

Legislative Journal

THURSDAY, JULY 3, 1980

Session of 1980

164th of the General Assembly

No. 56

HOUSE OF REPRESENTATIVES

The House convened at 12:01 a.m., e.d.t.

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

BILL SIGNED BY SPEAKER

The Chair gave notice that it was about to sign the following bill, which was then signed:

SB 265, PN 1951

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to increase certain retirement benefits or pensions.

MOTION TO RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I ask that this House go into recess until 11 a.m. today.

The SPEAKER. The question before the House is to recess until 11 a.m. The Chair suggests that we use the same master roll today that we used yesterday.

Mr. MANDERINO. Mr. Speaker, we object to that.

The SPEAKER. Does the minority whip, Mr. Manderino, wish to debate the recess motion?

Mr. MANDERINO. Mr. Speaker, I heard what you said the Chair suggests. Mr. Speaker, we object to the Chair's suggestion.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. MANDERINO. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. What motion is the question on?

The SPEAKER. The motion before the House is to recess this House until 11 a.m.

Mr. MANDERINO. Who made that motion, Mr. Speaker?

The SPEAKER. The majority leader, Mr. Ryan.

Mr. MANDERINO. Mr. Speaker, I did not hear that motion. Mr. Speaker, I have—

The SPEAKER. The Chair apologizes for the rudeness of some of the members.

Mr. MANDERINO. Mr. Speaker, I have the floor. I have the floor, Mr. Speaker. Do not recognize someone until I give up the floor.

A further point of parliamentary inquiry, Mr. Speaker. May I state my second point of parliamentary inquiry?

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. Mr. Speaker, just before this House adjourned abruptly yesterday without a rollcall vote that members of this House asked for, there was a motion put by Mr. O'Donnell. Does the Chair recall?

The SPEAKER. The Chair heard none.

Mr. MANDERINO. You heard no motion? Mr. Speaker, we have court reporters here who stenographically record what occurs. Can we ask them to read yesterday's record?

The SPEAKER. There is nothing before the House but the motion to recess until 11 a.m.

Mr. MANDERINO. What is before us is a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. Can we ask the court reporters, the young ladies here who record the proceedings of this House, whether or not a motion was made by Mr. O'Donnell which they recorded? It was yesterday.

The SPEAKER. The minority whip asked the Speaker whether or not he had heard a motion to adjourn and the Chair responded in the negative.

Mr. MANDERINO. I believe that the Chair is in error. The Chair is working very hard these days. The Chair may have difficulty remembering what occurred yesterday, and I would like the record to indicate whether or not a motion was made.

The SPEAKER. The question is on the motion.

Mr. MANDERINO. Mr. Speaker, have we taken a master roll for the day?

The SPEAKER. There is a pending motion on the floor which must be disposed of.

Mr. MANDERINO. Mr. Speaker, unless we take a master roll, we will not know who is eligible to vote on that motion.

The SPEAKER. The Chair would hope that the leaders of both parties would assure that there be accurate voting.

Mr. MANDERINO. Mr. Speaker, I am too tired to do that and Mr. Irvis is too tired to do that. We would rather do it by a master roll.

The SPEAKER. The question before the House is the motion to recess. When that motion has been disposed of—

MOTION TO ADJOURN

Mr. MANDERINO. Mr. Speaker, I move that this House now adjourn.

The SPEAKER. When that motion is disposed of—

Mr. MANDERINO. Mr. Speaker, a motion to adjourn is in order at any time. It is not debatable.

The SPEAKER. Will the gentleman state his motion.

Mr. MANDERINO. I move that this House now adjourn for the week, Mr. Speaker; for the week, Mr. Speaker; for the week, Mr. Speaker. I move that this House adjourn, Mr. Speaker, for the week.

The SPEAKER. Could the gentleman inform the Speaker when the end of the week is in his vocabulary?

Mr. MANDERINO. Mr. Speaker, the rules of the House ought to tell us what a week is. I would expect that Sunday begins the week.

The SPEAKER. Is the motion that we adjourn until Sunday at midnight?

Mr. MANDERINO. Mr. Speaker, my motion is that we adjourn for this week.

The SPEAKER. Will the gentleman please indicate to the Chair when the end of the week is?

Mr. MANDERINO. Mr. Speaker, did we adopt an adjournment resolution earlier this week?

The SPEAKER. Yes.

Mr. MANDERINO. What did it say, Mr. Speaker? Did it not say that when this House adjourns this week it will reconvene at a day certain? Well, I want to adjourn for the week.

The SPEAKER. It has been moved by the minority whip, Mr. Manderino, that this House do now adjourn for the week.

The Chair recognizes the majority leader, on the motion.

Mr. RYAN. I oppose it.

On the question,

Will the House agree to the motion to adjourn?

The following roll call was recorded:

YEAS—76

Austin	Gamble	McCall	Rhodes
Berson	Gatski	McIntyre	Rieger
Borski	George, C.	McMonagle	Rodgers
Brown	Giammarco	Manderino	Seventy
Cappabianca	Greenfield	Michlovic	Shupnik
Chess	Harper	Mrkonic	Steighner
Clark, B. D.	Hoeffel	Mullen	Stewart
Cochran	Hutchinson, A.	Murphy	Stuban
Cohen	Irvis	Novak	Sweet
Cole	Itkin	O'Brien, B. F.	Taylor, F.
Cowell	Knight	O'Donnell	Trello
DeMedio	Kolter	Oliver	Wachob
DeWeese	Kowalyszyn	Petrarca	Wargo
Dombrowski	Kukovich	Pievsky	White
Donatucci, R.	Laughlin	Pistella	Williams
Duffy	Lescovitz	Pratt	Wright, D. R.
Fee	Letterman	Pucciarelli	Yahner

Fryer	Levin	Rappaport	Zitterman
Gallagher	Livengood	Reed	Zwilk

NAYS—101

Alden	Fisher	McKelvey	Serafini
Anderson	Foster, W. W.	McVerry	Sieminski
Armstrong	Foster, Jr., A.	Mackowski	Sirianni
Arty	Freind	Madigan	Smith, E. H.
Belardi	Gallen	Manmiller	Smith, L. E.
Bittle	Geesey	Micozzie	Spencer
Bowser	Geist	Miller	Spitz
Brandt	George, M. H.	Moehlmann	Stairs
Burd	Grieco	Mowery	Swift
Cessar	Gruppo	Nahill	Taddonio
Cimini	Hagarty	Noye	Taylor, E. Z.
Civera	Halverson	O'Brien, D. M.	Telek
Clark, M. R.	Hasay	Perzel	Thomas
Cornell	Hayes, Jr., S.	Peterson	Vroon
Coslett	Honaman	Phillips	Wass
Cunningham	Hutchinson, W.	Piccola	Wenger
DeVerter	Johnson, E. G.	Pitts	Wilson
DiCarlo	Kanuck	Polite	Wilt
Davies	Klingaman	Pott	Wright, Jr., J.
Dawida	Knepper	Punt	Yohn
Dietz	Lashingier	Pyles	Zeller
Dininni	Lehr	Rasco	Zord
Dorr	Levi	Rocks	
Durham	Lewis	Ryan	Seltzer,
Earley	Lynch, E. R.	Salvatore	Speaker
Fischer	McClatchy	Scheaffer	

NOT VOTING—16

Barber	Gannon	Grabowski	Ritter
Beloff	Gladeck	Gray	Schweder
Bennett	Goebel	Johnson, J. J.	Shadding
Dumas	Goodman	Jones	Street

EXCUSED—8

Burns	Helfrick	Milanovich	Schmitt
Caltagirone	Maiale	Richardson	Weidner

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

MOTION TO RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that we recess until 11 a.m.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRIES

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

Mr. MANDERINO. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. Mr. Speaker, is there any reason that the microphone at the majority leader's desk and at the minority leader's desk do not go on and off at the same time by that gentleman who operates that electronic box up there?

The SPEAKER. The Chair was unaware that the majority or the minority's microphones were off at any time while this House is in session.

Mr. MANDERINO. Well, let me inform you, Mr. Speaker—

The SPEAKER. It is a firm rule of this Speaker that the majority and minority microphones are on.

Mr. MANDERINO. At all times when the House is in session?

The SPEAKER. At all times. If the gentleman's microphone was off, it was an error.

Mr. MANDERINO. Mr. Speaker, would you inform that gentleman up there who takes care of the box that this microphone is not to be turned off at any time when this House is in session?

The SPEAKER. The Chair has been informed that, when certain members were up there playing around with the equipment, something happened, and the Chair apologizes. They did not get it fixed in time.

Mr. MANDERINO. Mr. Speaker, we questioned the gentleman up there on why the microphone was off and he says he turned this microphone off at the order of the Speaker. Was he in error?

The SPEAKER. The Speaker gave no such order.

Mr. MANDERINO. Mr. Speaker, I would hope that the Speaker gave no such order, and I would hope that this microphone, when this House is in session, remains on at all times. And I would wish, Mr. Speaker, that the Speaker of this House would begin to show his fairness that I know he has.

Mr. Speaker, a further point of parliamentary inquiry.

The SPEAKER. The question before the House is the motion of Mr. Ryan. On the motion, the Chair recognizes the minority whip.

Mr. MANDERINO. I rise to a further point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. Mr. Speaker, will the vote taken on the adjournment resolution serve as the master roll?

The SPEAKER. In response to the gentleman, the Chair does not believe that that could be counted as a master roll.

Mr. MANDERINO. Mr. Speaker, further inquiry: Is it necessary to have a master roll each day?

The SPEAKER. Under the order of the day, there is a place for a master roll call. Before the House reached that point, the majority leader, Mr. Ryan, moved that this House recess and was interrupted by the minority whip who moved that this House adjourn. Both of those motions were in order at the time. The gentleman's motion to adjourn was disposed of, and the question recurs, Will the House recess until 11 a.m. this morning?

**REQUEST TO AMEND
MOTION TO RECESS**

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. I would like to amend the motion of recess so that this House will recess until Tuesday at 1 p.m., the next Tuesday which occurs after this legislative day.

The SPEAKER. The Chair refers the minority whip to rule 56 and the Chair quotes, "A motion to adjourn or recess is not debatable, cannot be amended and is always in order, except: (a) when another member has the floor; (b) when the House is voting." The gentleman's amendment would be out of order.

MOTION TO SUSPEND RULES

Mr. MANDERINO. I move that we suspend the rules so I can make that amendment.

The SPEAKER. It has been moved by the minority whip, Mr. Manderino, that rule 56 be suspended in order that he may offer an amendment to the motion before the House.

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

The following roll call was recorded:

YEAS—81

Austin	Gatski	Livengood	Rhodes
Berson	George, C.	McCall	Rieger
Borski	Giammarco	McIntyre	Rodgers
Brown	Goebel	McMonagle	Schweder
Cappabianca	Goodman	Manderino	Seventy
Chess	Grabowski	Michlovic	Shupnik
Clark, B. D.	Greenfield	Mrkonic	Steighner
Cochran	Harper	Mullen	Stewart
Cohen	Hoeffel	Murphy	Suban
Cole	Hutchinson, A.	Novak	Sweet
Cowell	Irviss	O'Brien, B. F.	Taylor, F.
DeMedio	Itkin	O'Donnell	Trello
DeWeese	Knight	Oliver	Wachob
Dawida	Kolter	Petrarca	Wargo
Dombrowski	Kowalshyn	Pievsky	Williams
Donatucci, R.	Kukovich	Pistella	Wright, D. R.
Duffy	Laughlin	Pratt	Yahner
Fee	Lescovitz	Pucciarelli	Zeller
Fryer	Letterman	Rappaport	Zitterman
Gallagher	Levin	Reed	Zwilk
Gamble			

NAYS—99

Alden	Foster, W. W.	McKelvey	Scheaffer
Anderson	Foster, Jr., A.	McVerry	Serafini
Armstrong	Freind	Mackowski	Sieminski
Arty	Gallen	Madigan	Sirianni
Belardi	Geesey	Manmiller	Smith, E. H.
Bittle	Geist	Micozzie	Smith, L. E.
Bowser	George, M. H.	Miller	Spencer
Brandt	Gladeck	Moehlmann	Spitz
Burd	Grieco	Mowery	Stairs
Cessar	Gruppo	Nahill	Swift
Cimini	Hagarty	Noye	Taddonio
Civera	Halverson	O'Brien, D. M.	Taylor, E. Z.
Clark, M. R.	Hasay	Perzel	Telek
Cornell	Hayes, Jr., S.	Peterson	Thomas
Coslett	Honaman	Phillips	Wass
Cunningham	Hutchinson, W.	Piccola	Wenger
DeVerter	Johnson, E. G.	Pitts	White
DiCarlo	Kanuck	Polite	Wilson
Davies	Klingaman	Pott	Wilt
Dietz	Knepper	Punt	Wright, Jr., J.
Dininni	Lehr	Pyles	Yohn
Dorr	Levi	Rasco	Zord
Durham	Lewis	Rocks	
Earley	Lynch, E. R.	Ryan	Seltzer,
Fischer	McClatchy	Salvatore	Speaker

Fisher

NOT VOTING—13

Barber	Gannon	Jones	Shadding
Beloff	Gray	Lashinger	Street
Bennett	Johnson, J. J.	Ritter	Vroon
Dumas			

EXCUSED—8

Burns	Helfrick	Milanovich	Schmitt
Caltagirone	Maiale	Richardson	Weidner

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

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

The SPEAKER. The Chair recognizes the minority whip.
Mr. MANDERINO. Mr. Speaker, I take it we are in session, and this is a point of parliamentary inquiry, if you have to call it something. I take it we are in session on Wednesday of this week. That is the session day?

The SPEAKER. The gentleman has not raised a point of parliamentary inquiry.

Mr. MANDERINO. Yes, I have. I said take it as such.

The SPEAKER. The Chair is unable to take it as such.

Mr. MANDERINO. I am really, Mr. Speaker, trying to get to the question of do we have a calendar for today?

The SPEAKER. The question before the House is a recess until 11 a.m.

Mr. MANDERINO. Will the majority leader consent to interrogation on the question of recess?

The SPEAKER. The rule clearly states that the motion to recess is not debatable.

Mr. MANDERINO. Mr. Speaker, I would like to know what the calendar is that necessitates us being here at 11 o'clock in the morning. What will be on the calendar?

The SPEAKER. The information that the Chair has, it will be those bills which have not been disposed of finally.

Mr. MANDERINO. On which calendar, Mr. Speaker?

The SPEAKER. On all calendars that were before the House yesterday.

MOTION TO ADJOURN

Mr. MANDERINO. Mr. Speaker, I move that this House adjourn until Tuesday, July 8, 1980.

The SPEAKER. Will the gentleman restate his motion? The Chair was unable to hear it.

Mr. MANDERINO. I have taken to writing these things down, Mr. Speaker, because somehow you do not remember them all. Mr. Speaker, my motion is to adjourn until Tuesday, July 8, 1980, at 1 p.m.

The SPEAKER. It has been moved by the minority whip, Mr. Manderino, that this House do now adjourn until Tuesday, July 8, 1980 at 1 p.m.

The Chair recognizes the majority leader.

Mr. RYAN. I oppose it.

On the question,

Will the House agree to the motion to adjourn?

The following roll call was recorded:

YEAS—81

Austin	Gamble	Letterman	Rhodes
Berson	Gatski	Levin	Ritter
Borski	George, C.	Livengood	Rodgers
Brown	George, M. H.	McCall	Schweder
Cappabianca	Giammarco	McMonagle	Seventy
Chess	Goebel	Manderino	Shupnik
Clark, B. D.	Goodman	Michlovic	Steighner
Cochran	Grabowski	Mrkonic	Stewart
Cohen	Greenfield	Mullen	Stuban
Cole	Harper	Murphy	Sweet
Cowell	Hoeffel	Novak	Taylor, F.
DeMedio	Hutchinson, A.	O'Brien, B. F.	Trello
DeWeese	Irvis	O'Donnell	Wachob
DiCarlo	Itkin	Petrarca	Wargo
Dawida	Knight	Pievsky	Williams
Dombrowski	Kolter	Pistella	Wright, D. R.
Donatucci, R.	Kowalshyn	Pratt	Yahner
Duffy	Kukovich	Pucciarelli	Zeller
Fee	Laughlin	Rappaport	Zitterman
Fryer	Lescovitz	Reed	Zwilk
Gallagher			

NAYS—95

Alden	Foster, W. W.	McVerry	Serafini
Anderson	Foster, Jr., A.	Mackowski	Sieminski
Armstrong	Freind	Manmiller	Sirianni
Arty	Gallen	Micozzie	Smith, E. H.
Belardi	Geesey	Miller	Smith, L. E.
Bittle	Geist	Moehlmann	Spencer
Bowser	Grieco	Mowery	Spitz
Brandt	Gruppo	Nahill	Stairs
Burd	Hagarty	Noye	Swift
Cessar	Halverson	O'Brien, D. M.	Taddonio
Cimini	Hasay	Perzel	Taylor, E. Z.
Civera	Hayes, Jr., S.	Peterson	Telek
Clark, M. R.	Honaman	Phillips	Thomas
Cornell	Hutchinson, W.	Piccola	Vroon
Coslett	Johnson, E. G.	Pitts	Wass
Cunningham	Kanuck	Polite	Wenger
DeVerter	Klingaman	Pott	Wilson
Davies	Knepper	Punt	Wilt
Dietz	Lehr	Pyles	Wright, Jr., J.
Dininni	Levi	Rasco	Yohn
Dorr	Lewis	Rocks	Zord
Durham	Lynch, E. R.	Ryan	
Earley	McClatchy	Salvatore	Seltzer,
Fischer	McKelvey	Scheaffer	Speaker
Fisher			

NOT VOTING—17

Barber	Gladeck	Lashinger	Rieger
Beloff	Gray	McIntyre	Shadding
Bennett	Johnson, J. J.	Madigan	Street
Dumas	Jones	Oliver	White
Gannon			

EXCUSED—8

Burns	Helfrick	Milanovich	Schmitt
Caltagirone	Maiale	Richardson	Weidner

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

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

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair is constrained from recognizing the gentleman on the motion because the motion is not debatable.

