, Mr. Speaker? Are we going to have a deficit at the end of the fiscal period?

Mr. McCLATCHY. First of all, Mr. Speaker, I find myself in a very embarrassing position. I did not come before the House today to support or defend the Department of Welfare. The budget problems that are creating the deficiency today were created by the past administration and by past fiscal policies determined by this House and Senate last July. It is certainly my hope and it is certainly my determination that this year we will not build in any deficit or come up with any fake figures that will permit a deficit next year.

Mr. Speaker, I think that we all realized last July that we did not appropriate enough money for the Welfare Department. They told us that, and we did not choose to listen to them. In addition, we spent other available moneys for other programs, such as court costs for Philadelphia. In our wisdom that is the way we decided to spend them. I think that we have been talking about a deficiency for the Welfare Department almost from the beginning of July 1 last year, with full knowledge that this would happen. I will not argue whether they need \$44.9 million or whether it is \$31 million. I am willing to give the new Governor and his new Secretary 2 months to figure out whether they can live within the \$31 million. There is no question in my mind, from the facts and figures presented by the past Budget Secretary, by the past administration, that they were requesting \$44.9 million and that the totals were in the offing long before today. I would only conclude that certainly it is my determination to not go through this again.

Mr. MULLEN. Mr. Speaker, at this particular point in time,

are you or your staff in a position to evaluate what the deficit, if any, will be at the end of the fiscal period?

Mr. McCLATCHY. Mr. Speaker, we really do not know. The Governor, I think, is estimating anywhere between a \$50-million and \$100-million deficit. I think we have been talking at the briefings of the leadership last week, Democrats and Republicans, that revenues are up, that lapses will be in higher amounts than they anticipated, and, hopefully, the deficit that was projected earlier of roughly \$200 million or more will be cut down to either the 50's or the 100's, somewhere in that area. I have not gotten any definite figure yet from the Budget Secretary, but, hopefully, that deficit will be down to a manageable figure and we will be able to handle it within next year's budget without any increase in new taxes.

Mr. MULLEN. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—84

Austin	Fryer	Levin	Rhodes
Barber	Gallagher	Livengood	Rieger
Beloff	Gamble	Manderino	Ritter
Berson	Gatski	McCall	Rodgers
Borski	George, C.	McIntyre	Schmitt
Caltagirone	Goodman	McMonagle	Schweder
Cappabianca	Grabowski	Mrkoncic	Seventy
Chess	Gray	Mullen, M. P.	Shadding
Cianciulli	Greenfield	Musto	Shupnik
Clark, B.	Halverson	Novak	Steighner
Cochran	Harper	O'Brien, B.	Stewart
Cohen	Hoeffel	O'Donnell	Stuban
Cunningham	Hutchinson, A.	Oliver	Sweet
DeMedio	Irviss	Petrarca	Taylor, F.
DeWeese	Itkin	Pievsky	Trello
DiCarlo	Johnson, J.	Pistella	Wargo
Dombrowski	Jones	Pott	Wass
Donatucci	Knight	Pratt	Wright, D.
Duffy	Kowalshyn	Pucciarelli	Zeller
Dumas	Laughlin	Rappaport	Zitterman
Fee	Letterman	Reed	Zwilk

NAYS—115

Alden	Freind	Madigan	Sieminski
Anderson	Gallen	Manmiller	Sirianni
Armstrong	Gannon	McClatchy	Smith, E.
Arty	Geesey	McKelvey	Smith, L.
Belardi	Geist	McVerry	Spencer
Bittle	George, M.	Michlovic	Spitz
Bowser	Gladeck	Micozzie	Stairs
Brandt	Goebel	Milanovich	Street
Brown	Grieco	Miller	Swift
Burd	Gruppo	Moehlmann	Taddonio
Burns	Hasay	Mowery	Taylor, E.
Cessar	Hayes, D. S.	Murphy	Telek
Cimini	Hayes, S. E.	Nahill	Thomas
Clark, R.	Helfrick	Noye	Vroon
Cole	Honaman	O'Brien, D.	Wachob
Cornell	Hutchinson, W.	Perzel	Wagner
Coslett	Johnson, E.	Peterson	Weidner
Cowell	Kernick	Piccola	Wenger
Davies	Klingaman	Pitts	White
Dawida	Knepper	Polite	Williams
DeVerter	Kolter	Punt	Wilson
Dietz	Kukovich	Pyles	Wilt
Dininni	Lashingner	Richardson	Wright, J. L.
Dorr	Lehr	Rocks	Yahner

Durham	Levi	Ryan	Yohn
Earley	Lewis	Salvatore	Zord
Fischer, R. R.	Lynch, E. R.	Scheaffer	
Fisher, D. M.	Lynch, F.	Scirica	Seltzer,
Foster, A.	Mackowski	Serafini	Speaker
Foster, W.			

NOT VOTING—3

Bennett	Brunner	Giammarco
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The question was determined in the negative, and the amendment was not agreed to.

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

Amend Sec. 2, page 3, by inserting between lines 5 and 6  
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum of \$8,715,000 appropriated from Commonwealth revenues for services for the aging:  
Food Distribution (Food Donation Program). \$2,500,000

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

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, my amendment provides \$2.5 million for the Meals on Wheels program in the State of Pennsylvania. This program covers all 48 aging agencies in the state, and it provides 38½ cents reimbursement per meal that is served to over 200,000 of our elderly, the blind, and the disabled people.

I would certainly think that this is to the advantage of everybody, and this is all Federal money—we are not taking anything from the state; it is Federal money—and I would ask for a "yes" vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I oppose the amendment.

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

The following roll call was recorded:

YEAS—103

Alden	Gallagher	Letterman	Rieger
Austin	Gamble	Levin	Ritter
Barber	Gannon	Livengood	Rodgers
Beloff	Gatski	Manderino	Schmitt
Berson	George, C.	McCall	Schweder
Borski	George, M.	McIntyre	Seventy
Brown	Giammarco	McMonagle	Shadding
Caltagirone	Goebel	Michlovic	Shupnik
Cappabianca	Goodman	Micozzie	Sieminski
Chess	Grabowski	Milanovich	Steighner
Cianciulli	Gray	Mrkoncic	Stewart
Cimini	Greenfield	Mullen, M. P.	Street
Clark, B.	Grieco	Musto	Stuban
Cochran	Harper	Novak	Sweet
Cohen	Hoeffel	O'Brien, B.	Taylor, F.
Cole	Hutchinson, A.	O'Donnell	Trello

Cowell	Irvis	Oliver	Wachob
DeMedio	Itkin	Petrarca	Wargo
DeWeese	Johnson, J.	Pievsky	White
DiCarlo	Jones	Pistella	Williams
Dombrowski	Kernick	Pratt	Wright, D.
Donatucci	Knight	Pucciarelli	Yahner
Duffy	Kolter	Rappaport	Zeller
Dumas	Kowalyszyn	Reed	Zitterman
Fee	Kukovich	Rhodes	Zwinkl
Fryer	Laughlin	Richardson	

NAYS—97

Anderson	Foster, W.	Manmiller	Sirianni
Armstrong	Freind	McClatchy	Smith, E.
Arty	Gallen	McKelvey	Smith, L.
Belardi	Geesey	McVerry	Spencer
Bittle	Geist	Miller	Spitz
Bowser	Gladeck	Moehlmann	Stairs
Brandt	Gruppo	Mowery	Swift
Burd	Halverson	Murphy	Taddonio
Burns	Hasay	Nahill	Taylor, E.
Cessar	Hayes, D. S.	Noye	Telek
Clark, R.	Hayes, S. E.	O'Brien, D.	Thomas
Cornell	Helfrick	Perzel	Vroon
Coslett	Honaman	Peterson	Wagner
Cunningham	Hutchinson, W.	Piccola	Wass
Davies	Johnson, E.	Pitts	Weidner
Dawida	Klingaman	Polite	Wenger
DeVertter	Knepper	Pott	Wilson
Dietz	Lashinger	Punt	Wilt
Dininni	Lehr	Pyles	Wright, J. L.
Dorr	Levi	Rocks	Yohn
Durham	Lewis	Ryan	Zord
Earley	Lynch, E. R.	Salvatore	
Fischer, R. R.	Lynch, F.	Scheaffer	Seltzer,
Fisher, D. M.	Mackowski	Scirica	Speaker
Foster, A.	Madigan	Serafini	

NOT VOTING—2

Bennett	Brunner
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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?

Mr. TAYLOR offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 22 and 23  
 For the 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 . . . . . 106,349,000

On the question,

Will the House agree to the amendment?

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

Mr. TAYLOR. Mr. Speaker, this amendment simply gives to the mental health and mental retardation programs throughout the Commonwealth an additional \$500,000. In several counties in the Commonwealth, these programs are in serious trouble. In my particular county of Fayette, it is not a serious condition; it is critical. It is so critical that at the end of this

month our program completely collapses. I could explain to you briefly how this came about.

One of the reasons was that from the state to the executive directors who run the MH-MR programs, counties such as Fayette and small counties were used as a "bank" by the department for those small counties who did not expend their moneys on time or did not have the staffs that were qualified. In the last several years Fayette County has given up hundreds of thousands of dollars of their MH-MR program back to the state. This year we finally got some of our people on line and then we went back to the state to ask for the money, and they said they did not have any more money, but yet our executive director was spending it. As a result, our program will be totally financially collapsed at the end of February.

I brought this question up and I presented it to our caucus and then found out that there were several other areas in the Commonwealth that were experiencing not as critical a condition but serious conditions, and these are areas such as Lehigh County, Erie County, and I think Monroe, Northumberland, and several of these other counties. In Fayette County we actually needed \$156,000 just to keep our program alive until the end of the fiscal year. Our director had laid off 21 people. He cut back by \$55,000 in November, and then he stretched this until the end of February.

Now here we are faced with this dilemma, so I, in conjunction with these other members, have put in this amendment of \$500,000 to the MH-MR program in the Commonwealth so that the seriously ill may be able to survive until the end of the fiscal year. The critically ill, such as Fayette County, the most serious in this Commonwealth, will not suffer its demise at the end of this month. I would appreciate the support of each and every one of you on behalf of all of the mentally ill and mentally retarded children in this Commonwealth who seriously need these. These shops are going to be closed. Thank you.

The SPEAKER. The Chair recognizes the chairman of the Appropriations Committee, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I had serious reservations about this amendment because, again, we are spending money that we are not sure we have. Unfortunately, we have not been able to get any information, clear information, out of the department as to whether they will in fact have the \$500,000 to keep these places open. There was some indication that they were able to do it through departmental changes — taking moneys from someplace else — but I have not been able to verify that, and since this is a matter where these places will close at the end of this month, I would agree to this amendment, Mr. Speaker.

Mr. TAYLOR. Thank you very much.

The SPEAKER. Will the gentleman, Mr. Taylor, indicate to the Chair the number of his amendment?

Mr. TAYLOR. This amendment is A78.

The SPEAKER. The Chair thanks the gentleman.

Mr. TAYLOR. And let me say this, Mr. Speaker: Since they have agreed to accept this amendment, I want to withdraw amendments A79 and A67. Thank you very much.

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

Mr. DOMBROWSKI. Mr. Speaker, I would just like to briefly interrogate Mr. Taylor.

The SPEAKER. Will the gentleman from Fayette permit himself to be interrogated?

Mr. TAYLOR. Yes, I will, Mr. Speaker.

The SPEAKER. He indicates that he will, and the gentleman from Erie may proceed.

Mr. DOMBROWSKI. Mr. Speaker, earlier in discussions with you I told you that I wanted to offer an amendment to this bill, and you felt that my amendment could be taken care of under this \$500,000. As I read this amendment, it says it is for mental health and mental retardation programs. My amendment would not come under that program. Would it still be covered?

Mr. TAYLOR. Yes, it is, because that is the state allocation. It is not specifically for each county. Your county is, I think, in serious condition. I think it is around \$57,000.

Mr. DOMBROWSKI. Yes.