For what purpose does the gentleman from Westmoreland, Mr. Kukovich, rise?

Mr. KUKOVICH. I rise to a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. KUKOVICH. Mr. Speaker, I am confused about the order of business for the day. At what point will we begin to follow rule 17? At the point that the recess begins again at 11:00? If that is the case then, under what order of business are we operating now?

The SPEAKER. In response to the inquiry of the gentleman, we are under a motion to recess, which is always in order.

Mr. KUKOVICH. Mr. Speaker, that did not answer my question. I want to know at what time does the daily order of business begin under rule 17?

The SPEAKER. It is the opinion of the Chair that when the House is called to order, the order of business of the day begins.

Mr. KUKOVICH. Well, then, Mr. Speaker, if I am correct, we adjourned until 12:01. Is that correct?

The SPEAKER. This House adjourned until 12:01 a.m. on Thursday, July 3.

Mr. KUKOVICH. Well, then if that is the case, Mr. Speaker, we started a new order of business?

The SPEAKER. The gentleman is correct.

Mr. KUKOVICH. And we have been in violation of the rules because we have not followed the daily order of business.

The SPEAKER. The gentleman is in error because a motion to adjourn or a motion to recess is always in order.

Mr. KUKOVICH. Mr. Speaker, is a motion to recess in order?

The SPEAKER. The gentleman is correct. A motion to recess is in order the same as a motion to adjourn is always in order.

Mr. KUKOVICH. Mr. Speaker, is it in order prior to the first five or six orders of business under rule 17?

The SPEAKER. A motion to recess, a motion to adjourn is always in order. The Chair has made it as clear as possible. Does the gentleman have any more points of parliamentary inquiry?

Mr. KUKOVICH. Mr. Speaker, will this vote serve as a master roll for the next legislative day or will there be a master roll at 11 o'clock or whenever we reconvene?

The SPEAKER. This vote will not be a master roll for this day's session.

Mr. KUKOVICH. Well, then, Mr. Speaker, if that is the case, how do we know who is eligible to vote on this motion to recess?

The SPEAKER. Only those members in their seats may be recorded, and the Chair would hope the members would police each other.

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

The following roll call was recorded:

YEAS—97

Anden	Foster, W. W.	Mackowski	Sieminski
Anderson	Foster, Jr., A.	Madigan	Sirianni
Armstrong	Freind	Manmiller	Smith, E. H.
Arty	Gallen	Micozzie	Smith, L. E.
Belardi	Geesey	Miller	Spencer
Bittle	Geist	Moehlmann	Spitz
Bowser	Grieco	Mowery	Stairs
Brandt	Gruppo	Nahill	Swift
Burd	Hagarty	Noye	Taddonio
Cessar	Halverson	O'Brien, D. M.	Taylor, E. Z.
Cimini	Hasay	Perzel	Telek
Civera	Hayes, Jr., S.	Peterson	Thomas
Clark, M. R.	Honaman	Phillips	Vroon
Cornell	Hutchinson, W.	Piccola	Wass
Coslett	Johnson, E. G.	Pitts	Wenger
Cunningham	Kanuck	Polite	Wilson
DeVerter	Klingaman	Pott	Wilt
Davies	Knepper	Punt	Wright, Jr., J.
Dietz	Lehr	Pyles	Yohn
Dininni	Levi	Rasco	Zeller
Dorr	Lewis	Rocks	Zord
Durham	Lynch, E. R.	Ryan	
Earley	McClatchy	Salvatore	Seltzer,
Fischer	McKelvey	Scheaffer	Speaker
Fisher	McVerry	Serafini	

NAYS—79

Austin	Gatski	Livengood	Rhodes
Borski	George, C.	McCall	Rieger
Brown	George, M. H.	McIntyre	Ritter
Cappabianca	Giammarco	McMonagle	Rodgers
Chess	Goebel	Manderino	Schweder
Clark, B. D.	Goodman	Michlovic	Seventy
Cochran	Grabowski	Mrkonic	Shupnik
Cohen	Harper	Mullen	Steighner
Cole	Hoeffel	Murphy	Stewart
Cowell	Hutchinson, A.	Novak	Stuban
DeMedio	Irvis	O'Brien, B. F.	Taylor, F.
DeWeese	Itkin	O'Donnell	Trello
Dawida	Knight	Oliver	Wachob
Dombrowski	Kolter	Petrarca	Wargo
Donatucci, R.	Kowalyshyn	Pievsky	White
Duffy	Kukovich	Pistella	Wright, D. R.
Fee	Laughlin	Pratt	Yahner
Fryer	Lescovitz	Pucciarelli	Zitterman
Gallagher	Letterman	Rappaport	Zwilk
Gamble	Levin	Reed	

NOT VOTING—17

Barber	Dumas	Greenfield	Shadding
Beloff	Gannon	Johnson, J. J.	Street
Bennett	Gladeck	Jones	Sweet
Berson	Gray	Lashingner	Williams
DiCarlo			

EXCUSED—8

Burns	Helfrick	Milanovich	Schmitt
Caltagirone	Maiale	Richardson	Weidner

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

RECESS

The SPEAKER. This House now stands in recess until 11 a.m.

AFTER RECESS

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

PRAYER

THE HONORABLE ALBERT RASCO, member of the House of Representatives and guest chaplain, offered the following prayer:

Father, we know that You are here with us today in this House of Representatives. We ask that You guide us with Your wisdom and understanding as we discuss and debate the issues that affect Your people in this state. We are here to do Your will for Your glory and honor and not for our own. Make us realize this, and although we disagree as Democrats and Republicans, we can still love each other because we are all Your children and members of Your family. Have us realize that You are the leader that we must follow. In Jesus' name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, July 2, 1980, will be postponed until printed.

COMMUNICATIONS FROM GOVERNOR**BILLS SIGNED BY GOVERNOR**

The Secretary to the Governor presented the following communications from His Excellency, the Governor:

APPROVAL OF HBs Nos. 1106, 1684 and 1899.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

July 2, 1980

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1106, Printer's No. 3365, entitled "An act providing for certain authorized agencies to receive from insurance companies information relating to fire losses; providing for insurance companies to notify authorized agencies of suspicious fire losses, providing for immunity for insurance companies that provide information under this act; providing for the exchange and confidentiality of information and providing penalties".

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

July 2, 1980

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1684, Printer's No. 3392, entitled "An act requiring the name of the issuer of a prescription to be printed thereon and providing a penalty".

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

July 2, 1980

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1899, Printer's No. 3281, entitled "An act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' authorizing a lease for oil rights at Woodville State Hospital AND FURTHER PROVIDING FOR THE POWERS AND DUTIES OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES".

DICK THORNBURGH
GOVERNOR

SENATE MESSAGE**SENATE INSISTS ON NONCONCURRENCE
AND APPOINTED CONFERENCE COMMITTEE**

The Senate informed that the Senate insists on nonconcurrence in House amendments to **SB 414, PN 1945**, and has appointed Messrs. STAPLETON, SCANLON and HOWARD a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two houses in relation to said bill.

**MOTION INSISTING UPON CONCURRENCE
AND APPOINTMENT OF A CONFERENCE
COMMITTEE**

Mr. RYAN moved that the House insist upon Senate concurrence in House amendments to **SB 414, PN 1945**, and that a committee of conference be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on SB 414, PN 1945: Messrs. THOMAS, DORR and O'DONNELL.

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF INFORMATION

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, is there a quorum here for doing business? Has a master roll call been taken?

The SPEAKER. There has not been a master roll call taken as of now.

Mr. MANDERINO. Why are we waiting, Mr. Speaker? What are we doing? We have been in session for over 35 minutes and all we did is salute our Country and pray to our God.

The SPEAKER. That is not all bad.

Mr. MANDERINO. No; that is good, Mr. Speaker. Now I think we ought to go home and celebrate the Fourth.

The SPEAKER. I think most people would enjoy going home to celebrate the Fourth with a fifth.

Mr. MANDERINO. Do you expect that the good members of this General Assembly will have that opportunity, Mr. Speaker? And staff, Mr. Speaker? These hard-working people worked long and late last night. They do not appreciate being here waiting for—

The SPEAKER. The gentleman will yield.

STATEMENT BY MINORITY WHIP

The SPEAKER. The gentleman from Westmoreland asks unanimous consent to make a brief statement. The gentleman is in order and may proceed.

Mr. MANDERINO. Mr. Speaker, I think that we ought to do business or close shop. Mr. Stewart says we are running up the electric bill for no reason at all. The air conditioning is running; the lights are on; the microphone finally is working on this side of the aisle. They continue venting the krypton gas at Three Mile Island.

The SPEAKER. We could use some venting here.

Mr. MANDERINO. And all the wives have to clean those grills themselves to get ready for tomorrow. Mr. Speaker, do you expect— Husbands are cleaning grills, too, Margaret George. Mr. Speaker, I brought my whistle just in case the microphone does not work anytime today. I just want you to know that that will be my attempt to get your attention.

The SPEAKER. One or two - one if by land and two if by sea.

Mr. MANDERINO. One for the Speaker; two for the majority leader.

The SPEAKER. That is fair.

Mr. MANDERINO. Mr. Speaker, is the majority leader on the floor and would he consent to interrogation?

The SPEAKER. The majority leader appears to have left the floor temporarily, but I am sure that upon his return,

which should be very shortly, he will stand for interrogation.

Mr. MANDERINO. I will take the majority whip.

The SPEAKER. Will the majority whip permit himself to be taken?

Mr. MANDERINO. Mr. Speaker, while we are waiting for the majority whip, can the Chair inform me as to whether or not the Chair expects to be in session tomorrow?

The SPEAKER. If the Chair had had its druthers, we would have been home last night.

Mr. MANDERINO. Mr. Speaker, that begs the question. The question is, do you intend to have session tomorrow?

The SPEAKER. I do not believe that decision has been made as yet.

Mr. MANDERINO. Mr. Speaker, the members on this side of the aisle have asked me to prepare a list of the members of this side of the aisle and to include each and every name on a leave of absence sheet for tomorrow. They will be not in attendance, and I thought you might want to know that so that you might plan your day tomorrow.

The SPEAKER. The Chair thanks the gentleman for the information. Whether or not we are in session tomorrow will be decided at some future time today, and whether or not members are in attendance tomorrow is not the problem of the Speaker but I would assume it is the problem of each and every individual member, and the Chair would hope that whether we are in Harrisburg or in our home districts, we will all have a happy, snappy Fourth.

Mr. MANDERINO. I have a suggestion, Mr. Speaker.

The SPEAKER. The Chair would be very happy to listen to it.

Mr. MANDERINO. Suppose those of us who are here today take tomorrow off, and those who are not here today come down and work. Is that not fair?

The SPEAKER. The gentleman well knows that his problems and our problems are always caused by those people who are not here, not by those people who are here.

Mr. MANDERINO. Are you suggesting that if we go home, we would be causing problems?

The SPEAKER. The Chair was unable to hear the gentleman.

INTERROGATION

Mr. MANDERINO. Will the majority whip consent to interrogation?

Mr. S. E. HAYES. Certainly, Mr. Speaker.

Mr. MANDERINO. Mr. Speaker, is there a schedule for today?

Mr. S. E. HAYES. Certainly.

Mr. MANDERINO. Can you inform the members of the House what that schedule is?

Mr. S. E. HAYES. It is the House calendar, Mr. Speaker.

Mr. MANDERINO. Mr. Speaker, I have a House calendar before me that shows that the first bill on the calendar is HB 2576. Is that the calendar that you refer to?

Mr. S. E. HAYES. Thursday, July 3, 1980, Mr. Speaker.
Mr. MANDERINO. Do you intend to run this calendar today?

Mr. S. E. HAYES. That is the official calendar of this House of Representatives, Mr. Speaker.

Mr. MANDERINO. It is quarter to 12 or 18 minutes to 12, Mr. Speaker. We came into session at 11 o'clock. When shall we begin?

Mr. S. E. HAYES. We will begin when we decide to do business, Mr. Speaker.

Mr. MANDERINO. Can I help you make that decision, Mr. Speaker?

Mr. S. E. HAYES. What is that?

Mr. MANDERINO. Can I help you make that decision?

Mr. S. E. HAYES. You can make your recommendations. I am not at all sure the House will accept them.

Mr. MANDERINO. Mr. Speaker, I suggest we go to the calendar and begin running bills. The sooner we start, the sooner we ought to get out of here.

Mr. S. E. HAYES. Your recommendation will be taken under advisement.

Mr. MANDERINO. Mr. Speaker, that is not good enough.

Mr. S. E. HAYES. It is good enough for a majority, I believe, Mr. Speaker.

MOTION TO CALL UP HB 2576

Mr. MANDERINO. Well, let us see who has a majority here. I move that HB 2576 be called up. Let us move it to third. That is my motion, Mr. Speaker.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip for leaves of absence.

Mr. S. E. HAYES. I have no requests at this time, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip for leaves of absence.

Mr. MANDERINO. Mr. Speaker, can you do that with a motion before the House to take up the calendar?

The SPEAKER. The Chair is only attempting to follow the order of business of the day. Does the gentleman have any leaves of absence?

Mr. MANDERINO. Yesterday I learned, Mr. Speaker, that it was perfectly in order to recess the House.

The SPEAKER. Does the Democratic Party have any leaves of absence? The Chair can only assume there are none.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll. Only those members in their seats may be recorded.

The following roll call was recorded:

YEAS—174

Alden	Freind	Lynch, E. R.	Salvatore
Anderson	Gallagher	McCall	Scheaffer
Armstrong	Gallen	McClatchy	Schweder
Arty	Gamble	McIntyre	Serafini
Austin	Gannon	McKelvey	Seventy
Barber	Gatski	McMonagle	Shupnik
Belardi	Geesey	McVerry	Sieminski
Bittle	Geist	Mackowski	Sirianni
Borski	George, C.	Madigan	Smith, E. H.
Bowser	George, M. H.	Manderino	Smith, L. E.
Brandt	Gladeck	Manmiller	Spencer
Brown	Goebel	Michlovic	Spitz
Burd	Grabowski	Micozzie	Stairs
Cappabianca	Greenfield	Miller	Steighner
Cessar	Grieco	Mochlmann	Stewart
Chess	Gruppo	Mowery	Street
Cimini	Hagarty	Mrkonic	Stuban
Civera	Halverson	Murphy	Sweet
Clark, B. D.	Harper	Nahill	Swift
Clark, M. R.	Hasay	Novak	Taddonio
Cochran	Hayes, Jr., S.	Noye	Taylor, E. Z.
Cohen	Hoeffel	O'Brien, B. F.	Taylor, F.
Cole	Honaman	O'Brien, D. M.	Telek
Cornell	Hutchinson, A.	Oliver	Thomas
Coslett	Hutchinson, W.	Perzel	Trello
Cowell	Irvic	Peterson	Vroon
Cunningham	Itkin	Petrarca	Wachob
DeMedio	Johnson, E. G.	Phillips	Wargo
DeVerter	Kanuck	Piccola	Wass
DeWeese	Klingaman	Pievsky	Wenger
DiCarlo	Knepper	Pistella	White
Davies	Knight	Pitts	Wilson
Dawida	Kolter	Polite	Wilt
Dietz	Kowalshyn	Pott	Wright, D. R.
Dininni	Kukovich	Pratt	Wright, Jr., J.
Dorr	Lashinger	Punt	Yahner
Duffy	Laughlin	Pyles	Yohn
Durham	Lehr	Rasco	Zeller
Earley	Lescovitz	Reed	Zitterman
Fee	Letterman	Rhodes	Zord
Fischer	Levi	Rieger	Zwikl
Fisher	Levin	Ritter	
Foster, W. W.	Lewis	Rocks	Seltzer,
Foster, Jr., A.	Livengood	Ryan	Speaker

NAYS—0

NOT VOTING—16

Beloff	Dumas	Johnson, J. J.	Rappaport
Bennett	Fryer	Jones	Richardson
Berson	Giammarco	Mullen	Shadding
Donatucci, R.	Gray	Pucciarelli	Williams

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

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

RECONSIDERATION OF VOTE ON HB 1673

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the vote on concurrence in Senate amendments to HB 1673, PN 3735, which was defeated on the 2d day of July be reconsidered.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—128

Anderson	Geist	Madigan	Serafini
Arty	George, C.	Manderino	Shupnik
Belardi	George, M. H.	Manmiller	Sieminski
Bittle	Gladeck	Michlovic	Sirianni
Bowser	Grabowski	Micozzie	Smith, E. H.
Brown	Grieco	Moehlmann	Smith, L. E.
Burd	Gruppo	Mowery	Spencer
Cappabianca	Hagarty	Mrkonic	Stairs
Cessar	Halverson	Murphy	Steighner
Chess	Harper	Nahill	Stuban
Cimini	Hasay	Novak	Sweet
Civera	Hayes, Jr., S.	Noye	Taddonio
Clark, M. R.	Hoefel	O'Brien, B. F.	Taylor, E. Z.
Cochran	Honaman	O'Brien, D. M.	Taylor, F.
Cohen	Hutchinson, A.	Perzel	Telek
Cole	Irvis	Peterson	Thomas
Cornell	Itkin	Phillips	Vroon
Coslett	Johnson, E. G.	Piccola	Wachob
DeMedio	Klingaman	Pievsky	Wargo
DeVerter	Knepper	Pitts	Wass
DiCarlo	Lashingner	Polite	Wenger
Davies	Lehr	Pott	Wilson
Dietz	Lescovitz	Pratt	Wilt
Dorr	Levi	Punt	Wright, D. R.
Duffy	Lewis	Pyles	Wright, Jr., J.
Durham	Livengood	Rasco	Yahner
Earley	Lynch, E. R.	Rhodes	Yohn
Fee	McCall	Ritter	Zitterman
Fisher	McClatchy	Rocks	Zord
Foster, W. W.	McKelvey	Ryan	
Foster, Jr., A.	McMonagle	Salvatore	Seltzer,
Gallen	McVerry	Scheaffer	Speaker
Geesey	Mackowski		

NAYS—16

Barber	Knight	Letterman	Seventy
Fischer	Kolter	Oliver	Stewart
Gallagher	Kukovich	Petrarca	Trello
Goebel	Laughlin	Pistella	White

NOT VOTING—51

Alden	Dininni	Hutchinson, W.	Reed
Armstrong	Dombrowski	Johnson, J. J.	Richardson
Austin	Donatucci, R.	Jones	Rieger
Beloff	Dumas	Kanuck	Rodgers
Bennett	Freind	Kowalshyn	Schweder
Berson	Fryer	Levin	Shadding
Borski	Gamble	McIntyre	Spitz
Brandt	Gannon	Maiale	Street
Clark, B. D.	Gatski	Miller	Swift
Cowell	Giammarco	Mullen	Williams
Cunningham	Goodman	O'Donnell	Zeller
DeWeese	Gray	Pucciarelli	Zwikl
Dawida	Greenfield	Rappaport	

EXCUSED—6

Burns	Helfrick	Schmitt	Weidner
Caltagirone	Milanovich		

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

On the question recurring,

Will the House concur in Senate amendments?

HB 1673 PLACED ON POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 1673 be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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

Mr. LETTERMAN. There are no calendars over on this side of the aisle. I do not know how many have them, but very few of us have them. Could we have a calendar, please?

The SPEAKER. The Chair has been informed that calendars had been here this morning and were passed out.

Mr. LETTERMAN. Mr. Speaker, I cannot help that. I was not here earlier this morning to keep mine on the desk, and it is not here. I would like to have one.

The SPEAKER. The gentleman is entitled to a calendar, and you are going to get one. You cannot trust your neighbors around here, can you?

Have the calendars been distributed to all members?

RECONSIDERATION OF VOTE ON SB 1299

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the vote by which SB 1299, PN 1954, was defeated on the 2d day of July be reconsidered.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—134

Anderson	Foster, W. W.	McKelvey	Salvatore
Arty	Foster, Jr., A.	McMonagle	Scheaffer
Belardi	Gallen	McVerry	Schweder
Bittle	Gamble	Mackowski	Serafini
Borski	Geesey	Madigan	Seventy
Bowser	Geist	Manderino	Shupnik
Burd	George, C.	Manmiller	Sieminski
Cappabianca	Gladeck	Michlovic	Smith, E. H.
Cessar	Grieco	Micozzie	Smith, L. E.
Chess	Gruppo	Moehlmann	Spencer
Cimini	Hagarty	Mowery	Stairs
Civera	Halverson	Mrkonic	Steighner
Clark, B. D.	Harper	Murphy	Stewart
Clark, M. R.	Hasay	Nahill	Stuban
Cochran	Hayes, Jr., S.	Novak	Sweet
Cohen	Hoefel	Noye	Swift
Cole	Honaman	O'Brien, D. M.	Taddonio
Cornell	Hutchinson, A.	Oliver	Taylor, E. Z.
Coslett	Hutchinson, W.	Perzel	Taylor, F.
Cowell	Irvis	Peterson	Thomas
DeMedio	Itkin	Petrarca	Vroon
DeVerter	Johnson, E. G.	Phillips	Wachob
DeWeese	Knepper	Piccola	Wargo

DiCarlo	Knight	Pievsky	Wass
Davies	Kolter	Pistella	Wenger
Dawida	Lashinger	Pitts	Wilt
Dietz	Laughlin	Polite	Wright, Jr., J.
Dorr	Lescovitz	Pott	Yahner
Duffy	Levi	Pratt	Yohn
Durham	Lewis	Punt	Zitterman
Earley	Livengood	Rasco	Zord
Fee	Lynch, E. R.	Rhodes	
Fischer	McCall	Ritter	Seltzer,
Fisher	McClatchy	Rocks	Speaker

NAYS—5

Brown	Grabowski	Kukovich	White
Goebel			

NOT VOTING—56

Alden	Fryer	Lehr	Rieger
Armstrong	Gallagher	Letterman	Rodgers
Austin	Gannon	Levin	Ryan
Barber	Gatski	McIntyre	Shadding
Beloff	George, M. H.	Maiale	Sirianni
Bennett	Giammarco	Miller	Spitz
Berson	Goodman	Mullen	Street
Brandt	Gray	O'Brien, B. F.	Telek
Cunningham	Greenfield	O'Donnell	Trello
Dininni	Johnson, J. J.	Pucciarelli	Williams
Dombrowski	Jones	Pyles	Wilson
Donatucci, R.	Kanuck	Rappaport	Wright, D. R.
Dumas	Klingaman	Reed	Zeller
Freind	Kowalshyn	Richardson	Zwikl

EXCUSED—6

Burns	Helfrick	Schmitt	Weidner
Caltagirone	Milanovich		

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

On the question recurring,
Shall the bill pass finally?

**SB 1299 PLACED ON FINAL
PASSAGE POSTPONED CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that SB 1299 be placed on the final passage postponed calendar.

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

CALENDAR

The SPEAKER. Without objection, HB 1456 will be passed over.

The Chair recognizes the minority leader.

Mr. IRVIS. HB 1456 on page 4, I draw to the Speaker's attention, is on the 15th day. The calendar should be marked for a motion to table. I so move, Mr. Speaker.

Mr. RYAN. I agree with the gentleman. I would ask that that bill be tabled.

The SPEAKER. The Chair withdraws its decision as the bill having been passed over.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1456, PN 3190**, entitled:

An Act amending the act of May 5, 1933 (P. L. 364, No. 106), entitled, as amended, "An act relating to corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of certain corporations for profit; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations and associations within the provisions of this act; prescribing the terms and conditions upon which certain foreign corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations and other entities," further providing for the right of a public utility corporation to condemn property inside the limits of a railroad line or street railway.

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

BILL TABLED

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I move that HB 1456 be laid on the table.

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

**BILL REMOVED FROM TABLE
FOR CALENDAR**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I move that HB 1456 be taken off the table and placed on the calendar.

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

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.
Mr. HAYES. Mr. Speaker, there are no further leaves of absence.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I ask for a leave of absence for the gentleman from Bucks, Mr. RODGERS, for today; for the gentleman from Erie, Mr. DOMBROWSKI, for today; for the gentleman from Schuylkill, Mr. GOODMAN, for today; for the gentleman from Philadelphia, Mr. MAIALE, for today; and for the gentleman from Philadelphia, Mr. O'DONNELL, for today.

The SPEAKER. Without objection, leaves will be granted.

CALENDAR

The SPEAKER. Without objection, HB 265 will be passed over.

For what purpose does the gentleman from Bucks, Mr. Gallagher, rise?

Mr. GALLAGHER. Mr. Speaker, on page 4, HB 265, I object to it being passed over. I would ask that it be called up.

The SPEAKER. The gentleman from Bucks, Mr. Gallagher, objects to HB 265 being passed over.

MOTION TO RECESS FOR REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, inasmuch as this bill has been called up, I am advised by the minority that they must caucus on it. There are, I would guess, 10 or 12 amendments, as I recall, that are to be offered to the bill. I think it is frankly foolish to worry about that bill today. It cannot become law prior to September or whenever the Senate comes back, but if Mr. Gallagher wants to call it up, then I suppose we have to caucus on it. Accordingly, I would ask that we break now for caucus and lunch and return to the floor at 1:45.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. It will be necessary for the Democrats to caucus. Inasmuch as HB 265 is called up and although we have caucused on the bill, we have not caucused on the series of amendments which may drastically change the bill. We will go into caucus at 1:15 for one-half hour, and I would advise those people who have amendments to the bill—and I have a list of about eight or nine of them—to be in caucus to be able to explain those amendments. Democratic caucus at 1:15, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority caucus chairman, Mr. Noye.

Mr. NOYE. Mr. Speaker, I agree that the Republicans will meet at 1:15 in the caucus room.

The SPEAKER. There is a Democratic caucus called for 1:15, a Republican caucus for 1:15.

POINT OF ORDER

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

Mr. NOVAK. I would like to offer a suggestion. Since time—

The SPEAKER. The gentleman will yield. The motion to recess is not debatable. The Chair would suggest the

gentleman will come down and make his suggestion to the minority leader.

Mr. NOVAK. Am I in order with a point of order?

The SPEAKER. The gentleman will state his point of order.

Mr. NOVAK. Mr. Speaker. Since time is of essence right now, would it be permissible for me to make a motion to table all bills on the calendar with the exception of the controversial HB 1673? Let us put our nose to the grindwheel and bite the bullet. Is it possible? I will so move, Mr. Speaker.

The SPEAKER. In response to the inquiry, the answer is “no” because the motion before us is to recess until 1:45.

Mr. NOVAK. Then we are playing games.

Mr. LETTERMAN. Mr. Speaker, it is over that bill. You did not make any other motion after you said what we were going to do is HB 265, except amendments, and I did not hear you go on any further on that calendar, and I think that is wrong.

The SPEAKER. Will the gentleman listen?

Mr. LETTERMAN. We are tired of playing.

The SPEAKER. The bill before the House is HB 265. That is the bill before us.

Mr. LETTERMAN. And we are making a motion that you table everything.

The SPEAKER. The gentleman will yield until the Chair is finished. Because this bill has been called up, the minority leader has asked for a caucus to discuss the amendments. The motion before the House is a recess for both caucuses.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RECESS

The SPEAKER. This House now stands in recess until 1:45 p.m.

AFTER RECESS

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

CALENDAR RESUMED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 265, PN 285**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

BILL PASSED OVER

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I move that HB 265, PN 285, be passed over for today's session.

The SPEAKER. It has been moved by the minority leader that HB 265 be passed over for today's session.

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

Mr. GALLAGHER. Mr. Speaker, unfortunately, I have to oppose my leader, and I ask that a roll call be taken on his motion.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I share the views of the minority leader, Mr. Irvis. At this time I think no useful purpose is served by taking up the time of the House working on this particular bill when everyone knows the Senate is out for the summer and nothing can happen until September. It is not that it is not a worthwhile bill; it is simply that this is not the appropriate time to take it up, and I would ask also that it be passed over.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, I understand Mr. Ryan's statement, but if there is nothing else of importance to be done today because the Senate has adjourned until September, I do not think that we should be playing around with other bills on the calendar unless there are Senate bills that go right from here to the Governor's desk. I hope you follow that kind of concept, Mr. Speaker, when you proceed with the rest of the business of the day.

Mr. RYAN. I would suggest the gentleman watch the votes.

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

The following roll call was recorded:

YEAS—92

Anderson	George, M. H.	McClatchy	Serafini
Arty	Gladeck	Mackowski	Seventy
Bittle	Goebel	Manderino	Shupnik
Bowser	Grabowski	Michlovic	Smith, E. H.
Brandt	Greenfield	Moehlmann	Smith, L. E.
Burd	Grieco	Mowery	Spencer
Cappabianca	Hagarty	Murphy	Steighner
Cessar	Halverson	Nahill	Stuban
Cimini	Harper	Novak	Swift
Civera	Hasay	Noye	Taddonio
Clark, B. D.	Hayes, Jr., S.	O'Brien, B. F.	Taylor, E. Z.
Clark, M. R.	Hoeffel	Peterson	Telek
Cochran	Honaman	Petrarca	Thomas
Cornell	Irvis	Phillips	Wargo
Cunningham	Johnson, E. G.	Pievsky	Wass
DeVerter	Kanuck	Pitts	Wenger
DeWeese	Klingaman	Polite	Wright, Jr., J.
Davies	Knight	Pott	Yohn
Dietz	Kolter	Pyles	Zitterman
Dorr	Lehr	Rhodes	Zwikel
Earley	Letterman	Ryan	
Gallen	Levi	Salvatore	Seltzer,
Geesey	Lewis	Scheaffer	Speaker
Geist	Lynch, E. R.		

NAYS—37

Austin	Fee	Kowalyszyn	Oliver
Belardi	Fischer	Kukovich	Rocks
Borski	Fisher	Lashingner	Stairs
Brown	Foster, W. W.	Laughlin	Stewart
Cohen	Gallagher	Lescovitz	Wachob
Coslett	George, C.	Livengood	White
Cowell	Hutchinson, A.	McIntyre	Wilson
DeMedio	Itkin	McMonagle	Wright, D. R.
Dawida	Knepper	Mrkonic	Zeller
Duffy			

NOT VOTING—61

Alden	Gamble	Micozzie	Ritter
Armstrong	Gannon	Miller	Schweder
Barber	Gatski	Mullen	Shadding
Beloff	Giammarco	O'Brien, D. M.	Sieminski
Bennett	Gray	Perzel	Sirianni
Berson	Gruppo	Piccola	Spitz
Chess	Hutchinson, W.	Pistella	Street
Cole	Johnson, J. J.	Pratt	Sweet
DiCarlo	Jones	Pucciarelli	Taylor, F.
Dininni	Levin	Punt	Trello
Donatucci, R.	McCall	Rappaport	Vroon
Dumas	McKelvey	Rasco	Williams
Durham	McVerry	Reed	Wilt
Foster, Jr., A.	Madigan	Richardson	Yahner
Freind	Manmiller	Rieger	Zord
Fryer			

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, for the benefit of the members who may still be in their offices, it would be my intention to call up, in addition to HB 1, the Unemployment Compensation bill. Thank you, Mr. Speaker.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1, PN 3729**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing special tax provisions for taxpayers in certain areas.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I request that the House do concur in the amendments inserted by the Senate to HB 1.

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

MOTION TO SUSPEND RULES

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

Mr. ZELLER. Mr. Speaker, the action we took yesterday, I understand, is null and void now. So I would like to move at this time to suspend—and I am sorry I cannot remember the rule number—the rules to allow us to take action in regard to reverting back to the prior printer's number on HB 1.

The SPEAKER. The gentleman from Lehigh, Mr. Zeller, moves that rule 30 be suspended in order that a proposed amendment to an amendment made by the Senate be reconsidered.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am going to ask that the House oppose the suspension of the rules and I would like to give a short statement as to my reasoning.

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

Mr. RYAN. Mr. Speaker, some 2 or 3 weeks ago, I suppose, a Senate bill came to the House, SB 982 as I recall, and at that time the House amended into that Senate bill the provision of the then HB 1, which was constitutional limitation on spending. The effect of our action at that time was to send back to the Senate this proposal on the limitation, and it is on the Senate calendar. The Senate, several weeks after that, took our HB 1, the constitutional limitation on spending, amended it, and put into it the contents of SB 982. The effect of a suspension of the rules now and the insertion into what is on our calendar of the constitutional spending limitation will have the effect of sending to the Senate and having on the Senate desk two bills, both of which do the exact same thing, which is impose a constitutional limitation on spending, a principle which I am very much in favor of. However, I see no useful purpose in depriving a member of the Senate the opportunity to have his bill voted on in the form in which it passed the Senate for the sole purpose of once again inserting the constitutional spending limitation to send it back to the Senate so there are simply two of them on their calendar. The Senate must face the spending limitation that is before them today.

A more practical approach to this problem, as I view it, is that if we make a practice of stripping every Senate bill, every Senate bill, and inserting our legislation in it for duplication purposes as opposed to the legitimate purpose of getting a matter back before them, but for the sole purpose of duplication and putting them to the fire twice, I think we could easily start a range war between the two Houses that we might all regret down the road. It is for these reasons, Mr. Speaker, that I suggest we not suspend the rules.

In addition, one further reason occurs to me. The Senate is out; their desk is open, but the Senators are not in Harrisburg as far as I know. Their desk is open to receive bills. They passed over yesterday or the day before yesterday SB 982, which has the constitutional spending limitation in it. I do not believe they will vote on the spending limitation prior to September, which means it is beyond the date for advertising. Mr. Speaker, I would suggest that we not suspend the rules.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, for different reasons than the majority leader, I object to the suspension of the rules. Now, I have grown a bit weary of every time we have a rule to prevent this sort of hassle, we move to suspend it. I personally am going to vote against HB 1 in its present form, so I am not speaking in defense of the bill, but I think it is only fair to the men in the Senate who have amended the bill and sent it here on good faith that we deal with it in equal faith. If we do not like it, then our simple answer is the one that I shall give and vote "no" rather than suspending the rules each time in order to change the bill to suit our own fancy. I am against the suspension of the rules and I urge the members on this side to be against it.