Mr. TAYLOR. Yes, yours will be included, and we are going to try to keep them all alive until the end of the fiscal year.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

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

Mr. GOEBEL. Mr. Speaker, I wonder if the Appropriations Committee chairman would subject himself to interrogation.

Mr. McCLATCHY. Yes, Mr. Speaker.

Mr. GOEBEL. Mr. Speaker, I was just wondering. You were not really clear where the money was coming from. You said you thought they could get it together but they were not too sure about it. Say they do not have it. Then where are we going to get it? Are we going to have a tax increase or what to you think?

Mr. McCLATCHY. No, Mr. Speaker. I think what we are talking about now is, we cut the county boards appropriation by \$13 million. We are using \$500,000 of that cut to fund the problem in Fayette County and those northwestern counties for mental health—mental retardation only because I had not been able to gain the information from the department as to whether there are any extra funds available by robbing from Peter to pay Paul in the mental health-mental retardation programs all over the state.

Mr. GOEBEL. In other words, though, if we vote for this, there will be a guarantee that we are not going to vote for a tax increase or that there is going to be a deficiency later on?

Mr. McCLATCHY. That is right, Mr. Speaker. It has nothing to do with a vote for an increase in taxes.

Mr. GOEBEL. All right. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—190

Alden	Fryer	Livengood	Scheaffer
Anderson	Gallagher	Lynch, E. R.	Schmitt
Arty	Gallen	Lynch, F.	Schweder
Austin	Gamble	Mackowski	Scirica
Barber	Gannon	Madigan	Serafini
Belardi	Gatski	Manderino	Seventy

Beloff	Geesey	Manmiller	Shadding
Berson	Geist	McCall	Shupnik
Bittle	George, C.	McClatchy	Sieminski
Borski	George, M.	McIntyre	Sirianni
Bowser	Giammarco	McKelvey	Smith, E.
Brandt	Gladeck	McMonagle	Smith, L.
Brown	Goebel	McVerry	Spencer
Burd	Goodman	Micozzie	Spitz
Burns	Grabowski	Milanovich	Stairs
Caltagirone	Gray	Miller	Steighner
Cappabianca	Greenfield	Moehimann	Stewart
Cessar	Grieco	Mrkonic	Street
Chess	Gruppo	Mullen, M. P.	Stuban
Cianciulli	Halverson	Musto	Sweet
Cimini	Harper	Nahill	Swift
Clark, B.	Hasay	Novak	Taddonio
Clark, R.	Hayes, D. S.	O'Brien, B.	Taylor, E.
Cochran	Hayes, S. E.	O'Brien, D.	Taylor, F.
Cohen	Helfrick	O'Donnell	Telek
Cole	Hoeffel	Oliver	Thomas
Cornell	Honaman	Perzel	Trello
Coslett	Hutchinson, A.	Peterson	Vroon
Cowell	Hutchinson, W.	Petrarca	Wachob
Cunningham	Irvic	Pievsky	Wagner
Davies	Itkin	Pistella	Wargo
DeMedio	Johnson, E.	Pitts	Wass
DeWeese	Johnson, J.	Polite	Weidner
DiCarlo	Jones	Pott	Wenger
Dininni	Kernick	Pratt	White
Dombrowski	Klingaman	Pucciarelli	Williams
Donatucci	Knepper	Punt	Wilson
Dorr	Knight	Pyles	Wilt
Duffy	Kolter	Rappaport	Wright, D.
Dumas	Kowalshyn	Reed	Wright, J. L.
Durham	Kukovich	Rhodes	Yahner
Earley	Lashinger	Richardson	Yohn
Fee	Laughlin	Rieger	Zeller
Fischer, R. R.	Lehr	Ritter	Zitterman
Fisher, D. M.	Letterman	Rocks	Zwinkl
Foster, A.	Levi	Rodgers	
Foster, W.	Levin	Ryan	Seltzer,
Freind	Lewis	Salvatore	Speaker

NAYS—10

Armstrong	Dietz	Murphy	Piccola
Dawida	Michlovic	Noye	Zord
DeVerter	Mowery		

NOT VOTING—2

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

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I would like just to take a minute to inform the membership that on the Meals on Wheels program that we passed just recently using Federal augmentation funds, it is our intention during the next month or two to reallocate or redistribute Federal augmentation moneys and that this \$2,500,000 could very well be taken care of at that time, as well as other programs. It was a little bit precipitous to do it today, but we will be doing others at that time.

On the question recurring,

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

Mr. TRELLO offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 26 and 27  
 To the Department of Transportation  
 For the Commonwealth's share of the  
 reconstruction and repair of the Sewickley  
 Bridge and the Thornburg Bridge in Allegheny  
 County . . . . . \$2,600,000

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

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

Mr. TRELLO. Mr. Speaker, I introduced this amendment because I think we all know that the number one problem in the nation, and certainly in Pennsylvania, is our road and bridge problem. I do not think that I am taking advantage of a vehicle that makes it convenient for me to bypass the committee process and offer this amendment.

I do not feel that a person should come up with an amendment that eliminates all of the problems and the work that goes along with finishing a project. I would like to have this body know that a lot of work was done on these two particular bridges. Number one, as you know, you need the Federal Highway Administration to approve the Federal matching funds. That has been done by our committee. Number two, allowing us to replace a two-lane bridge with a two-lane bridge also came from the Federal Highway Administration. Three years of work went into this Sewickley Bridge project and the Thornburg Bridge project. I know that there are a lot of members here who have bridge problems and road problems in their areas, and I suggest to them, do your homework; get all of the red tape out of the way; and take your final step to get Federal approval, which is your final design money.

The Sewickley Bridge is not just a Sewickley bridge. It represents 40 communities and 160,000 industrial jobs. It also is in the airport disaster area program, as far as a disaster is concerned, in conjunction with the Sewickley Hospital that is on the other side of the bridge. This is a problem that is going to affect approximately \$150 million in new developments in that area. The investors will not invest the money unless the bridge is there, because they feel it would be futile to invest the money and not be able to get a return. Now \$150 million will represent an awful lot of new taxes for the State of Pennsylvania.

I urge everyone who has this problem to bring up legislation to support your particular project, but do your homework first. There are an awful lot of tax dollars here. It is not just a bridge. I would like to have you give that serious consideration and support my amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I oppose the amendment. I think it is wrong to use these kinds of moneys for bridge reconstruction or bridge repair at this moment. That is my serious comment. My facetious comment would be that I would like to reserve this money for maybe a tax vote later on in the year.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I appreciate Mr. Trello's concern. I recognize that he has a problem. My problem is that I have one also. At this very moment there is a delegation from Armstrong County with Senator Stapleton in the Department of Transportation meeting about a bridge in Oak Ridge Community. This is a true emergency.

It was my feeling, however, that this is not the proper vehicle to address that problem. I am going to vote against this amendment. But if it passes, Mr. Speaker, I would like to be recognized in order to move that we postpone the consideration of this bill until I can draft an amendment which will take care of the community of Oak Ridge.

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

Mr. POTT. Thank you, Mr. Speaker. I support the comments of Mr. Trello. These bridges have been defined as two of the most critical bridges in the state under repair. One is presently closed, which was shut down about a month ago, and the other is on a day-to-day basis, and for those of you in Beaver County and other parts of Allegheny County, your bridges are the ones that are picking up the increased load, the increased traffic from these bridges. The bridges have sort of a domino effect. As one bridge goes down, then the one that is in the next community will go down because of the diversion of the traffic.

The Sewickley Bridge is the main artery between the Sewickley Valley Hospital and Greater Pittsburgh Airport. Should any emergency occur at Greater Pittsburgh Airport, there was no direct means of getting patients across the Ohio River for immediate medical care.

In addition, there is a college on one side of the river and students on the other, not only to mention the amount of employment that is affected on a day-to-day basis by the problems with the closing of these bridges.

I certainly would appreciate consideration from all the members of the General Assembly in supporting Mr. Trello's amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Stuban.

Mr. STUBAN. Mr. Speaker, I thank you, and I agree with Mr. Trello that this is the number one priority in the State of Pennsylvania. But I do not think this is the method to take to answer the problem.

I, too, have the same problem. My bridge is ready to go. We have Federal money and we have everything else to go along with it, but they do not have it over there in PennDOT to get ready.

If you look through the whole Susquehanna Valley along the Susquehanna River, I think there are a good many bridges that have that same problem. We are also in industrial areas. We cannot get school buses across there, and you have got to realize, Mr. Trello, that my poor farmers cannot get their corn and wheat to the mills so you people can get bread there.

So I think if we are going to address this problem, we have a Governor here who ran and said that he knows what he could



do with PennDOT. He says that he knows and realizes the problem of our bridge and highway systems there. I met yesterday with my Senator and the designated Secretary of Highways and I assure you that he knows the problem, and that it is the priority of this State of Pennsylvania, and I think that we ought to settle the priority but settle it for the entire state and not for individual areas.

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

Mr. TRELLO. Thank you, Mr. Speaker.

I hope that we do not take the position here today that if I do not get mine, you are not going to get yours.

You know, I am not what you call a veteran in this great prestigious House of Representatives, but in the 4 years that I have served here, I delivered a lot of votes to a lot of Representatives here where it did not benefit my district one bit, and the only reason why I am pleading for your support right now is because I feel that this particular area that we have is in a state of emergency right now. We have 28,000 vehicles a day going across the two-lane bridge in the Sewickley area. That affects our hospitals, our high industrialized area, U. S. Steel, in particular, American Bridge, and so forth. We also have about 22,000 vehicles a day going across the Thornburg Bridge, and the speed limit is 10 miles an hour there. That is how bad it is.

One more thing that one of the gentlemen said is that his bridge is all ready to go, and so forth. To my recollection, looking at the Federal Highway Administration reports, there are only four bridges in the State of Pennsylvania that have finished their predesigned study and are ready to go, only four of them, and two of them are the Thornburg Bridge and the Sewickley Bridge. I do not know where the other two are. One might be in the gentleman's district; I do not know; but there are only four in the State of Pennsylvania that are ready to go right now.

We are talking about a drop in the bucket, \$2.6 million, that will bring an awful lot of industry into this area.

If you bring your proposal up, I can assure you that I will sympathize with your constituents and your problems and you can get a vote from me. I am asking you to give me a vote right now. Thank you very much.

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

Mr. GOEBEL. Thank you, Mr. Speaker.

I will just take a very brief moment to support Mr. Trello. If you think he is kidding when he says that the Sewickley Bridge is ready to drop into the Ohio River, he is not. And I just hope that we can sit here with the smiles on our faces when we read the newspaper that says that there were 100 people killed or a trailer truck dropped through or something. We have been trying for 2 years to get that bridge, and the last Governor promised and promised and promised and they just went in the wind with wings, somewhere I do not know where. The bridge is still there and it is antiquated. It serves an area in northern Allegheny County of probably a million people; I do not know how many. It is one of the major connections to the airport. It is vital to this community, and this is one of the only ways we are

maybe going to get this bridge. It is in danger of collapsing. We are not kidding at all. And it is vital.

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

Mr. LAUGHLIN. Mr. Speaker, the amendment that is drawn up includes the Sewickley Bridge and the Thornburg Bridge. The Sewickley Bridge, I have a definite concern about, because I am aware of the problems that are faced in that area. The Thornburg Bridge, I am not very knowledgeable of, sir. It is not even within the vicinity of my district.

Would it be possible to divide this amendment along the lines of the Sewickley and the Thornburg Bridges?

The SPEAKER. In the opinion of the Chair, no.

Mr. LAUGHLIN. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—73

Austin	Fischer, R. R.	Levin	Punt
Barber	Fryer	Manderino	Reed
Beloff	Gamble	McIntyre	Rieger
Burd	Giammarco	McKelvey	Rocks
Cappabianca	Goebel	McMonagle	Salvatore
Cessar	Goodman	Milanovich	Schmitt
Chess	Grabowski	Mrkonie	Seventy
Clark, B.	Gray	Mullen, M. P.	Shadding
Cochran	Harper	Novak	Shupnik
Cohen	Hutchinson, A.	O'Brien, B.	Steighner
Cole	Irvis	O'Brien, D.	Sweet
Cowell	Itkin	Oliver	Taddonio
Dawida	Johnson, J.	Perzel	Taylor, F.
DeMedio	Jones	Petrarca	Trello
DiCarlo	Kernick	Pistella	Wargo
Donatucci	Knepper	Pott	White
Duffy	Knight	Pratt	Williams
Dumas	Laughlin	Pucciarelli	Yahner
Fee			

NAYS—124

Alden	Gannon	Madigan	Sirianni
Anderson	Gatski	Manmiller	Smith, E.
Armstrong	Geesey	McCall	Smith, L.
Arty	Geist	McClatchy	Spencer
Belardi	George, C.	McVerry	Spitz
Bittle	George, M.	Michlovic	Stairs
Borski	Gladeck	Micozzie	Stewart
Bowser	Greenfield	Miller	Street
Brandt	Grieco	Moehlmann	Stuhan
Brown	Gruppo	Mowery	Swift
Burns	Halverson	Murphy	Taylor, E.
Caltagirone	Hasay	Musto	Telek
Cimini	Hayes, D. S.	Nahill	Thomas
Clark, R.	Hayes, S. E.	Noye	Vroon
Cornell	Helfrick	O'Donnell	Wachob
Coslett	Hoeffel	Peterson	Wagner
Cunningham	Honaman	Piccola	Wass
Davies	Hutchinson, W.	Pievsky	Weidner
DeVertter	Johnson, E.	Pitts	Wenger
DeWeese	Klingaman	Polite	Wilson
Dietz	Kolter	Pyles	Wilt
Dininni	Kowalyshyn	Rappaport	Wright, D.
Dombrowski	Kukovich	Richardson	Wright, J. L.
Dorr	Lashingner	Ritter	Yohn
Durham	Lehr	Rodgers	Zeller
Earley	Letterman	Ryan	Zitterman
Fisher, D. M.	Levi	Scheaffer	Zord

Foster, A.	Lewis	Schweder	Zwinkl
Foster, W.	Livengood	Scirica	
Freind	Lynch, E. R.	Serafini	Seltzer,
Gallagher	Lynch, F.	Sieminski	Speaker
Gallen	Mackowski		

NOT VOTING—5

Bennett	Brunner	Cianciulli	Rhodes
Berson			

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

The SPEAKER. Will the two members of the committee to escort the Senate please proceed to the Senate chamber? We have been informed that the other body is ready to join with us.

For the information of the House, there are several other amendments to this bill to be considered which we will take up at the conclusion of the joint session.

**REPORT OF COMMITTEE  
ESCORTING SENATE**

The SPEAKER. The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, the committee of the House escorting the Senate to the hall of the House.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the chairman of the committee of the House escorting the Senate, the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Mr. Speaker, the committee escorting the Senate to the hall of the House has performed its duty and the Senate is present in the House.

The SPEAKER. The committee is discharged with the thanks of the House.

**LEGISLATION INTRODUCED**

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

Mr. GEESSEY. Mr. Speaker, I am rising today to reintroduce legislation that passed the House last November, which would prohibit politics in PennDOT. We have many sponsors. Certainly we would like additional sponsors, and for that purpose I am placing the bill at the clerk's desk and anyone who would like to cosponsor the bill is certainly free to do so.

I also have available an analysis of the bill at my desk. For anyone who would like a copy of that analysis, please stop down.

Thank you, Mr. Speaker.

**REPORT OF COMMITTEE TO  
WAIT UPON SENATE**

The SPEAKER. The Chair recognizes the Sergeant at Arms.

The SERGEANT AT ARMS. Mr. Speaker, the committee of

the House appointed to escort the Senate to the hall of the House.

The SPEAKER. The Chair recognizes the chairperson of the committee of the House escorting the Senate, the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House.

**LIEUTENANT GOVERNOR  
WILLIAM W. SCRANTON III  
REQUESTED TO PRESIDE**

The SPEAKER. The Chair requests the Lieutenant Governor, the Honorable William W. Scranton III, to preside over the proceedings of the joint session of the General Assembly.

The President pro tempore. The Honorable Martin L. Murray, is invited to be seated on the rostrum.

The members of the Senate will please be seated.

**JOINT SESSION  
OF THE GENERAL ASSEMBLY**

**LIEUTENANT GOVERNOR  
WILLIAM W. SCRANTON III PRESIDING**

The SPEAKER. The Chair is pleased to introduce to his first joint session of the General Assembly, the Lieutenant Governor of Pennsylvania, the Honorable William W. Scranton, who will preside.

The LIEUTENANT GOVERNOR. This being the day and the hour agreed upon by a concurrent resolution of the Senate and the House of Representatives to convene in joint session for the purpose of electing a director of the Legislative Reference Bureau, in accordance with Section 2, Act 119, P. L. 158, Session of 1923, the joint assembly will now proceed to the election of a director of the Legislative Reference Bureau. Nominations are now in order.

The Chair recognizes the gentleman from Schuylkill County, Mr. Goodman.

Mr. GOODMAN. Mr. President, members of the House and Senate, it is my privilege today to place in nomination for the very important post of director of the Legislative Reference Bureau, a former, distinguished 4-term member of this House of Representatives, the Honorable Joseph Ted Doyle of Delaware County. Certainly those of us who have served with Ted here are well aware of just how conscientious, hardworking and effective he is.

In addition to his years of public service, he is a distinguished member of the bar and eminently qualified for the position that he seeks, and I think we can all be proud in having Ted Doyle serve as the director of the Legislative Reference Bureau, and it is my honor to place his name in nomination. Thank you, Mr. President.

The LIEUTENANT GOVERNOR. The gentleman from

Schuylkill County, Mr. Goodman, places in nomination for the office of director of the Legislative Reference Bureau, former Representative Joseph Ted Doyle of Delaware County.

The Chair now recognizes the gentleman from Montgomery County, Mr. Hoeffel.

Mr. HOEFFEL. Mr. President, I would like to second the nomination of Ted Doyle for director of the Legislative Reference Bureau. Mr. Doyle is a man of high ability and high integrity, and I think he would serve the House and Senate very well. It is an honor for me to second his nomination. Thank you.

The LIEUTENANT GOVERNOR. Are there any further seconds?

Are there any further nominations?

The Chair recognizes the gentleman from Lycoming County, Senator Hager.

Mr. HAGER. Thank you, Mr. President.

Mr. President, we are now talking about the director of the oldest and perhaps the most important of the legislative service agencies. Incredibly enough, it is the only one which still has not been professionalized.

It has been the practice for the last several years, at least, to elect to this office someone who has been a legislator, to elect an ex-legislator to it, instead of according it the same kind of treatment which has been accorded the Joint State Government agency, the Data Processing, Budget and Finance Committee, Local Government, and the Joint Conservation Committee. Now all of these have directors who are career professionals.

The Legislative Reference Bureau, most lamentably, over the last 2 years has been suffering from the fact that it does not have a professional director. For the first 54 years of this bureau's existence, it was professional. It has only been in the last few years that it has been presided over by somebody who is being rewarded for faithful service in the House or Senate.

I rise today to place in nomination the name of someone who is professional in every sense of the word, who has served in this agency from 1965 to the present date and is well respected by every member of both of these bodies, Mr. President, who has dealt with him. As a matter of fact, he was first in the Legislative Reference Bureau from 1958 until 1960, and then for the next 5 years worked in the Joint State Government Commission and returned to the Legislative Reference Bureau in 1965, where he has served with distinction until today.

It seems to me that one of the serious problems with this agency has been the fact that because we deal with it on a revolving-door directorship basis, no one has ever been able, in the last few years, to really come to grasp the problems which that agency has and to solve those problems. There are instances which all of us, I am afraid, could talk about. Legislation which, for instance, is sent there to exempt from occupation taxes all those who are over 65 and have the legislation come back exempting everybody but those over 65 from such a tax. There have been widespread concerns about leaks from the Legislative Reference Bureau, that a good piece of legislation somehow gets pirated before the originator ever sees his legislation come back, and until we depoliticize that agency com-

pletely, we shall never be completely free of that kind of concern.

Therefore, I suggest to all of the members of this body and place in nomination the name of Robert L. Cable for the very important post of director of the Legislative Reference Bureau. Thank you, Mr. President.

The LIEUTENANT GOVERNOR. The gentleman from Lycoming County, Senator Hager, places in nomination for the office of director of the Legislative Reference Bureau, Robert L. Cable.

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

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

I would like to second the nomination of Robert Cable as executive director of the Legislative Reference Bureau. I do not believe that there is any doubt but what the winds of reform are at least whispering through this House of Representatives and the Senate of Pennsylvania. It is doubtful that on any one moment we will be able to achieve all of those things which probably most of us wish we could achieve at any one particular time. But just as that is true, it is also true that we should take those small steps, when possible, to bring about what most reasonable men and women in these two legislative chambers believe necessary and proper in order for this General Assembly to carry out the people's mandate.

It has been said by the Senator from Lycoming that all legislative service agencies, with this one exception, have been isolated from the to and fro of partisan politics in this General Assembly with respect to who is to serve as executive director of the Legislative Reference Bureau, but we are on the threshold of being able to take again today one of those small steps forward in isolating for ourselves, be we Republican or Democrat, from the vagaries of partisan politics, that very important position.

We could all recite, as the good Senator harkened to our attention, difficulties that we individually and collectively have suffered. All of us have been embarrassed in recent years by irregularities that have come about in the Legislative Reference Bureau, not only amongst ourselves but on the streets of Pennsylvania, from where all Representatives and Senators come. On the floor of this House just last week, the business of this House of Representatives was delayed, not for a short while but several hours. It is not that this House of Representatives cannot endure such delay; somehow we go on as an institution; but it seems to me, and I think I speak for many persons in this body today, that besides the precious moments that were lost, it is an attitude of management in the Legislative Reference Bureau that has gripped that agency over the last few years.

We have in the person of Robert Cable a top-flight professional, a man who has dedicated his life to those who have served in this House of Representatives and the Senate and the people of Pennsylvania. He has done so not seeking headlines or great credit. All of us know he has worked as a professional in trying to help us do our job so that we could better represent the people of Pennsylvania.

Let us begin today, Mr. President, in continuing those winds of reform, which are going through this chamber and the one the Senators have just come from, and take one small step forward and isolate, not only for ourselves but those who come after us in future legislative sessions. It is a very important position, executive director of the Legislative Reference Bureau. I second the nomination of Robert Cable.

Thank you, Mr. President.

The LIEUTENANT GOVERNOR. Are there any further nominations?

PARLIAMENTARY INQUIRY

The LIEUTENANT GOVERNOR. The Chair recognizes the gentleman from Allegheny, Senator Zemprelli.

Mr. ZEMPRELLI. I rise to a parliamentary inquiry. Is it in order to make remarks relative to the innuendos of some of the nominations that have been made?

The LIEUTENANT GOVERNOR. The gentleman is in order.

Mr. ZEMPRELLI. Mr. President, I fear very much that, as a result of the nomination that was made by Senator Hager, there may be given an impression that Ted Doyle is less of a professional. There is also a suggestion that we have a situation where the political person is a second-class citizen by virtue of his association with the political system.

I would wholeheartedly agree with the minority leader, Senator Hager, that it is in order to have reform, and the reforms that he has suggested are properly in order, but if there was some shortcomings with the Legislative Reference Bureau in the past, that suggestion that the nominee proposed by him is the answer does not suggest that it is the only answer.

I would hate to think that we would take the posture as to these nominees based upon their association with the political system, whether it be a General Assembly or any other capacity. It would seem to me that all of the matters that were suggested on behalf of the candidates that you have suggested, Senator, are also applicable to Mr. Doyle. Mr. Doyle is a professional. As I understand from his record, he has been in the forefront of reform in this chamber.

I would only say one thing in conclusion, that there is a lack of consistency between this argument as it would pertain to the Legislative Reference Bureau and some of the offices that there have been appointments to here recently, which, incidentally, I wholly subscribe to.