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

Mr. ZELLER. Mr. Speaker, so I too can explain, I hope I am given the same leniency as the majority leader was given. The question is, he said, of fairness. He said there is a question of not having a duplication. There is a question mentioned by my leader that in regard to something that he did not want to see happen because he said they did it in good faith and all that. I would like to know when—and I am not trying to tear the Senate apart, but the question is, since when—have they ever been concerned about the House? That is number one. Okay?

Number two is that we talk about good faith. Why then did they take HB 1 and hold it as long as they did hoping that it would just go away and then to find out, because we know what happened with the agency bill over there. We know what happened; they took it and destroyed it. Not because we took SB 392 and put HB 1 into it—if that is the number—because we had to. There was no other way out. So therefore, we say, yes, we are going to give them a duplication as a message to let them know we do not like what they did to us in HB 1 because of the fact of what a few, without mentioning their names, public employe unions who did not want it, some of the bureaucrats down here did not want it, and also some of our local government officials. The public wants it.

So without any further ado, I would appreciate very much the courtesy and the chance to save this government for our people and to let us get on with HB 1 as the intent was last year and therefore suspend the rules so we can go back to the prior printer's number to amend out what the Senate has done. Thank you, Mr. Speaker, and I would appreciate an affirmative vote on suspending the rules.

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

Mr. DAWIDA. Mr. Speaker, very briefly, I would like to suggest that we in the General Assembly should vote to suspend the rules. Quite frankly, I do not share Mr. Ryan's contention nor Mr. Irvis' contention that we should be gentle with the Senate and not strip their bill.

This bill before us is a stripped bill with a very dangerous concept in it, which no one has seen until very recently.

Mr. RYAN. Mr. Speaker?

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

Mr. RYAN. Mr. Speaker, I would like to call to the attention of the gentleman that in my judgment he is debating the merits of a bill as opposed to the question of reconsideration or the suspension of the rules. I think there will be plenty of time to debate the bill, and I can agree with some of the things the gentleman is saying.

Mr. DAWIDA. All right, I will not belabor the point. I was merely rebutting Mr. Ryan's argument. I will not continue on that line.

As I said, I believe we ought to suspend the rules and revert to the prior printer's number. I believe what is in here could be a problem for us, and I believe we ought to make one more statement to the Senate that we believe in cutting government spending, and if that means sending them two bills that say the same thing, then so be it, and I am going to vote "yes."

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

The following roll call was recorded:

YEAS—38

Belardi	Goebel	McMonagle	Seventy
Brown	Grabowski	Michlovic	Steighner
Cappabianca	Itkin	Mrkonic	Stewart
Cowell	Kanuck	Murphy	Taddonio
Dawida	Knight	Novak	Wachob
Duffy	Kowalyszyn	Pistella	Wargo
Fisher	Lashinger	Pott	Wright, D. R.
Gamble	Laughlin	Reed	Zeller
Geist	Lescovitz	Ritter	Zwilk
George, M. H.	Livengood		

NAYS—117

Anderson	Freind	McKelvey	Shupnik
Armstrong	Gallagher	McVerry	Sieminski
Bittle	Gallen	Mackowski	Sirianni
Borski	Geesey	Madigan	Smith, E. H.
Bowser	George, C.	Manderino	Smith, L. E.
Brandt	Gladeck	Manmiller	Spencer
Burd	Greenfield	Micozzie	Stairs
Cessar	Grieco	Moehlmann	Street
Cimini	Gruppo	Mowery	Stuban
Civera	Hagarty	Nahill	Swift
Clark, B. D.	Halverson	Noye	Taylor, E. Z.
Clark, M. R.	Harper	O'Brien, B. F.	Taylor, F.
Cochran	Hasay	O'Brien, D. M.	Telek
Cohen	Hayes, Jr., S.	Oliver	Thomas
Cole	Hoeffel	Perzel	Trello
Cornell	Honaman	Peterson	Vroon
Coslett	Hutchinson, A.	Petrarca	Wass
Cunningham	Hutchinson, W.	Phillips	Wenger
DeMedio	Irvis	Piccola	White
DeVertter	Johnson, E. G.	Pievsky	Wilson
DeWeese	Klingaman	Pitts	Wilt

Davies	Knepper	Polite	Wright, Jr., J.
Dietz	Kolter	Punt	Yahner
Dorr	Kukovich	Pyles	Yohn
Durham	Lehr	Rasco	Zitterman
Earley	Levi	Rocks	Zord
Fee	Lewis	Ryan	
Fischer	Lynch, E. R.	Salvatore	Seltzer,
Foster, W. W.	McCall	Scheaffer	Speaker
Foster, Jr., A.	McClatchy	Serafini	

NOT VOTING—35

Alden	Dininni	Jones	Rhodes
Arty	Donatucci, R.	Letterman	Richardson
Austin	Dumas	Levin	Rieger
Barber	Fryer	McIntyre	Schweder
Beloff	Gannon	Miller	Shadding
Bennett	Gatski	Mullen	Spitz
Berson	Giammarco	Pratt	Sweet
Chess	Gray	Pucciarelli	Williams
DiCarlo	Johnson, J. J.	Rappaport	

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

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

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

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

Mr. POTT. I rise today to urge nonconcurrence in the Senate amendments to HB 1. I have seen legislation for the past 4 years in the General Assembly. However, I have never seen such a poorly drafted, deplorable piece of legislation come before this House of Representatives. This legislation puts a provision into the constitution which in effect negates the most effective provision that the citizens of this Commonwealth have, and that is the uniformity clause in taxation.

This amendment as drafted would conflict with that uniformity clause and permit local officials in Pittsburgh and in Philadelphia to grant tax relief to special-interest groups who are known as longtime residents. Longtime residents are not defined. Do longtime residents mean corporations which have owned property for 150 years, or do longtime residents mean people who have lived in a home for more than 1 year?

The legislation is poorly drafted; it degrades the power of this General Assembly, and it is an insult to all of our intelligence to be requested to vote for such a sham as this. I request a negative vote. Thank you, Mr. Speaker.

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

Mr. D. R. WRIGHT. I do not wish to speak to the issue except to respond to a comment made by the gentleman, Mr. Pott, that this was the worst piece of legislation, the worst drafted legislation which he has seen since he has been down here. I would simply ask the gentleman to read HB 1840, which we passed yesterday, and I think he would change his mind.

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

Mr. DAWIDA. Mr. Speaker, this piece of legislation only affects counties of the first and second class. As a Representative from a second class county, I would appreciate a nonconurrence vote by all of those people in the House, because this piece of legislation is probably the single most dangerous concept that I have seen in taxation that we have faced this year.

So, very briefly, I would hope that even those of you who do not reside in the first and second class counties would vote to nonconcur.

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

Mr. ZELLER. Mr. Speaker, I am going to throw a little different light on this and *inform the members of what I think is going on*, and some of you folks who may want to vote for this, you had better think a little bit about your own area.

Do you remember when SB 188 passed—I do not know what the act is now—setting up corporations in the downtown section to be able to do this and do that in order to save the downtown areas? I personally feel this is a move to aid and abet some of the people in those areas who want to get help because of this move, and that is flying right into the face of unfairness for the rest of the people in those districts in the other parts of the cities, also in other cities throughout this Commonwealth, who have not been given the same shake. If you remember very, very well how the downtown areas said that they are being eroded out by shopping centers in the outlying areas, and you talk about causing a fight between the Senate and the House, you are really going to cause a fight now among your own people. So who is going to worry about the Senate and the House fighting? We have always fought, and that is the nature of our system and that is healthy, but you are going to cause a real war back home, because you are going to take care of some guy who has a bill in regard to tearing out a bill that was very important and putting in this piece of legislation that is going to cause one awful war in this state. If you want to go along with that, you go along with it. We could not get HB 1 taken care of, but do not give them this one. Please do not concur or you are going to rue the day you did.

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

Mr. ITKIN. Mr. Speaker, I want to make it quite clear to the House, and reiterate what other members have said, that, to the best of my knowledge, no Allegheny County Representative has asked that this particular legislation include them. I would say that most, if not all of us, find this type of legislation reprehensible and grossly discriminatory and many of us believe it to be unconstitutional with respect to the Federal Constitution on the equal protection clause granted to all citizens of the United States no matter how long they live in a given area. We understand that this was promoted by a Philadelphia Senator, and that might be

okay in his particular area, but we do not want in; we want out, and we want this bill defeated. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—26

Anderson	Gladeck	Micozzie	Spencer
Armstrong	Hagarty	Miller	Taddonio
Borski	Harper	Moehlmann	Wright, D. R.
Brandt	McClatchy	Polite	Yohn
Burd	McIntyre	Ryan	
Cohen	McMonagle	Salvatore	Seltzer,
Freind	Manderino	Smith, L. E.	Speaker

NAYS—134

Belardi	Gamble	Lynch, E. R.	Schweder
Bittle	Gannon	McCall	Serafini
Bowser	Geesey	McKelvey	Seventy
Brown	Geist	McVerry	Shupnik
Cappabianca	George, C.	Mackowski	Sieminski
Cessar	George, M. H.	Madigan	Sirianni
Cimini	Goebel	Manmiller	Smith, E. H.
Civiera	Grabowski	Michlovic	Spitz
Clark, M. R.	Greenfield	Mowery	Stairs
Cochran	Grieco	Mrkonic	Steighner
Cole	Gruppo	Murphy	Stewart
Cornell	Halverson	Nahill	Street
Coslett	Hasay	Novak	Stuban
Cowell	Hayes, Jr., S.	Noye	Swift
Cunningham	Hoefel	O'Brien, B. F.	Taylor, E. Z.
DeMedio	Honaman	O'Brien, D. M.	Taylor, F.
DeVerter	Hutchinson, W.	Oliver	Telek
DeWeese	Irvis	Perzel	Thomas
DiCarlo	Itkin	Peterson	Trello
Davies	Johnson, E. G.	Petrarca	Vroon
Dawida	Kanuck	Phillips	Wachob
Dietz	Klingaman	Piccola	Wargo
Dininni	Knepper	Pievsky	Wass
Dorr	Knight	Pistella	Wenger
Duffy	Kolter	Pitts	White
Durham	Kowalshyn	Pott	Wilson
Earley	Kukovich	Punt	Wilt
Fee	Lashingier	Pyles	Wright, Jr., J.
Fischer	Laughlin	Rasco	Yahner
Fisher	Lehr	Reed	Zeller
Foster, W. W.	Lescovitz	Ritter	Zitterman
Foster, Jr., A.	Levi	Rocks	Zord
Gallagher	Lewis	Scheaffer	Zwinkl
Gallen	Livengood		

NOT VOTING—30

Alden	Clark, B. D.	Johnson, J. J.	Rappaport
Arty	Donatucci, R.	Jones	Rhodes
Austin	Dumas	Letterman	Richardson
Barber	Fryer	Levin	Rieger
Beloff	Gatski	Mullen	Shadding
Bennett	Giammarco	Pratt	Sweet
Berson	Gray	Pucciarelli	Williams
Chess	Hutchinson, A.		

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Mr. Speaker, I regret that my voting machine is not operable and I would like to be recorded in the affirmative, please, on concurrence in Senate amendments to HB 1.

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

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1859, PN 3726**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566, No. 284), further providing for the award of attorneys' fees.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I request that the House do nonconcur in the Senate amendments.

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

Mr. PICCOLA. Mr. Speaker, I would urge a nonconcurrency in HB 1859. It seems to me that this bill is designed to limit counsel fees of attorneys in certain cases and that is altogether appropriate, but it appears that the permitted fees are entirely inappropriate under the circumstances, and it is quite possible that the clients who are retained under these circumstances will not receive the services that they are entitled to.

I would urge that the House nonconcur and that this bill be sent to a conference committee so that a more appropriate bill can be written.

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

Mr. HASAY. Mr. Speaker, I ask that both sides of the aisle nonconcur in the Senate amendments to HB 1859. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, I solicit the support of the members of the House to nonconcur in this legislation.

The SPEAKER. Does the gentleman from Lehigh, Mr. Ritter, wish to be recognized?

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

Mr. HASAY. I shall.

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

Mr. RITTER. Mr. Speaker, where it talks on page 2 of the bill that under no circumstance shall any counsel fee exceed 20 percent of each periodic payment to be made to the claimant as his award of compensation, what are we talking about there? Are we talking about—

Mr. HASAY. What we were trying to do in HB 1859 is, in certain instances where attorneys were assisting state asthma applications or occupational disease applications, some attorneys were charging not only for the fee but also, for the rest of the miner's life or the applicant's life \$25 or \$35 a month out of a \$125 check. What this bill was trying to do was trying to eliminate that and have a flat 20-percent fee, but what the Senate has done is say, well, it is fine to take the miner's 20 percent on a periodic basis of a month for 2 years. I think it is fair that an attorney charge what he can, a flat fee, and not a monthly check for the rest of that miner's life. I ask for nonconcurrence.

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

Mr. HASAY. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—0

NAYS—161

Anderson	Gallen	McIntyre	Serafini
Armstrong	Gamble	McKelvey	Seventy
Belardi	Gannon	McMonagle	Shupnik
Bittle	Geesey	McVerry	Sieminski
Borski	Geist	Mackowski	Sirianni
Bowser	George, C.	Madigan	Smith, E. H.
Brandt	George, M. H.	Manderino	Smith, L. E.
Brown	Gladeck	Manmiller	Spencer
Burd	Goebel	Michlovic	Spitz
Cappabianca	Grabowski	Micozzie	Stairs
Cessar	Greenfield	Miller	Steighner
Cimini	Grieco	Moehlmann	Stewart
Civera	Gruppo	Mowery	Street
Clark, B. D.	Hagarty	Mrkonic	Stuban
Clark, M. R.	Halverson	Murphy	Swift
Cochran	Hasay	Nahill	Taddonio
Cohen	Hayes, Jr., S.	Novak	Taylor, E. Z.
Cole	Hoeffel	Noye	Taylor, F.
Cornell	Honaman	O'Brien, B. F.	Telek
Coslett	Hutchinson, W.	O'Brien, D. M.	Thomas
Cowell	Irvis	Oliver	Trello
Cunningham	Itkin	Perzel	Vroon
DeMedio	Johnson, E. G.	Peterson	Wachob
DeVertor	Kanuck	Petrarca	Wargo
DeWeese	Klingaman	Phillips	Wass
DiCarlo	Knepper	Piccola	Wenger
Davies	Knight	Pievsky	White
Dawida	Kolter	Pistella	Wilson
Dietz	Kowalshyn	Pitts	Wilt
Dininni	Kukovich	Polite	Wright, D. R.
Dorr	Lashinger	Pott	Wright, Jr., J.
Duffy	Laughlin	Punt	Yahner
Durham	Lehr	Pyles	Yohn
Earley	Lescovitz	Rasco	Zeller
Fee	Letterman	Reed	Zitterman
Fischer	Levi	Ritter	Zord
Fisher	Lewis	Rocks	Zwinkl
Foster, W. W.	Livengood	Ryan	
Foster, Jr., A.	Lynch, E. R.	Salvatore	Seltzer,
Freind	McCall	Scheaffer	Speaker

Gallagher	McClatchy	Schweder	
NOT VOTING—29			
Alden	Donatucci, R.	Hutchinson, A.	Rappaport
Arty	Dumas	Johnson, J. J.	Rhodes
Austin	Fryer	Jones	Richardson
Barber	Gatski	Levin	Rieger
Beloff	Giammarco	Mullen	Shadding
Bennett	Gray	Pratt	Sweet
Berson	Harper	Pucciarelli	Williams
Chess			

EXCUSED—11			
Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Mr. Speaker, I regret that the machine is still not operating through my switch and I would like to be recorded in the negative, please, sir, on concurrence in Senate amendments to HB 1859.

The SPEAKER. The lady's remarks will be spread upon the record, and while the roll call is going on for the next bill, will the lady indicate to the Chair whether or not she has been recorded so we can have her name placed on the roll?

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 2237, PN 3737**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

A Supplement to the act of _____, entitled "An act providing for the capital budget for the fiscal year 1979-1980," itemizing emergency public improvement projects to be constructed by the Department of General Services together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects, and making an appropriation.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HB 2237.