You have elected as one of your officers in the House of Representatives, Charlie Mebus who I believe is a very competent individual, and I will support his candidacy entirely. I do not think that it should have been to his discredit in any way because he had been associated with the political system for a long period of time.

Going into the battle on these nominations, the only reason why I am directing these remarks is to defend the system and to suggest that we are not second-class citizens by virtues of having served the Commonwealth in one capacity or another.

The LIEUTENANT GOVERNOR. Are there any further nominations?

The Chair hears none and declares the nominations closed.

The candidates for the office of director of the Legislative

Reference Bureau are former Representative Joseph Ted Doyle and Robert Cable.

The members of the House will vote by engaging your voting switches in the affirmative for Robert Cable and in the negative for Joseph Ted Doyle. I repeat: Members of the House will vote by engaging your voting switches in the affirmative for Robert Cable and in the negative for Joseph Ted Doyle.

At the conclusion of this vote, I will direct the clerk to call the roll of the Senators in order to record their votes. At the conclusion of both roll calls, we will tally the votes and announce the results.

The members will proceed to vote.

The following House roll call was recorded:

YEAS

Alden	Foster, W.	Lynch, F.	Serafini
Anderson	Freind	Mackowski	Sieminski
Armstrong	Gallen	Madigan	Sirianni
Arty	Gannon	Manmiller	Smith, E.
Belardi	Geesey	McClatchy	Smith, L.
Bittle	Geist	McKelvey	Spencer
Bowser	Gladeck	McVerry	Spitz
Brandt	Goebel	Micozzie	Stairs
Burd	Grieco	Moehlmann	Swift
Burns	Gruppo	Mowery	Taddonio
Cessar	Halverson	Nahill	Taylor, E.
Cimini	Hasay	Noye	Telek
Clark, R.	Hayes, D. S.	O'Brien, D.	Thomas
Cornell	Hayes, S. E.	Peterson	Vroon
Coslett	Helfrick	Piccola	Wagner
Cunningham	Honaman	Pitts	Wass
Davies	Hutchinson, W.	Polite	Weidner
DeVertter	Johnson, E.	Pott	Wenger
Dietz	Klingaman	Punt	Wilson
Diminni	Knepper	Pyles	Wilt
Dorr	Lashinger	Rocks	Wright, J. L.
Durham	Lehr	Ryan	Zord
Earley	Levi	Salvatore	
Fischer, R. R.	Lewis	Scheaffer	Seltzer,
Fisher, D. M.	Lynch E. R.	Scirica	Speaker
Foster, A.			

NAYS

Austin	Gallagher	Livengood	Rieger
Barber	Gamble	Manderino	Ritter
Beloff	Gatski	McCall	Rodgers
Borski	George, C.	McIntyre	Schmitt
Brown	George, M.	McMonagle	Schweder
Caltagirone	Goodman	Michlovic	Seventy
Cappabianca	Grabowski	Milanovich	Shadding
Chess	Gray	Mrkonic	Shupnik
Cianciulli	Greenfield	Mullen, M. P.	Steighner
Clark, B.	Harper	Murphy	Stewart
Cochran	Hoeffel	Musto	Street
Cohen	Hutchinson, A.	Novak	Stuban
Cole	Irvis	O'Brien, B.	Sweet
Cowell	Itkin	O'Donnell	Taylor, F.
Dawida	Johnson, J.	Oliver	Trello
DeMedio	Jones	Petrarca	Wachob
DeWeese	Kernick	Pievsky	Wargo
DiCarlo	Knight	Pistella	White
Dombrowski	Kolter	Pratt	Williams
Donatucci	Kowalshyn	Pucciarelli	Wright, D.
Duffy	Kukovich	Rappaport	Yahner
Dumas	Laughlin	Reed	Zeller
Fee	Letterman	Rhodes	Zitterman
Fryer	Levin	Richardson	Zwilk

## NOT VOTING

Bennett	Brunner	Miller	Yohn
Berson	Giammarco	Perzel	

The following Senate roll call was recorded:

Arlene	— Doyle	Messinger	— Doyle
Bodack	— Doyle	Murray	— Doyle
Coppersmith	— Doyle	O'Pake	— Doyle
Early	— Doyle	Orlando	— Doyle
Fumo	— Doyle	Reibman	— Doyle
Gurzenda	— Doyle	Romanelli	— Doyle
Hankins	— Doyle	Ross	— Doyle
Kelley	— Doyle	Scanlon	— Doyle
Kury	— Doyle	Schaefer	— Doyle
Lewis	— Doyle	Smith	— Doyle
Lincoln	— Doyle	Stapleton	— Doyle
Lynch	— Doyle	Stout	— Doyle
McKinney	— Doyle	Zemprelli	— Doyle
Mellow	— Doyle		
Andrews	— Cable	Jubelirer	— Cable
Bell	— Cable	Kusse	— Cable
Corman	— Cable	Loeper	— Cable
Dwyer	— Cable	Manbeck	— Cable
Gekas	— Cable	Moore	— Cable
Greenleaf	— Cable	O'Connell	— Cable
Hager	— Cable	Pecora	— Cable
Hess	— Cable	Price	— Cable
Holl	— Cable	Snyder	— Cable
Hopper	— Cable	Stauffer	— Cable
Howard	— Cable	Tilghman	— Cable

The LIEUTENANT GOVERNOR. By the votes for the office of director of the Legislative Reference Bureau, the Honorable Joseph Ted Doyle received 123 votes, and Robert Cable received 121 votes. Joseph Ted Doyle, having received 123 votes, is declared elected director of the Legislative Reference Bureau.

#### COMMITTEE TO ESCORT JOSEPH TED DOYLE, DIRECTOR OF LEGISLATIVE REFERENCE BUREAU

The LIEUTENANT GOVERNOR. The gentleman from York, Mr. Anderson, and the Senator from Philadelphia, Mr. McKinney, will escort Joseph Ted Doyle to the front of the rostrum for the purpose of taking the oath of office.

#### OATH OF OFFICE ADMINISTERED

The oath of office was administered to the director-elect of the Legislative Reference Bureau by Lieutenant Governor William Scranton, III.

#### REMARKS BY MR. DOYLE

The LIEUTENANT GOVERNOR. The Chair now recognizes your director of the Legislative Reference Bureau, the Honorable Joseph Ted Doyle.

Mr. DOYLE. Mr. President, Mr. Speaker, Senators and Representatives of the General Assembly, I will be brief, because I know that at least the House has other business on the agenda for today, but I would like to express my appreciation for the support which I have received from the Senators and the House members and to allay the fears that Senator Hager had about the office of the Legislative Reference Bureau becoming nonprofessional. As long as I am the director, it will be professional in every way, and I appreciate the support. Thank you.

The LIEUTENANT GOVERNOR. The Chair thanks the gentleman and gives him my congratulations.

The Chair asks that the members of the House and visitors remain seated for just a moment while the members of the Senate leave the House.

The members of the Senate will please reassemble immediately in the Senate chamber upon adjournment of this meeting.

#### JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The business for which the joint session has been assembled having been transacted, the session is now adjourned.

#### THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

#### MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

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

Mr. SERAFINI. Mr. Speaker, I move that the proceedings of the joint session of the Senate and House of Representatives, held this 13th day of February 1979, be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

#### CALENDAR BILL ON THIRD CONSIDERATION

The House resumed consideration of **HB 56, PN 116**, entitled:

An Act to further provide for the expenses of the Executive and Legislative Departments of the Commonwealth for the fiscal period July 1, 1978 to June 30, 1979, and to make additional appropriations from the Federal augmentation to the Executive and Legislative Departments for the fiscal period July 1, 1978 to June 30, 1979.

On the question recurring,

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

Mr. L. E. SMITH offered the following amendment:

Amend Sec. 5, page 4, line 11, by removing the period after "immediately" and inserting except that the appropriation to the State Ethics Commission shall take effect June 1, 1979.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, first, let me assure you that this is not in any way an action to try to kill the Ethics Commission.

Act 170 was passed in haste. We were stampeded by the media. We took an action this morning to delay the effective date of that act until August 1. I do not believe there is anyone in here who thinks that that law will go into effect in its present form. I have had very mixed feelings. I have changed by mind three or four times on that issue, but my growing fear is that if we give this commission \$100,000 now, we are going to create another bureaucratic monster that may come back to haunt us.

I am hopeful that the committee considering this legislation will think about the suggestion that maybe some of this reporting could be done at the county level through the election boards. Right now we do not know who is going to be included in this law. We do not know what the penalties will be. We do not know what the reporting procedures are going to be. Now it just seems folly to me to give this commission \$100,000 and tell them to go to work promulgating rules and regulations when nobody in here or nobody on that commission has any idea what the final version will be.

I think delaying this appropriation until the 1st of June is not unreasonable. That will still give them 60 days lead time on the effective date of the delay, and I would ask the support of this amendment.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I would like to yield to the majority leader.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I have not had an opportunity to discuss the amendment with Mr. Smith. However, I think—and I am sure he will correct me—if we had an opportunity to discuss this, it may be that my position would prevail, my position being basically this: We delayed, with a bill, the effective date of the Ethics Commission. One of the reasons we assigned to that delay was the fact that the commission itself could not get geared up in time to take care of the primary election. And one of the reasons it could not get geared up, of course, was because it had no funds — funds to buy the forms, funds to set up the bureaucracy.

I think this delay that Mr. Smith is suggesting with his amendment would continue that same problem that exists today, so that when August 1 comes around, it may be that we would be faced with another amendment.

I know this is not what Mr. Smith intends. That would cause us to delay it again because it did not have the funds to get into business.

The other reason I would assign for opposing the amendment is that part of the Act 170 is in effect as a result of our action. It is the disclosure part that was required under Act 170 that was delayed. Although there are other areas under Act 170 that are in effect and the commission can operate, dealing with conflicts of interest. And also, we have a saving clause in the

amendment yesterday that any action taken by the commission between now and August 1 is ratified. So that they can go into business.

And I frankly think it is a chicken-or-an-egg situation. I recognize this. But I think it would be a mistake to take any action that could reasonably be interpreted as a move on our part to defeat the intent of Act 170, which is to go into business as an Ethics Commission to look after and look out for the various candidates for the various offices covered by that bill. I would respectfully request that we vote down this amendment.

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I am not opposed to the Ethics Commission nor an ethics law. I supported that concept.

The majority leader referred to the fact that they could start to print forms. Forms to do what? We do not know what they are going to be asked to do under the new law, which we have all agreed is not going to be in its present form.

In that law, they are presently authorized to hire experts at how much salary? They could hire two experts, and the \$100,000 would be gone.

I just think that we should wait until we see what develops from the Local Government Committee in the way of correcting some of the defaults or at least coming up with something we can get 102 votes for before we give them any money to start.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, Mr. Ryan stated the issue rather clearly.

HB 17 that we adopted earlier today does, in fact, provide for a postponement but only a postponement of a section of the ethics law, that section that requires financial disclosure statements to be filed by certain candidates. But beyond that, the ethics law is in effect today. The Ethics Commission was established by law, effective January 1, 1979, and we have not changed any of that.

One should closely read what is in that ethics law and one would determine or come to the conclusion that there are a variety of responsibilities given to the Ethics Commission, responsibilities that commenced January 1, 1979, and which we have not proposed to change or postpone.

Th only thing that we have postponed is the requirement of the filing of the financial statement. It is imperative that the Ethics Commission be given sufficient funds to fulfill the responsibilities that it has and that we are not proposing to take away. That work began January 1. It is going to continue on through the rest of this fiscal year. It is important to have the dollars to work with.

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

Mr. A. C. FOSTER. Mr. Speaker, I rise to oppose the amendment offered by the gentleman from Jefferson, Mr. Smith, and I share his sympathies with some of the problems that local governments having encountered with the act. I am in the process of drafting legislation to correct some of these defects.

But I think it would be a very bad move today to do away with this appropriation. It has been all too much the classic way of knocking out any agency by eliminating its funding, and I think that is how we would be perceived today and I do not think we should make that move. I think the commission has legitimate responsibilities which must be met. I would urge the members to reject the amendment.