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

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—158

Anderson	Gallen	McIntyre	Schweder
Armstrong	Gamble	McKelvey	Serafini
Arty	Gannon	McMonagle	Seventy
Belardi	Geesey	McVerry	Shupnik
Bittle	Geist	Mackowski	Sieminski
Borski	George, C.	Madigan	Sirianni
Bowser	George, M. H.	Manderino	Smith, E. H.
Brandt	Gladeck	Manmiller	Smith, L. E.
Brown	Goebel	Michlovic	Spencer
Burd	Grabowski	Micozzie	Spitz
Cappabianca	Greenfield	Miller	Stairs
Cessar	Grieco	Moehlmann	Steighner
Cimini	Gruppo	Mowery	Stewart
Civera	Hagarty	Mrkonic	Stuban
Clark, B. D.	Halverson	Murphy	Swift
Clark, M. R.	Harper	Nahill	Taddonio
Cochran	Hasay	Novak	Taylor, E. Z.
Cole	Hayes, Jr., S.	Noye	Taylor, F.
Cornell	Hoeffel	O'Brien, B. F.	Telek
Cowell	Honaman	O'Brien, D. M.	Thomas
Cunningham	Irvis	Oliver	Trello
DeMedio	Itkin	Perzel	Vroon
DeVerter	Johnson, E. G.	Peterson	Wachob
DeWeese	Kanuck	Petrarca	Wargo
DiCarlo	Klingaman	Phillips	Wass
Davies	Knepper	Piccola	Wenger
Dawida	Knight	Pievsky	White
Dietz	Kolter	Pistella	Wilson
Dininni	Kowalyszyn	Pitts	Wilt
Dorr	Kukovich	Polite	Wright, D. R.
Duffy	Lashinger	Pott	Wright, Jr., J.
Durham	Laughlin	Punt	Yahner
Earley	Lehr	Pyles	Yohn
Fee	Lescovitz	Rasco	Zeller
Fischer	Levi	Reed	Zitterman
Fisher	Lewis	Ritter	Zord
Foster, W. W.	Livengood	Rocks	Zwikl
Foster, Jr., A.	Lynch, E. R.	Ryan	
Freind	McCall	Salvatore	Seltzer,
Gallagher	McClatchy	Scheaffer	Speaker

NAYS—0

NOT VOTING—32

Alden	Coslett	Hutchinson, W.	Rappaport
Austin	Donatucci, R.	Johnson, J. J.	Rhodes
Barber	Dumas	Jones	Richardson
Beloff	Fryer	Letterman	Rieger
Bennett	Gatski	Levin	Shadding
Berson	Giammarco	Mullen	Street
Chess	Gray	Pratt	Sweet
Cohen	Hutchinson, A.	Pucciarelli	Williams

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HR 237, PN 3738**, with the information that the Senate has passed the same

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

Bipartisan Committee study and gather legislative documents and historical works to coordinate activities for Pennsylvania's tercentenary celebration.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HR 237.

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

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—160

Anderson	Gallagher	McClatchy	Schweder
Armstrong	Gallen	McIntyre	Serafini
Arty	Gamble	McKelvey	Seventy
Belardi	Gannon	McMonagle	Shupnik
Bittle	Geesey	McVerry	Sieminski
Borski	Geist	Madigan	Sirianni
Bowser	George, C.	Manderino	Smith, E. H.
Brandt	George, M. H.	Manmiller	Smith, L. E.
Brown	Gladeck	Michlovic	Spencer
Burd	Goebel	Micozzie	Spitz
Cappabianca	Grabowski	Miller	Stairs
Cessar	Greenfield	Moehlmann	Steighner
Cimini	Grieco	Mowery	Stewart
Civiera	Gruppo	Mrkonic	Street
Clark, B. D.	Hagarty	Murphy	Stuban
Clark, M. R.	Halverson	Nahill	Swift
Cochran	Harper	Novak	Taddonio
Cohen	Hasay	Noye	Taylor, E. Z.
Cole	Hayes, Jr., S.	O'Brien, B. F.	Taylor, F.
Cornell	Hoeffel	O'Brien, D. M.	Telek
Coslett	Honaman	Oliver	Thomas
Cowell	Hutchinson, W.	Perzel	Trello
Cunningham	Irviss	Peterson	Vroon
DeMedio	Itkin	Petrarca	Wachob
DeVerter	Johnson, E. G.	Phillips	Wargo
DeWeese	Klingaman	Piccola	Wenger
DiCarlo	Knepper	Pievsky	White
Davies	Knight	Pistella	Wilson
Dawida	Kolter	Pitts	Wilt
Dietz	Kowalshyn	Polite	Wright, D. R.
Dininni	Kukovich	Pott	Wright, Jr., J.
Dorr	Lashinger	Punt	Yahner
Duffy	Laughlin	Pyles	Yohn
Durham	Lehr	Rasco	Zeller
Earley	Lescovitz	Reed	Zitterman
Fee	Letterman	Ritter	Zord
Fischer	Levi	Rocks	Zwikl
Fisher	Lewis	Ryan	
Foster, W. W.	Livengood	Salvatore	Seltzer,
Foster, Jr., A.	Lynch, E. R.	Scheaffer	Speaker
Freind	McCall		

NAYS—1

Mackowski

NOT VOTING—29

Alden	Dumas	Jones	Rhodes
Austin	Fryer	Kanuck	Richardson
Barber	Gatski	Levin	Rieger
Beloff	Giammarco	Mullen	Shadding
Bennett	Gray	Pratt	Sweet
Berson	Hutchinson, A.	Pucciarelli	Wass
Chess	Johnson, J. J.	Rappaport	Williams

Donatucci, R.

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTES

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

Mr. COSLETT. Mr. Speaker, on concurrence in Senate amendments to HB 2237, I would like to be recorded in the affirmative, please.

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

The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, on concurrence in Senate amendments to HR 237, my switch malfunctioned. I want to be recorded in the affirmative.

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

RESOLUTION ADOPTED

Mr. RYAN called up SR 236, entitled:

Designating July 18, 1980 as "National POW/MIA Recognition Day".

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—163

Anderson	Gallen	McClatchy	Schweder
Armstrong	Gamble	McIntyre	Serafini
Arty	Gannon	McKelvey	Seventy
Belardi	Geesey	McMonagle	Shupnik
Bittle	Geist	McVerry	Sieminski
Borski	George, C.	Mackowski	Sirianni
Bowser	George, M. H.	Madigan	Smith, E. H.
Brandt	Gladeck	Manderino	Smith, L. E.
Brown	Goebel	Manmiller	Spencer
Burd	Grabowski	Michlovic	Spitz
Cappabianca	Greenfield	Micozzie	Stairs
Cessar	Grieco	Miller	Steighner
Cimini	Gruppo	Moehlmann	Stewart
Civiera	Hagarty	Mowery	Street
Clark, B. D.	Halverson	Mrkonic	Stuban
Clark, M. R.	Harper	Murphy	Swift
Cochran	Hasay	Nahill	Taddonio
Cohen	Hayes, Jr., S.	Novak	Taylor, E. Z.
Cole	Hoeffel	Noye	Taylor, F.
Cornell	Honaman	O'Brien, B. F.	Telek
Coslett	Hutchinson, W.	O'Brien, D. M.	Thomas
Cowell	Irviss	Oliver	Trello
Cunningham	Itkin	Perzel	Vroon
DeMedio	Johnson, E. G.	Peterson	Wachob
DeVerter	Kanuck	Petrarca	Wargo
DeWeese	Klingaman	Phillips	Wass
DiCarlo	Knepper	Piccola	Wenger
Davies	Knight	Pievsky	White

Dawida	Kolter	Pistella	Wilson
Dietz	Kowalshyn	Pitts	Wilt
Dininni	Kukovich	Polite	Wright, D. R.
Dorr	Lashinger	Pott	Wright, Jr., J.
Duffy	Laughlin	Punt	Yahner
Durham	Lehr	Pyles	Yohn
Earley	Lescovitz	Rasco	Zeller
Fee	Letterman	Reed	Zitterman
Fischer	Levi	Ritter	Zord
Fisher	Lewis	Rocks	Zwikl
Foster, W. W.	Livengood	Ryan	
Foster, Jr., A.	Lynch, E. R.	Salvatore	Seltzer,
Freind	McCall	Scheaffer	Speaker
Gallagher			

NAYS—0

NOT VOTING—27

Alden	Donatucci, R.	Johnson, J. J.	Rhodes
Austin	Dumas	Jones	Richardson
Barber	Fryer	Levin	Rieger
Beloff	Gatski	Mullen	Shadding
Bennett	Giammarco	Pratt	Sweet
Berson	Gray	Pucciarelli	Williams
Chess	Hutchinson, A.	Rappaport	

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR

BILL CALLED UP FROM POSTPONED CALENDAR FOR CONCURRENCE IN SENATE AMENDMENTS

The Senate returned the following **HB 1673, PN 3735**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), adding a definition, further providing for the rate and amount of benefits, for the rate of employer contributions and for additional contributions, for a waiting week, qualifications for benefits, certain pension deductions, employer benefit charges, appeals and review, recoupment of overpayments and contributions of nonprofit organizations.

On the question recurring,

Will the House concur in Senate amendments?

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to **HB 1673**.

On the question recurring,

Will the House concur in Senate amendments?

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, this is the unemployment compensation bill. I do not pretend to be an expert on the contents of this bill. I have listened to ours. I do not pretend to be an economist in this state and have any great knowledge of the economy of this state. I read papers; I read reports; I listen to people, and the one thing that has come through loud and clear each time is, this state is in big trouble.

All of us here are somewhat used to dealing in billions, because each year when we address the budget problem, we see \$1 billion for this, \$1 billion for that, \$500 million for this, \$500 million for that. I hear reports that we owe the Federal Government \$1.4 billion. That impresses me. I do not guess, however, that the average businessman can relate to a number like \$1.4 billion. I think the average businessman, however, can relate to an increase in his unemployment compensation rates, which we are going to increase if this passes, and it will. I think they can relate to big brother in Washington beating them over the head for the next years, increasing that rate because we failed to take any action to pay back the money we owe them. I think that foreign corporations who are considering moving into Pennsylvania—as Volkswagen did some years ago—can send their experts over here to Pennsylvania, and perhaps they do not even have to send them that far. Maybe they can take it out of the Wall Street Journal. But I think they can take a look at the Pennsylvania business economy and make a decision. I think that amount of \$1.4 billion might mean something to them, and they might be able to relate to it.

I believe that most everyone in this House at some time or another, in the course of their campaign or in the course of meeting with constituents over the past year and a half since they were last elected, said that they were dedicated to improving the business climate here in Pennsylvania. The experts say this is what we have to do, this is necessary. It is painful, but it is necessary.

I know the Senate of Pennsylvania for better than a year has had as its one prime goal the solution to the UC problem to the best of their ability. I was surprised, as I am sure many of you were surprised, at the vote in the Senate on this bill, **HB 1673**. I was here back in 1964 when the last major UC bill went through that caused a great deal of controversy, and I know there were very, very, very few votes from the Democratic Party for that bill. I looked at the vote in the Senate the other night and I wondered to myself, how is it that some of the party stalwarts who are members of the Pennsylvania Senate saw fit to pass this bill after it had been worked on for at least 7 or 8 months, to my knowledge, and talked about for a year prior to that? The only conclusion I can come to is that they did what they thought best for Pennsylvania. I look at some of the majority members, members of the Democratic Party in the Senate, and I say, could big business impose this vote on them? And the answer is painfully obvious: No; they cannot. They did it for some other motive.

I do not know that this bill is the solution to the illness that besets Pennsylvania business today. I know every person whom I have talked to, whom I consider knowledgeable in this field, says that this is the best that can happen under all the circumstances. Perhaps a better bill could be devised by man, but it cannot pass the House and the Senate.

I honestly believe if we are going to face what we talked about—probably every one of us during our last campaign and probably every one of us since that time at Rotary meetings, Optimist Clubs, and every other meeting that we attend, each and every one of us—when we talked about improving the business climate, if we are going to do anything about that, I think this is the opportunity to do it. If this bill does not pass today, we will be back next week and we will address the problem again. There is no reason for us not to do it today. There is no reason why we should not send a signal to the boardrooms of this country and other countries that are thinking about relocating in the United States and, in the case of domestic corporations, relocating in Pennsylvania or expanding in Pennsylvania. There is no reason for us not to send a message to them that we care; that we sincerely want to improve the business climate here in Pennsylvania; that we want to address the problem of the \$1.4 billion that we now owe the Federal Government; that we want employers and employes alike to know that we care about what goes on in our job markets; that we do not want industry to leave Pennsylvania; that we do not want them to go to the Sun Belt; that we want them to expand; that we want companies such as one that just recently opened in the central part of this state, the Adidas factory. We want that type thing. We want the Volkswagens. And I think, Mr. Speaker, this is the opportunity for us to send that message and I would ask that an overwhelming majority of this House bite the bullet and vote to concur. The Senate bit the bullet, and a big, big, big plurality came out of that Senate. The message was well sent. This bill should not pass with 102; this bill should pass with 142, 152, and this is the opportunity to do it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, when we speak of passing an unemployment compensation bill and appropriately tailoring Pennsylvania's unemployment compensation statute so that the Federal debt can be paid off in a reasonable time and in a reasonable manner, what we are talking about is, how should we fairly assign the burden of the repayment of the debt? There is no question that if \$500 million is needed or \$550 million is needed to close the gap in the cash flow and make payments on the Federal debt, if that is the figure that is needed, that figure can be obtained by getting it all from business, and that figure can also be obtained by taking it all out of the hides of the workers of Pennsylvania. Either way the problem would be solved. Either way we would pay the Federal Government and put our cash flow back into kilter.

The real question is, how and when and where do we tailor this loss so it is fair both to the workers of Pennsylvania and to business in Pennsylvania? That is what the real question is, and what we are fighting about, those of us who oppose this solution, is that it is not fair to the working people of Pennsylvania, that it takes too much of a bite out of their pockets, out of their pocketbook, to be fair. That is what we are talking about. We are not talking that we do not want to see the economy of Pennsylvania prosper. We are not saying that we do not want the business climate in Pennsylvania to be better. We are arguing the old theory, is it better to let the money trickle down to the worker by putting it into the pockets of the fat cats or is it better to do directly for the worker when he is out of work and unemployed and needs help? That is what this fight is all about.

Mr. Speaker, the last-minute changes that were made in the Senate relieved the business community of \$50 million toward that pot of paying off and closing the cash-flow gap, and found that \$50 million-plus in the hides of the workers, and that is what we are talking about. The variable duration feature that was put into this bill is money coming out of the unemployed's pocket to patch that gap. That is what the fight is all about.

Mr. Speaker, when we talk about \$400 million coming out of the business community toward this problem and when you compare that to what I have heard said, \$150 million coming out of the worker's pocket, that is not the fair comparison, because out of that \$400 million that comes out of the business community's pocket toward this particular problem, \$136 million this year is to pay an old debt to the Federal Government, and next year that figure is \$200 million to pay the old debt. So when you compare how much new money is plugging the cash-flow gap for business, you are talking about \$200 million out of business' pocket and \$150 million out of labor's pocket, and that is nowhere near the 4-to-1 spread that everybody talks about or even the 3-to-1 spread that everyone talks about. What you have done and what you are doing in this particular piece of legislation is sticking it to the working man. It is exactly what is happening here. Say it anyway you want. Talk about jobs in Pennsylvania; talk about the business community; talk about business' image; talk about the Wall Street outlook in Pennsylvania; talk about anything you want, but the real question is, what is the fair distribution of the burden that we know exists?

All of us know what the sum total of the burden is and how much money we have to raise, and it is just a question of how do we raise it? And at the last minute the business community said, whoa, we do not want that base index; we want to continue paying on the lowest base, as we have in the past; pay on the lowest base to keep that fund solvent. And we have not kept the fund solvent. We do not care. We still want to pay on the lowest base, and that is why we are in trouble, and we are going to be in trouble 2 years down the line again because this does not solve the problem. Business is not paying its fair share. It will not be

paying it 2 years from now when we are out of balance again, and I predict you will be back here telling me about the business community and telling me how many jobs we lost in Pennsylvania even after you stuck it to the worker, and you will be asking again, how much more can we take out of the worker's hide in Pennsylvania? If the business community would begin paying its fair share into the Unemployment Compensation Fund and not drag its feet for 8 and 9 years in paying on the right kind of base, if the business community would not come down here in a crisis situation only when the Federal Government lifts the restriction on touching benefits as they are doing in this particular case, if they would have been down here 4 years ago or 5 years ago lobbying for this needed reform, it would have been done. It would have been done under the Federal guidelines, and it would have been done without changing one penny of workers' benefits, because that is the way the Federal law mandated that it be done.

Mr. Speaker, what we are talking about here is the same thing on both sides of the aisle. We all want to do what is right. The question is, what is right? There is no labor union or laboring man following what is happening here in this Assembly that thinks what is in this bill is right, and the business community that is lobbying for this bill is the very large corporations, because they are the only ones that had any input into this bill. The very small corporations, perhaps not knowing what is happening to them, may be going along hoping that what has been prepared for them by big business will also be desirable and advantageous. I will take my cue from the fact that I believed and many of us believed that the matter had come to a reasonable conclusion before the last two amendments went into the bill in the Senate, and when those last two amendments went in, it shifted the burden over \$100 million in the parameters of a \$500-million total problem, and, Mr. Speaker, that shift was what made everything break down and precipitated the fight that is going on here today, and I hope will go on until we get a fair bill. I ask for nonconurrence, Mr. Speaker.

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

Mr. YOHN. Mr. Speaker, I believe that the two things all of us can agree on are, one, we have a serious problem to the tune of \$1.4 billion; and, two, that problem is getting worse on a daily basis. It is getting worse because we have heard from numerous sources that the fund is growing out of balance to a tune of \$1 million a day, and if we do not do something about that growing deficit now before the summer break, the problem will get even worse between now and September. But it is getting worse for another reason, too, and that is an experience which I have had in my particular area where we had a Bethlehem Steel fabricating plant close down 2 years ago for a loss of 1,200 jobs. We had a Firestone Tire and Rubber plant just this year announce that by the end of August they are going to close their tire plant for a loss of 2,400 jobs. We have a Dana plant that is on half staff and has already laid off approxi-

mately 600 workers. We are looking desperately for new industry to come into our area or for ways that we can say to the industry that is there, yes, you should stay in Pennsylvania; no, you should not go somewhere else; and, yes, you should expand here.

I think that the uncertainty hanging over the head of every business in Pennsylvania as to how this \$1.4-billion problem is going to eventually be resolved is something that is in the mind and analysis of every business executive who ever makes a decision about what he is going to do about his business in this area. So I think it is vital for this legislature to bite the bullet on this issue and to make a decision and to make a resolution of this problem as promptly as we can humanly do.

Then after we decide we are going to try to solve the problem, the question becomes, well, how do we do it? What is the best solution? Well, usually when you have a problem and there are two sides that have contributed to it, you start out on the basis it is going to be a 50-50 solution or something in that vicinity. But we are not doing that in this bill. This bill, as it came from the Senate, talks about \$400 million in increased taxes paid by employers and only \$143 million in benefit reductions. So it is basically now a 75-25 split, with business paying 75 percent of the share.

I can remember back some years ago when tax increases were considered in this state and it was a generally accepted theory that we should try to divide taxes in the state on a 70-30 basis, with 70 percent of the taxes being consumer taxes and 30 percent business. Here we have a situation where we are doing almost exactly the opposite of that; 75 percent is on business, and business is in fact supporting the increase.

I think another figure that is significant is just how much of an increase this is. Presently business is paying \$750 million a year into the UC Fund. This increase of \$400 million a year is an immediate 50-percent increase—more than a 50-percent increase—in the amount of money being paid by business into this fund. So they certainly are taking a gigantic doseful of bitter medicine in order to solve this problem.

And it seems to me that when you look at the cost benefits or cost reductions that are being imposed through this bill, you will find that, on analysis of all six of them, they are basically reductions that are affecting those people who have only been working a minimal period of time. They are not affecting those people who have worked for a long period of time. They are really getting at those who are just short-time or part-time employees and people who have not been in the labor force for a very long period of time, and it does not affect very substantially those members of the work force who have been working for a considerable number of years. So I think in that respect the benefit reductions have a minimal impact on most people.

I think, finally, perhaps the most important fact is that, sure, this bill is not perfect, and sure, maybe I would like a chance to amend some of the provisions slightly one way or another if I had my druthers, but it is the only game in

town. The Senate dealt with this problem, and I was frankly surprised that they did deal with it, but they eventually did and they have sent it over to us for concurrence. We cannot amend the bill. We can only take it today as it is in whole or nothing, and it seems to me that even though we might like some minor adjustments, it would be worthwhile to take the whole thing and get this problem solved today. We are so close to solving a gigantic problem for the State of Pennsylvania that it seems to me it is time for all of us to put our differences aside and say, yes, this may not be perfect, but it is the best we can do and it is better than the alternative, because the alternative is to say, well, we can put it in a conference committee and maybe someday they will come back with a better agreement. But while that conference committee is meeting, we have 2 1/2 months of delay at a minimum until we come back from the summer recess, and it seems to me that the impetus then is going to be to further delay it. It is going to be close to election time. Nobody is going to want to get involved in a controversial vote at that time. So it seems to me that the important thing for us is, yes, we have a big problem. We have a solution here today that is perhaps not perfect—no bill ever is—but it is very close to being as good as we can get. We ought to do it and we ought to support the Senate amendments and concur in the bill. Thank you.

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

Mr. ZELLER. Mr. Speaker, I think we should get all the facts when we talk about what has been the cause of possibly the problems of industry in our state or across the nation. When Mr. Yohn, with all respect to my good friend, mentioned the Firestone plant, I rose to my feet.

The Firestone plant, with all respect to them, ran into a chemical problem, however, in their processing operations with their tires and some time back had a recall. I forget the amount of millions of tires. Just today on the radio another 5 million. We figured out the cost in regard to a gentleman whom I called, in regard to the approximate cost of a tire to be processed runs into the area of \$150 million, and the paperwork and the complete operation and legal costs are going to run them over \$200 million.

When we talk about the problem they have with our UC problem now, let us get the whole picture. If industry is going to goof up, I do not think the employe should be put in the position to help bail him out.

Let us look at another area. You folks who were around here in 1972 remember what they did to us with the meat industry, when on February 4, 1972, a whole busload of us and the Agricultural Department—and Paul Yahner can tell you and Reno Thomas can tell you—we went to Washington to fight it because we were supposed to have meat inspection in the State of Pennsylvania? And what happened? Congress took it away from us and gave it to the Feds because of all the imports coming in here with these big outfits like Armour, Swift, Arbogast & Bastian, and a lot of them who get their imports from foreign countries and have ranches in foreign countries, and then did the

western beef growers in. How many Mom and Pop butcher shops did we lose in the State of Pennsylvania? In the first year over 1,500.

Let us think folks first. I, too, want to see industry flourish and business flourish in the State of Pennsylvania, but let us not put the fall on the employe who has no control over the management, absolutely none whatsoever. Let us get the facts before we start putting words out here that do not cover the whole story.

One closing item; Mr. Speaker, we had a couple of banks that got involved with the little old fellow down there who wanted to start a big revolution, called Trujillo, down in the Panama Canal, to the cost of over \$20 billion now it cost the taxpayers to bail out Chase Manhattan and the Midland Banks, and Congress did this to us, Congress. So are they worried about social security problems? Are they worried about the unemployment compensation? They are more interested in taking care of what Mr. Manderino said, the fat cats. And it is about time, as I said yesterday, let us get the message to Congress, that is where your problem lies.

And a closing remark on that: When I talked to Rev. Billy Graham, and I said, Rev. Billy Graham, how come you spend so much time in Washington? He said, Mr. Zeller, my job is saving lost souls, and I have got to go where the business is. And that is where your problem lies, not here in the State of Pennsylvania.

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

Mr. YOHN. Mr. Speaker, just to correct one thing that Mr. Zeller said, and I am not sure what the point of his comment was concerning the recall of the radial tires, but I do want to point out, in defense of the workers of the Firestone plant in Pottstown, that the Firestone recall was a recall of the radial tires, whereas the Pottstown plant produces bias tires and does not produce radial tires. Thank you.

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

Mr. MOWERY. I have been listening to a lot of discussion here in regards to the figures, the dollars and cents. I would like to think for just a moment here as a group of Representatives who are having a difficult time getting together on a very important decision, it appears that there are on the floor of this House a group representing the business community and a group representing the labor in Pennsylvania. And it seems to me that before we get so concerned about all the figures, more importantly we be concerned about business and labor together. There is no way that we can continue successfully without each other. There is not one business that shows a profit that will not owe much of that profit to the labor market. I think Pennsylvania is one of the few industrial states in this nation that has a good skilled labor market. We have an awful lot to offer to business.

You know I listened to whether or not it is fair as far as labor giving up \$140 million versus business paying \$400

million, and I do not know if that is fair. I know a couple of things that we could have, I guess, approached and one is one of the suggestions that were made in the Senate, and that was putting a cap on the amount of benefits. And you know, I personally do not think that would be fair because as one of the speakers before me said, unfortunately, Washington, D.C. has a lot to do with our problems that we are caught in here, and that is inflation. It certainly is not fair to put a cap on benefits when you have an economy that is running away on the dollars and cents of the wage earner.

The other suggestion that was made was, well, why do we not have labor contribute to the UC Fund? That really is a backhanded approach to solving the problem, because now labor has to take after tax dollars and give them back to the fund, and I do not think that is fair. There have been many alternatives offered, and the ones that have been selected may be, how they were selected, and who introduced them, and what we ended up with here is not the best package. But you know something, when you stop to wonder how we got here and who was the recipient of all of these benefits that we now owe—let us take a look at that—in 1971 there was \$800 million, I believe, as surplus in the fund to be paid to labor in Pennsylvania as unemployment benefits. Before long, in 1971, we increased the benefits to labor. Labor was the recipient of more unemployment that puts Pennsylvania currently on the high side of benefits paid in this country. Now, during that period of time when we increased the benefits, someone forgot to increase the payments. Now it is just plain dollars and cents, Mr. Speaker, that if you are going to give away more, you have to have more coming in. But we did not do that in 1971. We gave away more, but we never charged more. Now we are faced with, I believe the minority leader said \$1.2 billion, and I believe the majority leader said \$1.4 billion. Whatever, that is a lot of money. Now whatever that is, let us take one moment to see who received all this money. How did we get in the hole, because we paid out benefits? We not only pay out billions of dollars a year currently for unemployment, but, you know, we paid out a \$1.4 billion plus the \$800 million of surplus for over \$2 billion to labor in Pennsylvania during the last 9 years. They were the recipients of these benefits.

I think everyone in the business community would like to see that continue. There is nothing wrong with people making money. And you know, there used to be a time in this great country of ours where profit was not a dirty word. Finally, we are getting to the point where, due to many factors beyond our control, the bottom line is no longer showing profit, and you know when business does not make profit, labor does not make money and have good benefits. It is just that simple.

I suggest that maybe we stop this labor business and stop talking about the dollars and cents because we know they are not going to come together the way each of us would like to see them. But I think one thing is for sure, we have a major problem in Pennsylvania, both labor and business.

We have more unemployed than we can handle right now in Pennsylvania. We need more businesses so labor can work. Labor does not want to draw unemployment. There is not a man who is a man who would rather be unemployed than going to work every morning. I think that is just basic human talent. For that reason, I think that whether it is totally fair to either side or not, there is one thing we ought to try and do today, and that is bury the hatchet, because we cannot be without each other. I think that labor has every right to be concerned, and I think business does also, and I think it is a reasonable solution and it may not solve it 2-3 years down the road. As a matter of fact in the figures I have seen, probably we will be back talking about it again. And if the economy does not pick up and if we do not get more jobs for the labor community in Pennsylvania, we are going to have some major problems. If you think this is a tough one, just wait until 2 or 3 years down the road, if we do not get new industry coming to Pennsylvania.

So, Mr. Speaker, let us kind of take away the labor business and say we are in this thing together. Everybody wants more money. If business can make and survive in Pennsylvania, I am sure labor is going to be happy, because they are going to get a lot more benefits than they are in a depressed economy. Thank you very much, Mr. Speaker.

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

Mr. STREET. Will the gentleman, Mr. Yohn, stand for brief interrogation?

The SPEAKER. Will the gentleman, Mr. Yohn, stand for interrogation? The gentleman indicates that he will. Mr. Street may proceed.

Mr. STREET. Mr. Speaker, during your remarks, you made a statement that the cost—I guess you were talking about per capita or per laborer—would be minimal per individual. Can you tell me what that cost will be, what this will cost each laborer in terms of his weekly paycheck? You said minimal, and I am not sure that we have the same definition of minimal.

Mr. YOHN. Now what I said, Mr. Speaker, is that the impact of the benefit changes in this bill falls mainly on those persons who have not been involved in the work force for a substantial period of time. Of the six changes in the benefits, four of them relate to eligibility requirements and just state that there are different ways of saying that if you do not have an extended period of time of working, or if you do not have a minimum wage level during the time you have been working of at least \$50 per week, that you are then not eligible. So that the impact of the bill in benefits falls largely on those persons who have not worked very long. For those persons who have been working for an extended period of time, there is a minimal impact on them which would be largely the waiting week, which they would not lose if they were unemployed for 4 weeks, and also the pension offset, most of which is mandated by the Federal Government.

Mr. STREET. Yes, I understand that, but I am trying to deal with the dollars and cents. I understand the waiting time before they can pick up their benefits. I want to know how much more money is going to come out of each individual's check as a result of this if this passed?

Mr. YOHN. For anyone who is eligible for unemployment compensation, there would be no reduction, except for the pension offset if they were also on pension.

Mr. STREET. Will you repeat that? I did not catch the end of it.

Mr. YOHN. I am sorry. I am hearing from two different sources here and I cannot—

I am told that I misinterpreted your question.

You are concerned about an employe contribution while he is working?

Mr. STREET. That is right.

Mr. YOHN. There is no employe contribution unemployment compensation, either under current law or under this bill.

Mr. STREET. But still, when it boils down to it, it ends up that you have that sort of a hidden type of a situation, as far as I am concerned, and it comes out sort of like a fringe benefit, right, unemployment compensation?

Mr. YOHN. Unemployment compensation I do not think is normally considered a fringe benefit because it is paid solely by the employer and it is mandated by the state.

Some industries, for instances, the auto industries, have a supplemental unemployment fund over and above the state fund that might be considered to be a fringe benefit, but I do not think this would be considered to be a fringe.

Mr. STREET. You have cleared up one question. The other one you have not cleared up. However, I would just like to make a brief comment on it at this time.

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

Mr. STREET. I would like to respond to what the gentleman said a minute ago.

I heard him talking about the employers, the laborer, the benefits that a laborer has been getting since 1971, but I did not hear him talk about the profits that some of these businesses have been receiving since 1971.

What I am really concerned about is, it seems as though that it is more important for us, as a House of Representatives, to get this bill out of the way so we can take vacation or recess or be off July and August and September, than it is to knuckle down and deal with the bill. I am not so sure that Mr. Ryan in his opening statement had said we can be sure that if we do not do something today, we will be here next week. Well, I say, what is wrong with that? I do not know why that was even the subject of discussion. We should be here until we deal with this the way it should be dealt with, and like the majority leader said, like the majority whip said, we need an equal distribution in terms of how this debt is going to be paid back.

I think I heard Mr. Yohn mention that we are going on a vacation, we are going to have a summer recess, and if we do not do this today, then when we come back in

September this debt that we have to the Federal Government is going to somehow be astronomical and going to be out of control and, at that point, we are going to be in big, big trouble. Well, I say, if that is the case and we cannot come together, then let us just stay here July and August and September and deal with the problem, if the problem is so great and so intense. And I say that because most of us on this side of the aisle do not have enough money to go on vacation anyhow. So we might as well be here.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Armstrong.

Mr. ARMSTRONG. Just briefly, we are hearing a lot of talk about fat cats, and I would like to know who the fat cats are; is that the steel industry? Is it the motors; the heavy construction; the housing? I do not know where the fat cats are in Pennsylvania, but I have a feeling they are going to some other state to put a few more pounds on them, perhaps to Texas or Ohio or some other state where they would be more competitive. Supposedly, the opposition said this is coming out of the workers' hide. Nothing could be further from the truth. This is not coming out of the workers' hide; this is coming out of the chronic offender who works 2 or 3 or 4 weeks and then gets laid off or fired and then collects unemployment. That is who we are after. We are not after the construction worker or the steel worker or the miner. That is legitimate. He is entitled to it. He has put his time in, so he is entitled to his unemployment.

This bill will not affect these workers at all. If we do not support this bill, I guarantee you the next bill that comes up will affect the steel worker, will affect the miner, will affect the construction worker. We all know something has to be done. Let us get jobs in Pennsylvania so both business and the labor unions can flourish in Pennsylvania. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, it appears that once again at the eleventh hour we are being given farreaching and complicated and meaningful legislation, and again that disturbs me on principle, because the bill is here on concurrence. Again we have not had the opportunity to participate in the substance of the legislation. There have been no experts testifying at hearings; there has been no amendment process by the members of this House, and if this bill is that crucial, if there is that much urgency, why have we not had the opportunity to work on this bill earlier in the session?

Frankly, Mr. Speaker, I am sincerely tired of being faced with this type of bill and saying we have to vote "yes" or "no," especially when I do not think this is a fair piece of legislation. The comment has been made that it really does not affect too many people. We are talking about well over \$100 million, and that has to have an adverse effect on somebody. And I am not saying that we should not address the problem. I think there is a problem; I think we should make a reasonable effort to address it. Unfortunately, we

have not been given that opportunity. I would like to vote for an unemployment compensation bill that is fair. I do not feel deep down in my gut that this is fair.

Now, Mr. Speaker, I guess we can take one of two courses. We can continue the way we are going with the recess, with the adjournment, with the parliamentary water torture that is going on, and you might not have the votes today, so you bring us back next week. Maybe eventually you will get the votes. Mr. Speaker, I would rather nonconcur, give this to a conference committee to work on for the next month or two, and try to arrive at a reasonable bill. That seems a more valuable use of time to me, and, Mr. Speaker, I do not see what the great fear is of throwing this into a conference committee. If there is such a drastic problem; if it is such an urgent problem, then it naturally follows there will be great pressure on the conferees to come up with a reasonable bill as soon as we reconvene in September or possibly earlier.

I am just suggesting that we follow the advice of Mr. Mowery who wanted to bury the hatchet. I think that is a great idea. I will tell you right now that we are certainly not burying the hatchet if we move to concur today. If anything, we are driving an even more divisive wedge between business and labor in this state. I am asking you to nonconcur to allow both sides, all interested parties, to have input in that conference committee, and hopefully get all interested parties to coordinate an effort with Washington, D.C., to have a moratorium passed down there. There is a movement; it is not going to happen unless there is a united effort here in Pennsylvania, and that is not going to happen if this bill is forced down our throats at the last minute. Mr. Speaker, I ask the members to nonconcur and get some real action done in the area of unemployment compensation.

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

Mr. McMONAGLE. Yes, sir. I would like to have Mr. Armstrong stand up a minute and be interrogated.

The SPEAKER. The gentleman indicates he will consent to interrogation. Mr. McMonagle may proceed.

Mr. McMONAGLE. Mr. Speaker, who are the offenders you are talking about who are always going on unemployment compensation?