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

Mr. REED. Mr. Speaker, Mr. Cowell and the majority leader have already ably pointed out most of the reasons why the Smith amendment ought to be defeated. Mr. Smith has indicated that it is not his intention to vote against ethics or to do away with the purpose behind some of the Ethics Commission law we enacted last fall. Whether it is his intention or not, the effect of passing the Smith amendment would be to decimate its operation.

Presently, as some of us probably are very acutely aware, the Ethics Commission, now newly formed and now newly organized with its first chairman, has no phone, no office, no means to operate, but is charged with certain responsibilities. As to the view of the public, they view very suspiciously, quite frankly, our action of yesterday in which we postponed the effective date of portions of that act, which in the view of some was done justifiably just the same. To now vote against the funding for the commission until June the first which in effect would be just postponing or creating the need to postpone the effective date even beyond them because 2 months is not enough to gear up, it is enough to confirm some people's suspicion that the Ethics Commission was merely a sham and an empty shell from last fall.

I suggest it would be well for us to resoundly defeat the Smith amendment and make sure that they can have the phone, the office and the means to operate between now and that time. Thank you.

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

The following roll call was recorded:

YEAS—16

Belardi	Hasay	Madigan	Serafini
Brandt	Levin	McMonagle	Sirianni
Burd	Lewis	Polite	Smith, L.
Halverson	Mackowski	Punt	Spencer

NAYS—168

Alden	Foster, W.	Lynch, E. R.	Salvatore
Anderson	Freind	Lynch, F.	Scheaffer
Armstrong	Fryer	Manderino	Schmitt
Arty	Gallagher	Manmiller	Schweder
Austin	Gallen	McCall	Scirica
Barber	Gamble	McClatchy	Seventy
Bittle	Gannon	McKelvey	Shupnik
Bowser	Gatski	McVerry	Sieminski
Brown	Geesey	Michlovic	Smith, E.
Burns	Geist	Micozzie	Spitz
Caltagirone	George, C.	Milanovich	Stairs
Cappabianca	George, M.	Miller	Steighner

Cessar	Giammarco	Moehlmann	Stewart
Chess	Gladeck	Mowery	Stuban
Cjanciulli	Goodman	Mrkonic	Sweet
Cimini	Grabowski	Murphy	Taddonio
Clark, B.	Gray	Musto	Taylor, F.
Clark, R.	Greenfield	Nahill	Telek
Cochran	Grieco	Novak	Thomas
Cohen	Gruppo	Noye	Trello
Cole	Harper	O'Brien, B.	Vroon
Cornell	Hayes, D. S.	O'Brien, D.	Wachob
Coslett	Hayes, S. E.	O'Donnell	Wagner
Cowell	Helfrick	Oliver	Wargo
Cunningham	Hoeffel	Peterson	Wass
Davies	Honaman	Petrarca	Weidner
Dawida	Hutchinson, A.	Piccola	Wenger
DeMedio	Hutchinson, W.	Pievsky	White
DeVerter	Irvic	Pistella	Williams
DeWeese	Itkin	Pitts	Wilson
DiCarlo	Kernick	Pott	Wilt
Dietz	Klingaman	Pratt	Wright, D.
Diminni	Knepper	Pucciarelli	Wright, J. L.
Dombrowski	Knight	Rappaport	Yahner
Dorr	Kolter	Reed	Yohn
Duffy	Kowalyshyn	Rhodes	Zeller
Dumas	Kukovich	Richardson	Zitterman
Durham	Lashingier	Rieger	Zord
Earley	Laughlin	Ritter	Zwick
Fee	Lehr	Rocks	
Fischer, R. R.	Letterman	Rodgers	Seltzer,
Fisher, D. M.	Levi	Ryan	Speaker
Foster, A.	Livengood		

NOT VOTING—18

Beloff	Donatucci	McIntyre	Shadding
Bennett	Goebel	Mullen, M. P.	Street
Berson	Johnson, E.	Perzel	Swift
Borski	Johnson, J.	Pyles	Taylor, E.
Brunner	Jones		

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

REMARKS ON VOTES

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

Mrs. TAYLOR. Mr. Speaker, I was called out of my seat on the vote on the Smith amendment to HB 56. I would appreciate it if I could be recorded in the negative.

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

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

Mr. GOEBEL. Mr. Speaker, similar purpose: I wish to be recorded in the negative on the Smith amendment to HB 56.

I would just hope that you would take an extra second. I was almost there to my switch. If you would just give us an extra little minute, you know, to vote, I would certainly appreciate it.

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

The Chair recognizes the gentleman from Crawford, Mr. Swift.

Mr. SWIFT. Mr. Speaker, I failed to vote on the Smith amendment to HB 56 and I would like to be recorded in the negative.

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

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

Mr. PYLES. Mr. Speaker. I was out of my chair temporarily on the vote for the Smith amendment to HB 56. Had I been in my seat, I would have voted "nay."

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

The Chair recognizes the gentleman from Blair, Mr. Johnson. For what purpose does the gentleman rise?

Mr. E. G. JOHNSON. Mr. Speaker, earlier this afternoon on the Smith amendment to HB 56, my voting switch failed to function properly. I would like to have the record show that I voted in the negative. Thank you.

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

STATEMENT

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Trello, rise?

Mr. TRELLO. Mr. Speaker, I asked for recognition to speak on that amendment, but when I sat down I am sure that you took it for granted that I decided not to speak on it. With your permission, although I was not going to vote for it and I did not vote for it, I still would like to make my remarks on the Smith amendment.

You know we all realize there are priorities, not only in our districts, but all over this great nation of ours. There is one that pertains not only to the State of Pennsylvania, but this whole nation, and that, we all agree, is the bridge problem.

I understand from a good source that the total cost of this Ethics Commission is going to cost between \$4 million and \$6 million before it is finally implemented in a year. Do you know what \$4 million or \$6 million will bring in matching Federal funds to fix our bridges? Well, I know two bridges that \$4 million or \$6 million will create Federal funds for to repair. I just wanted you to think about that. Thank you very much.

On the question recurring,

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

Mr. AUSTIN offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 26 and 27 To the Department of Transportation

For the Commonwealth's share of the reconstruction and repair of the Glassport-Clairton Bridge in Allegheny County . . . . . \$1,300,000

On the question,

Will the House agree to the amendment?

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

Mr. AUSTIN. Yes, Mr. Speaker. I am offering an amendment concerning the bridge problem which we have in the 39th district, which is the district I represent, and it is similar to bridge problems which exist primarily in Allegheny County but

also throughout the State of Pennsylvania. And I am reminded, as I speak on this problem, of an issue which I took the floor to address last week. The ironic part about it is that this body saw fit to delay itself a pay increase and now, facing a deteriorating bridge, I am asking that this body consider approving \$1.3 million to put up the state's share for matching dollars to the Federal Government.

The bridge, for informational purposes, very briefly, is the Glassport-Clairton Bridge. It spans between the city of Clairton and Glassport and is the primary route for the Clairton Coke Works, which is the largest by-product plant in the world. The economic impact of this bridge has currently a 5-ton weight limit on it. Buses are banned; the sidewalks are closed; there are no lights on the bridge, and this provides a serious impact economically to the region of the Mon Valley.

Now I ask that the House here give full support to a problem that we have to start addressing, and we really have to start somewhere. Everyone takes the posture that they have problems, and I know that you do, but it is important that we start addressing them squarely and start to get some of these critical bridge problems funded. I ask your support on this particular amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I oppose the amendment for the same reasons we opposed the previous bridge amendments. I think that many members in this House, myself included, have bridge problems, highway problems, and I do not think this is the appropriate vehicle to deal with those problems at this time.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—40

Austin	Duffy	Itkin	Pistella
Cappabianca	Fee	Kernick	Pott
Chess	Fischer, R. R.	Knepper	Pratt
Clark, B.	Gamble	Knight	Pucciarelli
Cochran	Goodman	Manderino	Reed
Cohen	Grabowski	Mrkonic	Seventy
Cowell	Gray	Mullen, M. P.	Stairs
Dawida	Harper	Novak	Sweet
DeMedio	Hutchinson, A.	O'Brien, B.	Taylor, F.
DiCarlo	Irvis	Petrarca	Trello

NAYS—156

Alden	Gallen	McCall	Serafini
Anderson	Gannon	McClatchy	Shadding
Armstrong	Gatski	McIntyre	Shupnik
Arty	Geesey	McKelvey	Sieminski
Barber	Geist	McMonagle	Sirianni
Belardi	George, C.	McVerry	Smith, E.
Beloff	George, M.	Michlovic	Smith, L.
Berson	Giammarco	Micozzie	Spencer
Bittle	Gladeck	Milanovich	Spitz
Bowser	Goebel	Miller	Steighner
Brandt	Greenfield	Moehlmann	Stewart
Brown	Grieco	Mowery	Stuban
Burd	Gruppo	Murphy	Swift



Burns	Halverson	Musto	Taddonio
Caltagirone	Hasay	Nahill	Taylor, E.
Cessar	Hayes, D. S.	Noye	Telek
Cianciulli	Hayes, S. E.	O'Brien, D.	Thomas
Cimini	Helfrick	O'Donnell	Vroon
Clark, R.	Hoeffel	Oliver	Wachob
Cole	Honaman	Perzel	Wagner
Cornell	Johnson, E.	Peterson	Wargo
Coslett	Johnson, J.	Piccola	Wass
Cunningham	Jones	Pievsky	Weidner
Davies	Klingaman	Pitts	Wenger
DeVerter	Kolter	Polite	White
DeWeese	Kowalshyn	Punt	Williams
Dietz	Kukovich	Pyles	Wilson
Dininni	Lashingner	Rappaport	Wilt
Dombrowski	Laughlin	Richardson	Wright, D.
Donatucci	Lehr	Rieger	Wright, J. L.
Dorr	Letterman	Ritter	Yahner
Dumas	Levi	Rocks	Yohn
Durham	Levin	Rodgers	Zeller
Earley	Lewis	Ryan	Zitterman
Fisher, D. M.	Livengood	Salvatore	Zord
Foster, A.	Lynch, E. R.	Scheaffer	Zwikl
Foster, W.	Lynch, F.	Schmitt	
Freind	Mackowski	Schweder	Seltzer,
Fryer	Madigan	Scirica	Speaker
Gallagher	Manmiller		

NOT VOTING—6

Bennett	Brunner	Rhodes	Street
Borski	Hutchinson, W.		

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

On the question recurring,

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

Mr. DiCARLO offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 26 and 27 To the Department of Health For the Chronic Renal Dialysis Program . . . \$1,278,000

On the question,

Will the House agree to the amendment?

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

Mr. DiCARLO. Mr. Speaker, the Commonwealth of Pennsylvania has over 70 community centers or hospitals that participate in the Renal Dialysis Program that serves some 3,000 people in Pennsylvania.

Last week, the Department of Health issued a letter to each of these facilities saying that no longer can they afford, for the remainder of this budget year, to provide the payments for patients receiving the renal dialysis treatment.

Now Pennsylvania has perhaps one of the most unique programs in the entire United States. Most people who suffer from this disease are usually covered by Medicare which picks up 80 percent of the tab, or if they are a veteran or have some sort of military service, it is picked up under veterans affairs. The Commonwealth of Pennsylvania, because of the disastrous effect on income and life and everything else, several years ago instituted a state program whereby we picked up the first 20 percent. Now it is my understanding that this is what is being eliminated by the Department of Health. And what is needed is

a \$1,278,000 appropriation to continue the program until June 30.

I have to emphasize, Mr. Speaker, that this is not for additional staff, this is not for overhead, this is not for expenses; this is for the actual cost of treatment for the patients who are receiving the service. And because of the need and the urgency and because of the necessity, Mr. Speaker, I am asking the House to concur on this amendment.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I oppose the amendment. It is my understanding, on looking at the amendment, that it is in fact either a new program or the wordage as the amendment reads would cut the present program, the present appropriation of \$3,633,000, down to \$1,278,000.