Mr. ARMSTRONG. This bill addresses the chronic offenders, the ones who work a couple of weeks.

Mr. McMONAGLE. And how would you go about working a couple of weeks and then collecting compensation?

Mr. ARMSTRONG. You can work 1 week in both quarters and then collect 30 weeks of unemployment compensation.

Mr. McMONAGLE. One week?

Mr. ARMSTRONG. One week in both quarters.

Mr. McMONAGLE. I am under the impression now that you have to earn so much money before you can collect.

Mr. ARMSTRONG. Well, if you make \$300 a week, say, in a job for 2 weeks, that is \$600. You would be entitled to unemployment compensation.

Mr. McMONAGLE. Mr. Speaker, can you tell me how many people you know who make \$300 a week and then take a couple of weeks off?

Mr. ARMSTRONG. That is an extreme example, I agree.

Mr. McMONAGLE. It is an extreme example. I come from a working-class family; I come from a working-class neighborhood, and I know many people who would love to work a full year; not 1 week at a time, not 2 weeks at a time, but all the time. I come from a building trade family with five members in the building trade. I am a member of the building trade myself, and if I can work a year, 2 years, or 5 years, I am going to work. I am not going to go to on unemployment compensation, not with four kids, not with two, or not with five like my brothers, and not with people in my neighborhood. There are unfair penalties in here. This bill stinks, and not only this one, but HB 2044, which is another bad bill. If you are going to run these bills, why do we not just do away with all labor bills and go back to the workshops?

Mr. ARMSTRONG. Is that a question?

Mr. McMONAGLE. That is a statement, Mr. Speaker. I think your statement is wrong on these chronic offenders, and I do not know any and I know many, many people in the labor field. I know a lot of people in the business field under this rule will let you work 16 weeks, lay you off, and you will not collect anything, which is a disgrace. You give me a good bill where people will go out and work, and if they get laid off and get paid, I am for that bill, but not this rotten piece of legislation that is being jammed down our throats, without any input from members of this floor. We did it with the budget; we did it with SB 10; and we are going to do it with this one, and it is no good and it stinks.

Mr. ARMSTRONG. I agree with you.

Mr. McMONAGLE. If we do not get any input, we should not even be here.

Mr. ARMSTRONG. I agree. I would like to have input into it, too, but we do not have that.

Mr. McMONAGLE. Then if you agree, then vote with us on this and send this back to conference committee.

Mr. ARMSTRONG. It is the best thing we have. We do not have anything else.

Mr. McMONAGLE. No other statement. You say you agree with me. Vote "no" then.

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

Mr. ZELLER. Mr. Speaker, I want to bring a point that happened 4 years ago; I want to bring out a point to help members give some serious consideration to this, because they talk about who causes unemployment. We had a plant in my district—and it happened all over the State of Pennsylvania through the PIDA - Pennsylvania Industrial Development Authority - operation. They got the PIDA money. They said within 5 years they would have "X" amount of employes. They got those employes and they came in for another loan. They maintained those employes, but here is how they did it. The plant did so well that in their line, on the assembly-line operation, they laid off all the women and

men who were on the assembly-line operation and replaced them with engineers and design people, and those individuals in the low-pay income areas wound up on unemployment compensation, and the assembly work was sent to Puerto Rico.

Now, that happened in the State of Pennsylvania under PIDA, a system designed to bring employment into the State of Pennsylvania, and I brought it before the conference committee, and thanks to Mr. Bennett, who allowed us to come in, we aired it. But do you want to know where the argument came from to kill it? From this side of the aisle over here. Killed me in committee; wanted no part of it. So what caused unemployment compensation in this particular case? These people all went on unemployment compensation, because a company which got PIDA money, taxpayers' money in this state, played games. And honest to goodness, folks, this is what is going on. There is a game being played here. Exactly what Mr. Armstrong is saying, there is no question about it. It is the truth in regard to the area of individuals who are working a certain period of time and then go on unemployment compensation, come back again next year, work two quarters, and the same thing, over and over again.

There have got to be corrections in that area. I could not agree with you more. If you read one of the breakdowns we have in regard to what is put into this feature now, the individual you are hurting is not going to be that \$300-a-week individual. You are going to be hurting the little bitty guy because you are cutting out in the step downs. You are cutting out that guy who does not make too much, and you are going to hurt him and her. You are going to hurt that individual. These are the kinds of features that we want to see corrected by going to a conference committee. We are not talking about the fact. We know there is a problem in unemployment compensation. We want to work with industry and business. We want to work together, but these are the features.

The other one I mentioned in regard to the business, in case of a claim in the bureau, can introduce evidence by telephone conversations and all that without the individual there. There are features like that put in in the Senate that we want to go to a conference committee and get out. And if we get these features out, cleared out, I am sure that there is not anybody in this room that we can't go along with and work out a sensible solution to settling this whole issue. But when I hear someone on the floor here say how unemployment compensation was created and forget to mention the games that will be played under the PIDA operation in this state, games being played using taxpayers' money, and then take people off the assembly line and put them on unemployment compensation and send the work out of the country, then I have got news for you. They are playing games with taxpayers' money in the state and they do not deserve to be helped.

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

Mr. GAMBLE. Mr. Speaker, I rise to just ask my colleagues for a little restraint this afternoon. We have the press box full and we have the gallery full, but let us restrain from these long-winded speeches.

We have been lobbied and lobbied and lobbied some more. Let us face it, the dye is cast. There may be a few minor changes, but if we vote this now or if we vote it at 12 o'clock tonight, the vote is going to be the same. We are going to vote to nonconcur, and I say we should stop all this rhetoric and do it now. Thank you.

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

Mr. A. C. FOSTER. I am really amazed myself, as Mr. Gamble had indicated a moment ago, that we are taking so long to do, to me, what seems so obviously necessary, and I do not see that we are inflicting anything on anyone in this that it is too great to be borne. I will agree that it is a dose of medicine, as I said yesterday, but let us look at some of the so-called cuts and benefits that we are talking about. I will give you a specific example: I was asked to work on a constituent problem recently involving unemployment. It turned out the young man worked in the State of Maryland and he was informed, after we investigated the case, that, yes, he would have been eligible for unemployment benefits in Pennsylvania, but he would not have been in Maryland. His father was rather irate about the matter with the Maryland authorities and said that you certainly do not have much of a program down there in Maryland. The response to him was, yes, but our program is not \$1.4 billion in debt. And that is very true. Maryland does not owe anything.

In short, we are not taking anything away that other states are giving. We have a liberal benefits program. You ought to look at the matter of pension offset. Ask yourself, whom are we really trying to help in this battle? Are we trying to help someone who is not getting any paycheck or are we going to help someone who is getting a partial paycheck through a pension plan?

If you want to look at the matter of the waiting week, whom do you really want to help? Somebody that is going to be out of work for 26 weeks or 30 weeks, or do you want to help someone who is going to be out of work for 2 weeks? We have a limited number of dollars in the system and we had better reserve those dollars for the people that need the help. I will ask you right here and now, how many who are opposing the bill—your automobile insurance—how many carry 100-percent coverage on your automobile? The answer will be, no, I carry \$100 deductible. Frankly, that is what we are talking about with the waiting week. First of all you get the waiting week retroactively after 4 weeks.

Again, we are trying to help the long-term unemployed. The person who is going to be unemployed for 1 week or 2 weeks is not the person in this society that is in dire trouble. No, I would say if we were trying to really emasculate the benefits of the working man in this Commonwealth, I could not stand here conscientiously and

vote for it. We are just asking everyone to shoulder a little bit of this \$1.4-billion burden, and I do not think that is unfair when we have the most liberal benefit system anywhere. We are giving a dose of medicine to both sides. For heaven's sake, let us be mature about it and shoulder this burden and solve the problem. Let us go home with pride when we leave here. Let us solve the problem; let us vote to concur on this and go home with pride.

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

Mr. DiCARLO. I guess I have been here long enough that I know that the secret to pass any kind of legislation is to be able to count, and I want to assure all of you that are sitting here today that I do not feel there are going to be 102 votes for concurrence on HB 1673.

Mr. Speaker, personally, all of you in this chamber know that I am not coming back here next year. All of you that are from northwestern Pennsylvania know that the vote that I put up last night for concurrence, the vote that I am going to put up this afternoon for concurrence is probably the most politically damaging vote I can ever make in the thousands of votes that I have cast on the floor of this House of Representatives. The politically smart thing for me to do, the politically wise thing for me to do is to vote "no." And maybe at the end of my political career in Harrisburg, I am making a bad mistake, I do not know, but the fact is, I do know that this issue should not be a partisan issue. This issue should not be business versus labor; it should be an issue that has to be dealt with squarely and effectively by all the elected Representatives that sit in this House.

Now, I am going to go back home this weekend, and I am not going to get into very many discussions on is \$400 million this year paid by business in this state enough compared to the \$150 million paid by industry? I cannot explain what the proportions should be, but I am going to sit down with labor people in my district and I am going to tell them what I see happening. And I am going to ask them when they talk about the term, "variable duration," I am going to ask if they know what that means, and explain to them exactly what that means. I am going to tell them that in the bill of \$150 million that we are supposedly taking from the pockets of working men and women as mandated by the United States Congress—and we have nothing to do about that—and if we do not do that, if we do not do that, this state is going to be in dire straits next year. I am going to ask labor officials in my area to look at this bill and I am going to ask them to explain to me how it is going to hurt any working man and working woman in organized labor in Pennsylvania, just as I have done for some of those people in the gallery that have come and talked to me, friends of mine for the past years, who have asked me to reconsider my position. And anybody who has read this bill and studied this bill knows that people who are in the labor market, people who are represented by organized labor are not going to be hurt by the legislation in front of us.

The one provision in this bill that is going to cause problems is the waiting week. And every one of us knows that in the negotiations that have occurred during the past 6 months between a small committee of labor, a small committee of industry and a small committee of Senators, all agreed that that waiting week was something that everybody could negotiate and could be worked out. All parties agreed on that issue.

Mr. Speaker, the politics of the situations are this: We have a couple of alternatives. I am willing, like Mr. Street, to sit here today, to sit here tomorrow, Saturday, Sunday, the next 15 days, for labor to give us some firm answers on exactly what they want in this bill. We asked for that input. Those of you on this side of the aisle know that, and we could not get any specific answers. I am willing, if we have to, even to suspend rules or something to work with adoption of amendments. That is an alternative.

But, Mr. Speaker, I know that if this problem is not solved today or tomorrow or next week, I know that if this bill goes to a conference committee that will meet probably not before September, that when we return to this chamber September 15, the politics of the situation are it is too close to an election and we are not going to see any action at all. That might be what everybody needs. You know that might be the easy out. Like I say, after that, I am not going to come back. But what you have looking in front of you next year—if you people are not working you might not be here either. The politics of the situation are when we look at September 15 and nothing happens, and when we go into the next term of the legislature when this new House of Representatives meets—you are going to be faced not with a \$500-million package that you have to decide how to balance between what industry pays and what labor pays, but you are going to be looking at a package that is going to cost over \$700 million because you are going to be paying a million dollars a day in losses.

Now we know, we know that today the problems that we have to deal with this and the alternatives that we have, we can eliminate things like the waiting week; we can change variable duration; we could play with tax base wages. But, Mr. Speaker, next year, next year when you have to deal with the issues, then both sides and the people who are negotiating for organized labor are going to have to go to their members and say, hey, not only do we have to eliminate and revamp those provisions, but we are going to have to put a cap on what you receive. We are going to have to cut back on benefits, and that means the pocketbook, and that means the number of weeks of unemployment they are going to receive, and that means a drastic effect on their purchasing power.

The second problem that you are going to have next year is that the Commonwealth of Pennsylvania is going to be denied another \$700 million of tax credits for business in this state, which is going to cause havoc in the industrial community. And the last thing, it is just a small number, the Federal Government says if you are not in compliance, it is going to cost you \$120 to \$135 million of administra-

tive costs. Now if you do not know what administrative costs are, let me tell you. Administrative costs are running the Bureau of Employment Security in your districts, where hundreds of thousands of people in this state, like in my district, are unemployed and trying to go and get jobs and pick up their checks. Well, after next year, those offices will not be opened and they will not be operating because the money is not there.

One last point, Mr. Speaker, and then I will yield the floor. I am 34 years old and probably have a lot more seniority than the majority of the members here. Probably there are a lot more older members here, chronologically. And I do not know about you, but as I look at my friends whom I had 4 or 5 years ago, and you younger members, they are not living in Pennsylvania. You know, they took jobs in Houston, Dallas, North Carolina, Alabama, Los Angeles, San Francisco; they moved; packed up their families and moved. I went to a wedding this weekend, my cousins got married. Both of them are going to Ohio. The fact of the matter is we are seeing an emigration from this state of our most valuable resource. We are seeing young people leaving Pennsylvania because the opportunities are not there. We will have the old industries—and I do not know how long the steel plants will be operating; and I do not know how long some of our agricultural industry will be operating—but we are in for some tough times.

Now, we have heard, we have heard some people advocating defeat or nonconurrence of this bill, saying, we passed a resolution, the AFL-CIO - American Federation of Labor and Congress of Industrial Organizations - passed a resolution that they are going to form a coalition with the northeastern states to deal with the problem of unemployment, and they go down to Congress and start fighting for their fair share. Well, I have got news for you. You think the Congressmen from Texas and California and Louisiana and North Carolina and South Carolina—what do you think they are going to do? What do you think they are going to say to these states? Do you think they will bail Pennsylvania out? That is not going to happen. That is not going to happen.

What has got to happen is to address the problems of the northeast, and what we have got to start saying to the union members whom we represent and what we have got to start saying to the representatives of organized labor is, get off your ass in this state and start going down south and organizing those shops and organizing those people so that industry and workers in this state can compete and we have got jobs and we can work with an equity base. Labor has got to look at it, and they have got to move.

Mr. Speaker, I thank the Chair for its indulgence, and the members of the House. I am asking the House to concur in the Senate amendments, and, hopefully, when you go home this weekend, ask the same questions that I brought out on the floor today.

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

Mr. STREET. Mr. Speaker, will Mr. DiCarlo stand for brief interrogation? I am somewhat confused, based on—

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Street, may proceed.

Mr. STREET. Mr. Speaker, several weeks ago, maybe several months ago, I was up front, dealing with some charts about jobs. You came up here and stood right in front of that mike and said there are jobs in Pennsylvania. All that those lazy butts on GA have got to do is get out and go find those jobs. Now, I do not understand what you are saying now. Are you now saying people are leaving because there are no jobs?

Mr. DiCARLO. Mr. Speaker, if the speaker will remember, the legislation that you were dealing with was HB 2044, which is completely different from the issue in front of us. The issue that you were talking about was the tourism industry, which I brought up, in Pennsylvania; you had an amendment on the floor that would have been very debilitating for that industry. It would have been very costly to that industry, and it probably would have destroyed that industry in this state. And what I said to you was that in those areas in Pennsylvania that depend on tourism, like in northwest Pennsylvania, like the Poconos, like the city of Philadelphia—what I said was that there are jobs in service industries that are there, and if those jobs are available, healthy people who are working and able ought to get off their duffs and go get those jobs.

Mr. STREET. Mr. Speaker, you just gave reference in your presentation up there to the BES - Bureau of Employment Security - and you had alluded that if we do not concur on HB 1673, next year we are not going to have the Bureau of Employment Security. And I am asking the question this time, based on the number of placements that the Bureau of Employment Security got involved in in terms of blue-collar, unskilled workers, why do we need them anyhow?

Mr. DiCARLO. Mr. Speaker, if for no other important reason, for the hundreds of thousands of Pennsylvanians who are not working, they have to go somewhere to sign up for those checks.

Mr. STREET. They have to go there to sign up for the checks, but not necessarily, as the impression was just a while ago, go there to sign up to find employment, because that Bureau of Employment Security cannot, in fact, find those people jobs. All I am simply trying to say is, are you telling me that if I do not vote to concur on HB 1673, we may lose this place that finds us jobs, those of us who are unemployed? Is that what you were trying to say?

Mr. DiCARLO. Mr. Speaker, I think I said very succinctly what I said up front, and I think if you would have listened to me, it was very easy to understand. What I told you was that we have compliance problems mandated on this state by the Federal Government. If we do not pass this bill or some version of this bill, and do not come into compliance, the Federal Government is going to withhold between \$125-million to \$135-million worth of administrative costs from the Commonwealth of Pennsylvania. Those

costs are the dollars used to run the local Bureaus of Employment Security.

Mr. STREET. I understand that.

Mr. DiCARLO. And that is all I said. Now, if you have got a problem with whether BES finds jobs or does not find jobs, I agree with you. I agree with you. It is a real problem, and that is why they should be there, too. But that is a separate issue.

Mr. STREET. Thank you.

The SPEAKER. Does the gentleman, Mr. Street, wish to be recognized to debate the bill?

Mr. STREET. Yes.

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

Mr. STREET. I have about 2 or 3 hours of a speech I want to make, and everybody is saying "roll the bill."