In addition, Mr. Speaker, we have gone over the matter of deficiencies. We are in serious trouble. I recognize renal dialysis as a very important program. I do not think we can afford to deal with it at this time, however, Mr. Speaker.

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

Mr. DiCARLO. Yes, Mr. Speaker. Just one last comment: This is not a new program. It is a deficiency that exists in a present program, and if this deficiency is not met, the 70 services or the 70 programs around this Commonwealth will have to terminate the funding for these patients at the end of this month.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—108

Arty	Fischer, R. R.	Kowalshyn	Rieger
Austin	Fryer	Kukovich	Ritter
Barber	Gallagher	Laughlin	Rodgers
Beloff	Gamble	Letterman	Schmitt
Borski	Gatski	Levin	Schweder
Bowser	George, C.	Livengood	Seventy
Brown	George, M.	Lynch, F.	Shadding
Caltagirone	Giammarco	Manderino	Shupnik
Cappabianca	Goodman	McCall	Spitz
Cianciulli	Grabowski	McIntyre	Steighner
Cimini	Gray	McKelvey	Stewart
Clark, B.	Greenfield	McMonagle	Stuban
Clark, R.	Grieco	Milanovich	Sweet
Cochran	Halverson	Miller	Taylor, F.
Cohen	Harper	Mrkonic	Telek
Cole	Hayes, D. S.	Mullen, M. P.	Trello
Cowell	Hoeffel	Musto	Wachob
DeMedio	Hutchinson, A.	Novak	Wargo
DeWeese	Hutchinson, W.	O'Brien, B.	Wass
DiCarlo	Irvis	Oliver	White
Dombrowski	Itkin	Petrarca	Williams
Donatucci	Johnson, J.	Pievsky	Wilt
Duffy	Jones	Pratt	Wright, D.
Dumas	Kernick	Pucciarelli	Yahner
Durham	Klingaman	Rappaport	Zeller
Earley	Knight	Reed	Zitterman
Fee	Kolter	Richardson	Zwikl

NAYS—87

Alden	Geesey	Micozzie	Serafini
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Anderson	Geist	Moehlmann	Sieminski
Armstrong	Gladeck	Mowery	Sirianni
Belardi	Goebel	Murphy	Smith, E.
Bittle	Gruppo	Nahill	Smith, L.
Brandt	Hasay	Noye	Spencer
Burd	Hayes, S. E.	O'Brien, D.	Stairs
Burns	Helfrick	O'Donnell	Swift
Cessar	Honaman	Perzel	Taddonio
Chess	Johnson, E.	Peterson	Taylor, E.
Cornell	Knepper	Piccola	Thomas
Coslett	Lashinger	Pistella	Vroon
Davies	Lehr	Pitts	Wagner
Dawida	Levi	Polite	Weidner
DeVerter	Lewis	Pott	Wenger
Dietz	Lynch, E. R.	Punt	Wilson
Dininni	Mackowski	Pyles	Wright, J. L.
Dorr	Madigan	Rocks	Yohn
Fisher, D. M.	Manmiller	Ryan	Zord
Foster, A.	McClatchy	Salvatore	
Foster, W.	McVerry	Scheaffer	Seltzer,
Freind	Michlovic	Scirica	Speaker
Gallen			

NOT VOTING—7

Bennett	Brunner	Gannon	Street
Berson	Cunningham	Rhodes	

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

REMARKS ON VOTES

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

Mr. CUNNINGHAM. Mr. Speaker, as the consequence of a voting switch malfunction, despite the fact that I voted in the negative on the DiCarlo amendment to HB 56, the vote was not properly tabulated on the board.

The SPEAKER. The gentleman, Mr. Cunningham, indicated that he voted in the negative and further indicated that the light on the board indicated that he had voted in the affirmative?

Mr. CUNNINGHAM. No, Mr. Speaker. The light on the board did not light at all. I threw my switch to the negative position and the switch kicked back to the neutral position, with no light having been lighted.

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

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

Mr. GANNON. Mr. Speaker, in connection with the vote on Mr. DiCarlo's amendment to HB 56, the dialysis amendment, I apparently had the same problem as Mr. Cunningham and I would appreciate the record to show that if I had voted, I would have voted in the affirmative.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

On the question recurring,

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

Mr. MRKONIC offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 26 and 27 To the Department of Transportation For the Commonwealth's share of the reconstruction and repair of the 15th Street Bridge in Allegheny County . . . . . \$3,084,000

On the question,

Will the House agree to the amendment?

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

Mr. MRKONIC. Mr. Speaker, my amendment is very simple. I have an old decaying, archaic bridge standing between McKeesport, the boroughs of Port Vue, Liberty, Lincoln, and Elizabeth Township. The bridge has been constantly closed in the last several years, costing the Department of Transportation thousands and thousands of dollars. I am afraid that it is going to fall right into the river and what I need is some matching funds. In fact, I have been informed today by Mr. Kolter that the plans for the Fifteenth Street Bridge have been submitted to Washington for approval for Federal discretionary funds. I hope and I plead with you, please do not let that bridge fall into the river. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I oppose the amendment for the various reasons that I gave before on the bridge construction.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—45

Austin	DeMedio	Jones	Oliver
Barber	DiCarlo	Kernick	Petrarca
Beloff	Duffy	Knepper	Pistella
Borski	Gamble	Knight	Pott
Caltagirone	Geesey	Levin	Pratt
Cappabianca	Grabowski	Manderino	Pucciarelli
Chess	Gray	McMonagle	Rappaport
Clark, B.	Hutchinson, A.	Mrkonic	Reed
Cochran	Irvis	Mullen, M. P.	Seventy
Cohen	Itkin	Novak	Taylor, F.
Cowell	Johnson, J.	O'Brien, B.	Trello
Dawida			

NAYS—150

Alden	Gallen	Manmiller	Sirianni
Anderson	Gannon	McCall	Smith, E.
Armstrong	Gatski	McClatchy	Smith, L.
Arty	Geist	McIntyre	Spencer
Belardi	George, C.	McKelvey	Spitz
Berson	George, M.	McVerry	Stairs
Bittle	Giammarco	Michlovic	Steighner
Bowser	Gladeck	Micozzie	Stewart
Brandt	Goebel	Milanovich	Street
Brown	Goodman	Moehlmann	Stuban
Burd	Greenfield	Mowery	Sweet
Burns	Grieco	Murphy	Swift
Cessar	Gruppo	Musto	Taddonio
Cianciulli	Halverson	Nahill	Taylor, E.
Cimini	Harper	Noye	Telek
Clark, R.	Hasay	O'Brien, D.	Thomas
Cole	Hayes, D. S.	O'Donnell	Vroon

Cornell	Hayes, S. E.	Perzel	Wachob
Coslett	Helfrick	Peterson	Wagner
Cunningham	Hoeffel	Piccola	Wargo
Davies	Honaman	Pievsky	Wass
DeVerter	Hutchinson, W.	Pitts	Weidner
DeWeese	Johnson, E.	Polite	Wenger
Dietz	Klingaman	Punt	White
Dininni	Kolter	Pyles	Williams
Dombrowski	Kowalshyn	Rieger	Wilson
Dorr	Kukovich	Ritter	Wilt
Dumas	Lashingner	Rocks	Wright, D.
Durham	Laughlin	Rodgers	Wright, J. L.
Earley	Lehr	Ryan	Yahner
Fee	Letterman	Salvatore	Yohn
Fischer, R. R.	Levi	Scheaffer	Zeller
Fisher, D. M.	Lewis	Schmitt	Zitterman
Foster, A.	Livengood	Schweder	Zord
Foster, W.	Lynch, E. R.	Scirica	Zwilk
Freind	Lynch, F.	Serafini	
Fryer	Mackowski	Shupnik	Seltzer,
Gallagher	Madigan	Sieminski	Speaker

NOT VOTING—7

Bennett	Donatucci	Rhodes	Shadding
Brunner	Miller	Richardson	

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

On the question recurring,

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

Mrs. KERNICK offered the following amendment:

Amend Sec. 2, page 2, by inserting between lines 26 and 27  
To the Department of Transportation

For reconstruction and repair of the Milltown Bridge in Allegheny County . . . . . \$500,000  
Any funds, including insurance proceeds, that are in payment of damage to the Milltown Bridge shall be credited to the General Fund.

On the question,

Will the House agree to the amendment?

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

Mrs. KERNICK. Thank you, Mr. Speaker. I hope that this amendment does not become a case of water over the bridge, but I do not have a bridge. I do not have a bridge. I did have a bridge.

At the end of November, with this bridge posted for a 5-ton weight limit, a 35-ton truck went over it. It is a small bridge, and you will notice by the amendment it will only cost \$500,000.

This tiny bridge—which, incidentally, I used to climb on when I was known as Tomboy Taylor—connects two communities, Penn Hills and Plum Borough, and it is also an access way to the town of New Kensington in Westmoreland County.

The driver of the truck was negligent in passing over the bridge; and he was insured, but the bridge did collapse. The money is recoverable, at least part of it, and you will notice by the amendment that any monies recovered by the Department of Transportation's legal department will be reimbursed to the general fund.

An emergency exists in our district. We cannot post speed

limits on it because there is no bridge. And I have heard people in here say that their bridges are ready to go. Well, maybe they are, but mine is gone, and I hope you will support it. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, despite the very eloquent words of the lady from the western part of our state, I oppose this addition to our bridge construction for the same reasons that I opposed the others. What is good for one should be good for us all, Mr. Speaker.

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

Mr. DUFFY. Mr. Speaker, I would like to say a few words on this.

This bridge is in my district, as well as in Mrs. Kernick's. The bridge, right now, is down because of a huge coal truck going over it. This is not something that services any big industrial area, but it services little people like ourselves. They are traveling to and from work and right now they have to go 5 miles out of their way, which is a drawback to many of them in the way of time and also in the cost of gasoline and the fuel that they use. So what I would like for you to do is consider a "yes" vote for this small amount from everything else that has been considered here today.

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

Mr. POTT. Mr. Speaker, during the 1977 budget crisis many accusations were made that the Governor had given away so many new bridges to get that budget passed. I might suggest to the lady, Mrs. Kernick, that maybe this time she could request an appropriation for a river to run underneath this bridge that she has, or maybe more appropriately we should be appropriating the \$500,000 to DER — Department of Environmental Resources — to divert that creek and we would not need a river to start with. Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, what is happening here today is a necessity for all of these bridges and it shows that we did not give any away last year.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, they just said that you would give them away.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—40

Austin	Dombrowski	Itkin	Pott
Bittle	Duffy	Kernick	Punt
Cappabianca	Fee	Knepper	Reed
Chess	Fryer	Knight	Rhodes
Clark, B.	Gamble	Mrkonic	Scirica
Cochran	Geesey	Mullen, M. P.	Seventy
Cohen	Grabowski	Novak	Sirianni

Cowell	Gray	O'Brien, B.	Taylor, E.
Dawida	Hutchinson, A.	Petrarca	Taylor, F.
DiCarlo	Irvis	Pistella	Trello

NAYS—158

Alden	Gannon	Manderino	Schweder
Anderson	Gatski	Manmiller	Serafini
Armstrong	Geist	McCall	Shadding
Arty	George, C.	McClatchy	Shupnik
Barber	George, M.	McIntyre	Sieminski
Belardi	Giammarco	McKelvey	Smith, E.
Beloff	Gladeck	McMonagle	Smith, L.
Berson	Goebel	McVerry	Spencer
Borski	Goodman	Michlovic	Spitz
Bowser	Greenfield	Micozzie	Stairs
Brandt	Grieco	Milanovich	Steighner
Brown	Gruppo	Miller	Stewart
Burd	Halverson	Moehlmann	Street
Burns	Harper	Mowery	Stuban
Caltagirone	Hasay	Murphy	Sweet
Cessar	Hayes, D. S.	Musto	Swift
Cianciulli	Hayes, S. E.	Nahill	Taddonio
Cimini	Helfrick	Noye	Telek
Clark, R.	Hoeffel	O'Brien, D.	Vroon
Cole	Honaman	O'Donnell	Wachob
Cornell	Hutchinson, W.	Oliver	Wagner
Coslett	Johnson, E.	Perzel	Wargo
Cunningham	Johnson, J.	Peterson	Wass
Davies	Jones	Piccola	Weidner
DeVerter	Klingaman	Pievsky	Wenger
DeWeese	Kolter	Pitts	White
Dietz	Kowalyshyn	Polite	Williams
Dininni	Kukovich	Pratt	Wilson
Donatucci	Lashingner	Pucciarelli	Wilt
Dorr	Laughlin	Pyles	Wright, D.
Dumas	Lehr	Rappaport	Wright, J. L.
Durham	Letterman	Richardson	Yahner
Earley	Levi	Rieger	Yohn
Fischer, R. R.	Levin	Ritter	Zeller
Fisher, D. M.	Lewis	Rocks	Zitterman
Foster, A.	Livengood	Rodgers	Zord
Foster, W.	Lynch E. R.	Ryan	Zwickl
Freind	Lynch, F.	Salvatore	
Gallagher	Mackowski	Scheaffer	Seltzer,
Gallen	Madigan	Schmitt	Speaker

NOT VOTING—4

Bennett	Brunner	DeMedio	Thomas
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The question was determined in the negative, and the amendment was not agreed to.

RECONSIDERATION OF VOTE ON LETTERMAN AMENDMENT

Mr. McCLATCHY moved that the vote by which the Letterman amendment to HOUSE BILL No. 56, printer's No. 116, was agreed to on this day be reconsidered.

Mr. RYAN seconded the motion.

On the question,  
Will the House agree to the motion?  
(Members proceeded to vote)

The SPEAKER. The Chair recognizes the minority leader.  
Mr. IRVIS. Is this not merely a routine motion for reconsideration?

The SPEAKER. The gentleman is correct.  
Mr. IRVIS. I would advise the Democrats that it is a matter

of courtesy that routinely a motion to reconsider is granted.  
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—186

Alden	Foster, A.	Lynch E. R.	Salvatore
Anderson	Foster, W.	Lynch, F.	Scheaffer
Armstrong	Freind	Mackowski	Schmitt
Austin	Fryer	Madigan	Schweder
	Gallagher	Manmiller	Scirica
Belardi	Gallen	McCall	Serafini
Beloff	Gamble	McClatchy	Seventy
Berson	Gannon	McKelvey	Shadding
Bittle	Gatski	McMonagle	Shupnik
Borski	Geesey	McVerry	Sieminski
Bowser	Geist	Michlovic	Sirianni
Brandt	George, C.	Micozzie	Smith, E.
Burd	Giammarco	Milanovich	Smith, L.
Burns	Gladeck	Miller	Spencer
Caltagirone	Goebel	Moehlmann	Spitz
Cappabianca	Goodman	Mowery	Stairs
Cessar	Grabowski	Mrkonic	Steighner
Chess	Greenfield	Mullen, M. P.	Stewart
Cianciulli	Grieco	Murphy	Stuban
Cimini	Gruppo	Musto	Swift
Clark, B.	Halverson	Nahill	Taddonio
Clark, R.	Harper	Novak	Taylor, E.
Cochran	Hasay	Noye	Taylor, F.
Cohen	Hayes, D. S.	O'Brien, B.	Telek
Cole	Hayes, S. E.	O'Brien, D.	Thomas
Cornell	Helfrick	O'Donnell	Trello
Coslett	Hoeffel	Perzel	Vroon
Cowell	Honaman	Peterson	Wachob
Cunningham	Hutchinson, A.	Petrarca	Wagner
Davies	Hutchinson, W.	Piccola	Wargo
Dawida	Irvis	Pievsky	Wass
DeMedio	Johnson, E.	Pistella	Weidner
DeVerter	Johnson, J.	Pitts	Wenger
DeWeese	Jones	Polite	White
DiCarlo	Kernick	Pratt	Williams
Dietz	Klingaman	Pott	Wilson
Dininni	Knepper	Pucciarelli	Wilt
Dombrowski	Knight	Punt	Wright, D.
Donatucci	Kolter	Pyles	Wright, J. L.
Dorr	Kowalyshyn	Rappaport	Yahner
Duffy	Kukovich	Reed	Yohn
Dumas	Lashingner	Rhodes	Zeller
Durham	Lehr	Ritter	Zitterman
Earley	Letterman	Rocks	Zord
Fee	Levi	Rodgers	
Fischer, R. R.	Levin	Ryan	Seltzer,
Fisher, D. M.	Lewis		Speaker

NAYS—13

Brown	Laughlin	McIntyre	Street
George, M.	Livengood	Richardson	Sweet
Gray	Manderino	Rieger	Zwickl
Itkin			

NOT VOTING—3

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

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

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I rise not to oppose the amendment; I rise to support it. It is Federal augmentation money. As I explained previously, we intend to present a reorganization of other Federal augmentation funds. I think that if the members want to vote for this needy program, it is perfectly all right with me to support this program before we present the others. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, who signed the reconsideration motion?

The SPEAKER. The gentleman from Montgomery, Mr. McClatchy, and the gentleman from Delaware, Mr. Ryan.

Mr. MANDERINO. Mr. Speaker, if Mr. McClatchy is supporting the amendment and did not support it before and it passed, I am having a little difficulty understanding why we are reconsidering an amendment that passed, unless, of course, they have recognized that they made a mistake.

Mr. McCLATCHY. Mr. Speaker, I merely say that if the members would like to vote on this issue before we present the full program, I would be perfectly willing today. There has been no mistake made.

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

The following roll call was recorded:

YEAS—199

Alden	Freind	Lynch E. R.	Salvatore
Anderson	Fryer	Lynch, F.	Scheaffer
Armstrong	Gallagher	Mackowski	Schmitt
Arty	Gallen	Madigan	Schweder
Austin	Gamble	Manderino	Scirica
Barber	Gannon	Manmiller	Serafini
Belardi	Gatski	McCall	Seventy
Beloff	Geesey	McClatchy	Shadding
Berson	Geist	McIntyre	Shupnik
Bittle	George, C.	McKelvey	Sieminski
Borski	George, M.	McMonagle	Sirianni
Bowser	Giammarco	McVerry	Smith, E.
Brandt	Gladeck	Michlovic	Smith, L.
Brown	Goebel	Micozzie	Spencer
Burd	Goodman	Milanovich	Spitz
Burns	Grabowski	Miller	Stairs
Caltagirone	Gray	Moehlmann	Steighner
Cappabianca	Greenfield	Mowery	Stewart
Cessar	Grieco	Mrkonic	Street
Chess	Gruppo	Mullen, M. P.	Stuban
Cianciulli	Halverson	Murphy	Sweet
Cimini	Harper	Musto	Swift
Clark, B.	Hasay	Nahill	Taddonio
Clark, R.	Hayes, D. S.	Novak	Taylor, E.
Cochran	Hayes, S. E.	Noye	Taylor, F.
Cohen	Helfrick	O'Brien, B.	Telek
Cole	Hoeffel	O'Brien, D.	Thomas
Cornell	Honaman	O'Donnell	Trello
Coslett	Hutchinson, A.	Oliver	Vroon
Cowell	Hutchinson, W.	Perzel	Wachob
Cunningham	Irvis	Peterson	Wagner
Davies	Itkin	Petrarca	Wargo
Dawida	Johnson, E.	Piccola	Wass

DeMedio	Johnson, J.	Pievsky	Weidner
DeVerter	Jones	Pistella	Wenger
DeWeese	Kernick	Pitts	White
DiCarlo	Klingaman	Polite	Williams
Dietz	Knepper	Pott	Wilson
Dininni	Knight	Pratt	Wilt
Dombrowski	Kolter	Pucciarelli	Wright, D.
Donatucci	Kowalyszyn	Punt	Wright, J. L.
Dorr	Kukovich	Pyles	Yahner
Duffy	Lashinger	Rappaport	Yohn
Dumas	Laughlin	Reed	Zeller
Durham	Lehr	Richardson	Zitterman
Earley	Letterman	Rieger	Zord
Fee	Levi	Ritter	Zwinkl
Fischer, R. R.	Levin	Rocks	
Fisher, D. M.	Lewis	Rodgers	Seltzer,
Foster, A.	Livengood	Ryan	Speaker
Foster, W.			

NOT VOTING—3

Bennett	Brunner	Rhodes
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The question was determined in the affirmative, and the amendment was agreed to.

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

Mr. LETTERMAN. Just to thank everybody. I hope I have time to retrieve my news release.

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?

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

Mr. PIEVSKY. I would like to speak on the bill for a brief moment.

The SPEAKER. The gentleman is in order.

Mr. PIEVSKY. Mr. Speaker, I rise to support HB 56. Also, I would like to go on record at this time that it seems that the Appropriations Committee chairman has set the scenario or perhaps kept an open door for the Department of Public Welfare to come back for another deficiency. This is one thing that I would be opposed to. This is the third appropriation that we gave to the Department of Public Welfare for county boards of assistance, the third appropriation this year, and we have funded that department. We have funded the county boards of assistance. They have enough money to continue operating until the end of this fiscal year without any layoffs, and they keep moving right along.

I hope that by cutting this appropriation, as we did in the Appropriations Committee, we have sent a message back to the Department of Public Welfare and also a message back to all

the agencies so they can curtail bureaucratic expenditures in the future. I would like to go on record now, Mr. Speaker, to say that I will not support any more deficiency appropriations this year for the county boards of assistance the Department of Public Welfare. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I rise, too, to support the bill and I, too, hope we are sending the Welfare Department a message. I do not intend to appear here today in defense of a welfare appropriation. All I hope is that they do a good job and they come back and try to live within their means, and, hopefully, that door is not open; hopefully, it is closed. Thank you, Mr. Speaker.

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

Mr. LETTERMAN. Just to clear one thing up. Someone made the remark that there would be no more checks going out from the Department of Public Welfare. They only reason that no more checks will be going out is because they would not have money to pay the people who work there. This money is entirely for the administration; it is not for the recipients to receive a check from, and that is why I think, too, that this is the last time I am voting for any more deficiency appropriations of this kind, and unless this amendment of mine had passed, I certainly would not be voting for it today.

On the question recurring,  
Shall the bill pass finally?

Agreeable to the provision of the constitution, the yeas and nays will now be taken.

YEAS—186

Alden	Freind	Mackov, ki	Schmitt
Anderson	Fryer	Manderino	Schweder
Armstrong	Gallagher	Manmiller	Scirica
Arty	Gallen	McCall	Seventy
Austin	Gamble	McClatchy	Shadding
Balko	Gannon	McIntyre	Shupnik
Beloff	Gatski	McKelvey	Sieminski
Berson	Geist	McMonagle	Sirianni
Bittle	George, C.	McVerry	Smith, E.
Borski	George, M.	Michlovic	Smith, L.
Bowser	Giammarco	Micozzie	Spencer
Brandt	Goebel	Milanovich	Spitz
Brown	Goodman	Moehlmann	Stairs
Burd	Grabowski	Mowery	Steighner
Burns	Gray	Mrkonic	Stewart
Caltagirone	Greenfield	Mullen, M. P.	Street
Cappabianca	Grieco	Murphy	Stuban
Cessar	Gruppo	Musto	Sweet
Chess	Halverson	Nahill	Swift
Cianciulli	Harper	Novak	Taddonio
Cimini	Hasay	Noye	Taylor, E.
Clark, B.	Hayes, D. S.	O'Brien, B.	Taylor, F.
Clark, R.	Hayes, S. E.	O'Brien, D.	Telek
Cochran	Helfrick	O'Donnell	Thomas
Cohen	Hoefel	Oliver	Trello
Cole	Honaman	Perzel	Vroon
Cornell	Hutchinson, A.	Peterson	Wachob
Coslett	Hutchinson, W.	Petrarca	Wagner
Cowell	Irvis	Pievsky	Wargo

Cunningham	Itkin	Pistella	Wass
Davies	Johnson, E.	Pitts	Weidner
Dawida	Johnson, J.	Polite	Wenger
DeMedio	Jones	Pott	White
DeVerter	Kernick	Pratt	Williams
DeWeese	Klingaman	Pucciarelli	Wilson
DiCarlo	Knepper	Punt	Wilt
Dombrowski	Knight	Pyles	Wright, D.
Donatucci	Kolter	Rappaport	Wright, J. L.
Dorr	Kowalyszyn	Reed	Yahner
Duffy	Kukovich	Rhodes	Yohn
Dumas	Laughlin	Richardson	Zeller
Durham	Lehr	Rieger	Zitterman
Earley	Letterman	Ritter	Zord
Fee	Levin	Rocks	Zwilk
Fisher, D. M.	Livengood	Rodgers	
Foster, A.	Lynch E. R.	Ryan	Seltzer,
Foster, W.	Lynch, F.	Salvatore	Speaker

NAYS—14

Belardi	Geesey	Lewis	Piccola
Dietz	Gladeck	Madigan	Scheaffer
Dininni	Lashingier	Miller	Serafini
Fischer, R. R.	Levi		

NOT VOTING—2

Bennett	Brunner
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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.

CONDOLENCE RESOLUTION

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

Mr. RICHARDSON. I offer a condolence resolution and ask for its immediate adoption.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

Harrisburg, Pa.  
Office Of The Chief Clerk

Resolution

WHEREAS, The Honorable Councilman Cecil B. Moore, Esquire, born in April 1915 in Algoma, West Virginia, passed away February 13, 1979, at the age of sixty-three; and

WHEREAS, Cecil arrived in Philadelphia in 1947 after serving as a Sergeant in the United States Marine Corps in World War II. He graduated from Temple University Law School in 1953 and was admitted to the Bar in 1954. Cecil was the best criminal lawyer in the country who brought excitement and eloquence with his flamboyance and articulate speech; and

WHEREAS, He was president of the NAACP Local Chapter in Philadelphia from 1962 to 1970. He was elected to the City Council in 1976 for the fifth Councilmatic District and held that position until his demise; and

WHEREAS, Cecil was not a quitter. He was a humble man, a fighter and a legend in his own time. He led picket lines against discrimination on all fronts: United State Post Office; Trailway Bus Company; Greyhound Bus Company; Bulletin Newspaper; Woolworth Department Store; and the famous Girard College Wall Protest, to name a few. Cecil was the first Black man to bring political awareness to Blacks in Philadelphia with the reality of practical politics. One of his famous sayings was,

"there was only two places where numbers count, WAR and POLITICS." He brought the landmark decision against the Board of Education to help desegregate schools in Philadelphia. His leadership helped both parties to get Black Judges elected in Philadelphia. Cecil was on the side of the little people. As a criminal lawyer, he tried more cases than any other criminal lawyer in the City of Philadelphia . . . free. A tower and power of strength that put the Philadelphia Black community on the map. Our LEADER, our HERO, the Honorable Cecil B. Moore; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of this patriotic and humanitarian gentleman and extends heartfelt condolences to his wife, Helen; his daughters, Cecily Banks, Alexis Love and Melba Moore and his friends and associates; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Helen Moore.

We hereby certify that this is an exact copy of a resolution introduced in the House of Representatives by the Honorable David P. Richardson, Jr., and adopted by the House of Representatives on the 13th day of February 1979.

H. JACK SELTZER  
Speaker

ATTEST:  
CHARLES F. MEBUS  
Chief Clerk

#### MR. ANDERSON REQUESTED TO PRESIDE

The SPEAKER. I have asked the gentleman from York, Mr. Anderson, to preside for the remainder of today's session.

#### THE SPEAKER PRO TEMPORE (JOHN HOPE ANDERSON) IN THE CHAIR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I would like to know if I can have the unanimous consent of the House to have the members' names signed onto the resolution that was just presented.

The SPEAKER pro tempore. The Chair hears no objection.

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

Mr. WILLIAMS. Mr. Speaker, I would like to just add a few words to the resolution. Very, very briefly, Cecil B. Moore was, I think, above all a great American. There is no way to tell all the stories about the personality who was Cecil Moore, and so many people, black and white, were exposed, so to speak, to his personality, his sense of commitment, his fiery and articulate oratory. He was a tough man, a Marine, and he was not only a civil rights fighter—and every time, I guess, I hear the words "civil rights," it seems somewhat to be delimiting—but Cecil Moore was a strong, committed human being who recognized, really, no color limitation. He was the voice of the average man and woman, cutting across all racial lines. He was indeed a bulwark against injustice and oppression and yet gained the respect of people of all corners of life.

I personally was very directly exposed to Cecil Moore, and in his passing early this morning or late last night, I know full well that the measure of that man will never be recognized throughout his city, his state, or his country, because he was a person who knew how to fight in the trenches, knew how to

talk plain, basic talk to Presidents and people of high level, and I, too, would ask in a kind of respect in his passing, just to observe that, as the old Negro National Anthem goes, he was in many ways a person who recognized a god of our weary years and he recognized a god of silent tears, and he was indeed a person who tried to make those silent tears expressed in the hearts and the breasts of those who rule governments.

I do not know whether or not we will ever get a person and a personality quite like Cecil Moore in the State of Pennsylvania, indeed in this country. He came from West Virginia, but we came to claim him in Philadelphia, and, hopefully, we claim him now in Pennsylvania, and, hopefully, his style of very basic communication to people and the rapport that he had with the average people of this land that we many times struggle to identify with as politicians, somehow he had that, and I would just like to say, thank you for the life of Cecil Moore; thank you for the personality of Cecil Moore, and, hopefully, his memory will propel us to implement along the way the kinds of things that he stood for and expressed so very well.

The SPEAKER pro tempore. The Chair thanks the gentleman. At this time the Chair recognizes the lady from Philadelphia, Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

I would just like to say a word in the honor of the late, great Cecil B. Moore. I served on the National Association for the Advancement of Colored People board of directors under his leadership. He was truly a dedicated man. I do not know of any other man in Philadelphia or in this country who has given more to serve human rights than Cecil Moore. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady. The Chair at this time recognizes the gentleman from Delaware, Mr. Earley.

Mr. EARLEY. Thank you, Mr. Speaker. I have heard some very fine words regarding Cecil Moore, and I would like to bring to the attention of this body that I believe I knew Mr. Moore personally longer than anyone else here today. Mr. Moore and I served with the United States Marine Corps during World War II. We participated in the invasion of Saipan together.

I have known Mr. Moore since I was 18 years old, and I am 53 years old today. During that period of time there was in this country a restriction on black people serving in the United States Marine Corps, and Mr. Moore and I were among the very first blacks in this country to do so. Between the years 1942 and 1949, the black Marines in this country were restricted to a camp in North Carolina known as Montford Point. During that period of time some 25,000 blacks in this country went through Montford Point, North Carolina, and served this country well in the Pacific. I would like to point out that in 1964 Mr. Moore and I were the founders of an organization known as the Montford Point Marine Association, which is a recognized veterans' organization that now has chapters in some 34 states of this country. This year that organization will be having its national convention in Washington, D. C., this spring, and I am certain that Cecil Moore will be a very important part of that particular meeting.

In addition to that, when I came to Philadelphia and went to law school and graduated from law school, I found that Cecil Moore and I became almost inseparable companions in the criminal court of Philadelphia. We tried many cases together over the years, and many very difficult cases, and we have, through the years, been inseparable friends.

I, therefore, thank this body for recognizing and giving its condolences to the man who was, in my opinion, one of the greatest trial lawyers to ever walk the streets of this country. Thank you.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

#### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. At this time the Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I would like to call a short Appropriations Committee meeting off the floor of the House in the regular Appropriations Committee meeting room.

#### FRESHMEN DEMOCRATS MEETING POSTPONED

The SPEAKER pro tempore. The Speaker would like to announce that because of the lateness of the hour, the meeting scheduled for the freshmen Democratic members after the session will be postponed until next week, and the Chair will send a notice for a new date at that time.

The Chair hearing no objections to the announcement of the Appropriations Committee meeting, the members of the Appropriations Committee may adjourn to that meeting.

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, would you elaborate on what meeting it is that the Chair is calling for the Democratic freshmen?

The SPEAKER pro tempore. Having not called the meeting but just reading a note, I cannot help you too much. There was a meeting of the freshmen Democratic members with the Speaker.

Mr. IRVIS. I see. I remember now what it is.

Mr. Speaker, I do wish to make an announcement. We called a meeting for all the Democratic chairmen of committees to follow the session tomorrow. There not being a session tomorrow, as I have been informed, the meeting has been changed to 10 a.m. tomorrow in the Democratic caucus room, and that means all Democratic chairmen. We are going to be going through your payroll and we are going through it if you are there or not.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Mr. Speaker, that should certainly bring out a good attendance.

#### HOUSE SCHEDULE

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

Mr. RYAN. Mr. Speaker, I would like to make comment on what I believe will be next week's schedule. We have asked the majority chairmen to call committee meetings next week, and there will be no session as such. We will adjourn until next Monday morning, because, among other reasons, there is a concurrent resolution to that effect with the Senate, and, hopefully, the only business that we will attend to next week on the floor is simply coming on the floor at the appointed time and then immediately adjourning. We are hoping that for the next 2 weeks the committee chairmen will call continuous committee meetings so that all of the bills presently in those committees—not all of them, but many of the bills presently in those committees—can be considered by the committees and reported to the floor, so that we will have a calendar for the following week. We intend to come into session during these next 2 weeks, however, at least 1 day of each week to make sure that should the Senate act on the Compensation Commission resolution differently from what we did, we will be available to treat that subject. That speaks for itself, I suppose. Thank you, Mr. Speaker.

#### ANNOUNCEMENT

The SPEAKER pro tempore. The Chair recognizes the majority caucus chairman.

Mr. NOYE. Thank you, Mr. Speaker. Just a reminder to all the members from both myself and Dave DiCarlo that the seminar scheduled for Thursday morning on the campaign finance laws as run by the Department of State is still scheduled for 9 o'clock in the majority caucus room. This process that the Department of State is running will be geared to reflect your responsibilities as a candidate rather than from the approach of your campaign organization. It will be as to your responsibilities. It is still scheduled for 9 o'clock on Thursday morning.

#### INTERROGATION

Mr. COWELL, under unanimous consent, interrogated Mr. S. E. Hayes.

Mr. COWELL. The majority leader, in his remarks about next week, indicated that there would basically be committee meetings. He did indicate that each day we would come to the floor. Is it his intention or the intention of the majority that roll calls be taken on those days, master roll calls?

Mr. S. E. HAYES. Mr. Speaker, there are matters over in the Senate which are pending right now that this House may have to be concerned about in the next several days, and so it is the intention of the majority leader and the Speaker of this House to bring this House into session on Monday so that this House of Representatives is prepared to react to any action which may be taken in the Senate with regard, for instance, to the appropriation bill which we have sent and must be acted upon in the



next few days, and the concurrent resolution which is pending over in the Senate of Pennsylvania with regard to the Commonwealth Compensation Commission report. We do not want to run the risk of having only part of the House membership in Harrisburg in case it became necessary for the House of Representatives to take action on those matters. Rather than have this House of Representatives just waiting on the Senate to do something, it is the intention of the Speaker to have the standing committees begin their deliberations on legislation which has been referred to the various committees, and that was the announcement that was made by the majority leader. We will come into session on Monday, take a roll call, and then adjourn to the various committee meeting rooms in the Main Capitol Building. Thank you.

The SPEAKER pro tempore. The House will be at ease await-

ing the return of the Appropriations Committee.

I believe there will be no further roll calls. If the members wish to leave, I think they will be perfectly safe in doing so.

For information of the members, the House will be in session Monday at 1 p.m.

#### ADJOURNMENT

Mr. BELARDI moved that this House of Representatives do now adjourn until Monday, February 19, 1979, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:53 p.m., e.s.t., the House adjourned.