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

Mr. STREET. I would urge that we not concur on HB 1673, and I would urge that we get together and work this thing out so that, as the gentleman over there said, labor and industry can come together and we can bury the hatchet. But I believe that if we bury the hatchet, it is not a question of labor and industry burying the hatchet; it is a question as to where the hatchet is going to be buried. That is the question. And if we concur on this, what you are doing is burying the hatchet right in the gut of the working man, and that is not a good burial place for the hatchet. So let us not get confused about whether we concur or we agree that the hatchet should be buried, but we disagree on where it should be buried. And I would suggest that based on that, we roll the bill and not concur with HB 1673.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, a number of things have been said here this afternoon that I would like to respond to. Let us take some of the last things that were said, a few by Mr. DiCarlo, because they are probably freshest in the minds of the people hearing them.

Mr. DiCarlo talked about \$150 million coming out of workers' pockets and tried to make it sound like the Federal Congress had mandated that we take that money out of the workers' pockets. No such thing. Up until December of 1979 the mandate was that you did not touch workers' benefits. What has been mandated is that the problem be solved, and we know that that has been mandated. Mr. DiCarlo himself said, I do not know what is fair; I do not know how much should come from workers; I do not know how much should come from business; I just know we have to solve the problem. So I think you ought to know whether it is fair; you ought to have some idea whether it is fair before you are willing to put up an affirmative vote, because if it is unfair, you ought not to vote for it; and if you do not know whether it is fair or unfair, you ought not to vote for it. Mr. Speaker, maybe what you are saying, and those of you who are supporting it, when you talked about the waiting week, maybe— You might as well sit down; I am going to be at least 15 minutes.

Mr. DiCARLO. Fine, because I will be at least that long.

Mr. MANDERINO. When you talked about the waiting week, I think that was a problem for labor. I think it was a very difficult problem for labor who had suffered the ripper bill in the past, in taking the waiting week off them, to even begin talking about a waiting week; it was very difficult for labor to do that, but they did it. They sat down with an intention and a willingness to solve the problem. The auto workers in my district and in Lehigh County the auto workers, and in Philadelphia the auto workers, the auto workers had very much difficulty with the waiting week, because they go down every year for model changes that last maybe 2 weeks, but they swallowed hard on the waiting week. It was a very difficult compromise to even talk about, but they talked about it, and it hurt, and they accepted, and it was in everybody's minds, and at the last minute another \$100 million was shoved down their throats after they had been hurt in a compromise.

What you are saying, Mr. Speaker, is, continue to hurt labor; hurt them with a waiting week; hurt them with variable duration; hurt them with no indexing on the base; and let the employer continue to slide. Why? Because I do not know if it is fair. That is silly. If you do not know if it is fair, you ought not to be for it. And when we talk about chronic offenders in the unemployment compensation field, chronic offenders, we ought to think about all those employers across this Commonwealth. And I am not here talking about the very large employers; I am not talking about necessarily the unionized shops; but I am talking about employers, nevertheless, who pay into the unemployment compensation fund; who use it as a means of giving their workers vacation every year, instead of negotiating vacation with their employees. That is a major abuse that the fund suffers. We ought to talk about those kinds of abuses on behalf of business, too, when we talk about abuses. Those I have not heard anybody talking about. What I did hear people talk about today were things like we increased the benefits in 1971, and we did not increase what went into the fund.

Well, let us go back and look at the record. Yes, we were \$800 million in surplus in 1970, and in 1971, unaffected by any new benefits we gave the worker, we paid out \$315 million out of the fund, unaffected by the new benefits. The first year that the benefits were effective, we paid out \$403 million. That was 1972. In 1973, it was only \$341 million that we paid out. In 1974, it was \$476 million. That is not much of a change. We were \$800 million in surplus. We did not change those benefits to such an extent that we were going to bankrupt the fund. It was a reasonable extension of benefits. But in late 1974 and 1975, a drastic recession hit this Commonwealth of Pennsylvania. In 1974, we had paid out \$476 million in benefits. The very next year, in the 1975 recession, unemployment benefits in this Commonwealth paid out \$1.030 billion. Do you know what the employers paid into that fund that year, when we paid out \$1 billion? They paid in \$400 million. Just that year alone we lost \$600 million on cash flow, and we are talking about today just twice that problem, \$1.2 billion.

But when you want to look at why this happened and how it occurred, I am willing to look at that. I am willing to look at the surplus that existed in 1970. In 1971, from the \$800-million surplus, it was still \$730 million. In 1972, it was \$580 million. In 1973, it was \$586 million. In 1974, it was \$520 million. So do not blame that increase of benefits that we did in 1971 on wiping out the fund. That is not what wiped out the fund. The national economy and the deep recession of 1975 wiped out the fund, and in all those years, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, employers did not pay an extra penny in. They paid on the same base that they always paid. They did not begin paying on a higher base until the Federal Government mandated that they pay on a higher base in 1978. That is where the problem is. Employers are not paying enough into the fund, and when a compromise was nearly reached this year, there was much talk before that compromise about what was fair that the employer pay. Well, the employer pays presently, Mr. Speaker, on a base of \$6,000. That \$6,000 represents about 55 percent; 55 percent, Mr. Speaker, of total average wages of covered employes, which means that the total average wage of a covered employe is probably somewhere around \$11,000 or \$12,000. That is what it means.

Now, Mr. Speaker, when you go back home and you ask your labor union people what does "variable duration" mean, do you understand what this is? You sit down with your business people, too, and you ask them and say, you are paying 55 percent as a base; you are using 55 percent of the average wage of the covered employe today. Are you willing to continue to pay on a base that would be 55 percent of the total wages that your workers earn next year, 55 percent the year after, the year after, and the year after? See what they say. That is fair. That is fair. That is fairness. You know what that would be? By 1985 they would be paying on a \$9,100 base. You know what they are willing to pay? They are willing to pay \$6,600 in 1985, and that is part of why this agreement broke down. They are unwilling to pay their share and they want to not solve the problem, because in 2 years we are going to be broke again, and we are going to be borrowing money again, and we are going to be in deficit again, and then we will have that other 7-year period like we did from 1970 until 1978 where we will not change what the employers contribute. All of these things are important in the solution of the problem.

When I heard the people who stood up at the microphones this afternoon talk about what are we going to do to jobs, what are we going to do to industry if we do not do this, did you look and see what you are going to do to industry with what you are voting for? Let us look to see what you are going to do to industry with what you are voting for. I am talking about new industry coming into Pennsylvania or new industry starting in Pennsylvania. You ordinarily give them a low rate until we have an experience with them. They do not pay very heavily into the fund presently. If it is a construction industry and it is new, brand new, coming in construction industry, either starting or

coming in from outside the state, we were paying a 4-percent rate. You know what they are going to pay now? Six point four five percent in 1980 and 1981, and 6.6 percent in 1982 and thereafter. That is going to attract industry? That is going to bring new jobs in here? That is what you are telling me, do this; we are going to bring new jobs in. You are crazy; that is what you are.

Now, let us talk about those industries that are not new construction industries. Let us talk about the Volkswagens that might come in that somebody wanted to talk about, or any industry that would come in. Someone even said from foreign countries they will come in. They were paying a low rate of 2 percent; that is what they were paying until we get their experience going. Then they might pay 3, 3 1/2; it might go up to 4 percent. That is our maximum, but we start them out at 2 percent. Now, we are going to start them out at 3 1/2. It does not quite double, but almost. Two-thirds more is what we are going to put on them. That is going to attract new industry to this state? Anybody who believes that, believes in fairy tales; that is what they believe in.

Mr. Speaker, you can talk about jobs and you can talk about new industry, and you can talk about waiting weeks, and you can talk about what Congress mandated. You can talk about all those things, but, again, the basic question that you have to answer is, is the way we are solving the \$500-million problem, is the manner in which we are solving it fair to those people who are most concerned, industry and labor? And do you know what the leaders of this Assembly said about this problem 6 months ago? We said that this problem would not be solved by the General Assembly shoving anything down either party's throat, and we told the two parties involved, sit down at a table, negotiate like you do your labor contract, come as close as you can, work out an agreement, and we will effectuate the agreement that you can fairly arrive at. And I thought that is what had been done. In the process, labor ate that waiting week, which they hated to eat. In the process, business did come up with new taxes. They talked about indexing that base. They would not put the 55-percent index in, but they did say we will go from \$6,000 to \$6,300; then we will go to \$6,600; and then we will go to \$7,200. So it was a compromise. They did not like that indexing of the base; they took half a loaf; they swallowed hard. And then the bill came out of committee, and after the bill came out of committee, they shoved it down labor's throat again.

Mr. Speaker, I am going to suggest to this General Assembly, without at this time trying to cut off the base, that there is a way to solve this problem. We do not have to buy what the Senate sent us. In rare occasions, this General Assembly can suspend its rules and amend the Senate amendment. We have that power, and I am not making that motion unless others want to talk, but if no others want to talk, I will make that motion.

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

Mr. RITTER. Mr. Speaker, I yield to the minority whip.

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I indicated that I would make a motion that the rules of this House be suspended so that this House for the first time can deal with unemployment compensation reform in a proceeding where we can arrive at what is fair and decide what is fair by examining closely the issue. I move that the rules of this House be suspended so that Senate amendments can be amended.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I oppose the motion. Every bit of evidence, if you will, that I have, every indication that I have ever received was that if we are to solve the problem with the help of the Senate, this is the bill that we have to work with. The Senate is out, except for their desk being open, and if we are to do what Mr. Manderino suggests, we in effect are saying we want to ignore the problem until September. Not us. I am sure he would stand up and say, no; we will stay here all summer, and I think that is true of many of us, but the problem will not be solved until September or October, if ever.

I am suggesting we vote "no" on the suspension.

The SPEAKER. Does the gentleman from Lehigh, Mr. Ritter, wish to be recognized on the suspension of the rules?

Mr. RITTER. Yes, Mr. Speaker.

I support the motion to suspend the rules. Frankly, I am sick and tired of sitting here and having the other body shove it to us and then go home, and we do not have any input. We did not have any input on the budget; we did not have any input on SB 10, and we are not going to have any input on unemployment compensation because the Senate went home. That is the Senate's problem. I am in the House of Representatives, and I want an opportunity to participate in how this law is going to be drafted. If the Senate wants to go home and stay home until September 15, that is their business. I do not know what is so important that we have got to take a 10- or 12-week recess. If this bill is that important to Pennsylvania, then let us stay here and finish it up, but let us stay here and do it because we are going to have some input. Let us not take this thing and have it shoved down our throats again and again and again. I told you on the budget, if you did it and let them get away with it, they would do it time and time and time again, and it is long overdue that we have got to stop it.

We need to suspend the rules, and then we can offer amendments and possibly make this bill a better bill, one that is a little bit more palatable and one that we can all live with. Mr. Speaker, I support the motion to suspend the rules.

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

Mr. D. R. WRIGHT. I support the motion to suspend the rules. A good many of us, at least some of us on this side of the aisle, have agonized a good deal over this piece of legislation. Most of us have recognized that there truly is a problem that must be resolved. Some of us, however, have concluded that we have just about come to the end of our road of accepting legislation already in place without any opportunity to do other than to vote yes or no.

I would suggest to the members of the other side, if I may be presumptuous enough to do so, to vote to suspend the rules. Let us have an opportunity; those who want an opportunity, let them have an opportunity to make whatever input they can, make whatever contribution to the final decision, the final product, they can. If you have the votes to pass the bill, you have the votes to defeat the amendments. Give us an opportunity to at least air them, and then after having that accomplished, I think you will find that you have more votes on this side for the final product than you have now.

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

Mr. MURPHY. Mr. Speaker, we have been through a long day, and I think we all know that this bill is going to pass only through bipartisan support. I am one of those people on this side of the aisle who have supported this bill. It has been a difficult decision for me to make. I think that if we do suspend the rules and fight this fight now on the floor in a bipartisan way, that we can come to some kind of agreement. I do not think that we should ignore the charges and countercharges that have been put forth, and I think it is fair that we debate this. Now, I made a difficult vote last night, and I am asking for some Republicans to make a difficult vote now and let us suspend the rules and let us stay here, if necessary, this weekend and debate this issue, because I think it is important to all of us. Thank you.

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

Mr. DICARLO. Mr. Speaker, I support my colleague's, Mr. Murphy's, comments from Allegheny County, and I will be supporting Mr. Manderino's motion to suspend the rules.

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

The following roll call was recorded:

YEAS—72

Austin	Gamble	McCall	Shupnik
Barber	George, C.	McIntyre	Stairs
Borski	George, M. H.	McMonagle	Steighner
Brown	Grabowski	Manderino	Stewart
Cappabianca	Greenfield	Michlovic	Street
Chess	Harper	Mrkonic	Stuban
Clark, B. D.	Hoeffel	Murphy	Sweet
Cochran	Hutchinson, A.	Novak	Taylor, F.
Cohen	Irviss	O'Brien, B. F.	Telek
Cole	Itkin	Oliver	Trello
Cowell	Knight	Petrarca	Wachob
DeMedio	Kolter	Pievsky	Wargo

DeWeese	Kowalyszyn	Pistella	White
DiCarlo	Kukovich	Reed	Wright, D. R.
Dawida	Laughlin	Rhodes	Yahner
Duffy	Lescovitz	Ritter	Zeller
Fee	Letterman	Schweder	Zitterman
Gallagher	Livengood	Seventy	Zwikl

NAYS—91

Alden	Freind	McKelvey	Ryan
Anderson	Gallen	McVerry	Salvatore
Arty	Gannon	Mackowski	Scheaffer
Bittle	Geesey	Madigan	Sieminski
Bowser	Geist	Manmiller	Sirianni
Burd	Gladeck	Micozzie	Smith, E. H.
Cessar	Grieco	Miller	Smith, L. E.
Cimini	Gruppo	Moehlmann	Spencer
Civera	Hagarty	Mowery	Spitz
Clark, M. R.	Halverson	Nahill	Swift
Cornell	Hasay	Noye	Taddonio
Coslett	Hayes, Jr., S.	O'Brien, D. M.	Taylor, E. Z.
Cunningham	Honaman	Perzel	Vroon
DeVerter	Hutchinson, W.	Peterson	Wass
Davies	Johnson, E. G.	Phillips	Wenger
Dietz	Klingaman	Piccola	Wilson
Dininni	Knepper	Pitts	Wilt
Dorr	Lashinger	Polite	Wright, Jr., J.
Durham	Lehr	Pott	Yohn
Earley	Levi	Punt	Zord
Fischer	Lewis	Pyles	
Fisher	Lynch, E. R.	Rasco	Seltzer,
Foster, W. W.	McClatchy	Rocks	Speaker
Foster, Jr., A.			

NOT VOTING—27

Armstrong	Dumas	Jones	Richardson
Belardi	Fryer	Kanuck	Rieger
Beloff	Gatski	Levin	Serafini
Bennett	Giammarco	Mullen	Shadding
Berson	Goebel	Pratt	Thomas
Brandt	Gray	Pucciarelli	Williams
Donatucci, R.	Johnson, J. J.	Rappaport	

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

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

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

VOTES CHALLENGED

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

Mr. MANDERINO. To check some votes, Mr. Speaker. Thank you, Mr. Speaker.

Mr. IRVIS. Mr. Speaker, we are insisting that only the members in their seats be voted.

The SPEAKER. The Chair also insists that only members in their seats be recorded. It is a rule of this House.

Mr. IRVIS. Then the Chair will concur with me that Mr. Wilson is not in his seat and yet he is being voted.

The SPEAKER. Is Mr. Wilson on the floor of the House? His vote will be stricken.

Mr. MANDERINO. Mr. Speaker, I do not see the gentleman, Mr. Zord.

The SPEAKER. Is the gentleman, Mr. Zord, on the floor of the House? The gentleman apparently was not recorded.

Mr. MANDERINO. He was when I asked.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—95

Alden	Foster, Jr., A.	McKelvey	Salvatore
Anderson	Freind	McVerry	Scheaffer
Armstrong	Gallen	Mackowski	Schweder
Arty	Geesey	Madigan	Sieminski
Bittle	Geist	Manmiller	Sirianni
Bowser	George, M. H.	Miller	Smith, E. H.
Brandt	Gladeck	Moehlmann	Smith, L. E.
Brund	Goebel	Mowery	Spencer
Cessar	Grabowski	Murphy	Spitz
Chess	Grieco	Nahill	Stairs
Cimini	Gruppo	Noye	Swift
Civera	Hagarty	O'Brien, B. F.	Taddonio
Clark, M. R.	Halverson	O'Brien, D. M.	Taylor, E. Z.
Cornell	Hayes, Jr., S.	Peterson	Thomas
Coslett	Honaman	Phillips	Vroon
Cunningham	Hutchinson, W.	Piccola	Wass
DeVerter	Johnson, E. G.	Pitts	Wenger
DiCarlo	Knepper	Polite	Wilt
Davies	Lashinger	Pott	Wright, Jr., J.
Dietz	Lehr	Punt	Yahner
Dininni	Levi	Pyles	Yohn
Dorr	Lewis	Rasco	
Duffy	Lynch, E. R.	Rocks	Seltzer,
Fisher	McClatchy	Ryan	Speaker
Foster, W. W.			

NAYS—70

Belardi	Gannon	McCall	Seventy
Borski	George, C.	McIntyre	Shupnik
Brown	Greenfield	McMonagle	Steighner
Cappabianca	Harper	Manderino	Stewart
Clark, B. D.	Hasay	Michlovic	Street
Cochran	Hoeffel	Micozzie	Stuban
Cohen	Irvis	Mrkonic	Sweet
Cole	Itkin	Novak	Taylor, F.
Cowell	Kanuck	Oliver	Telek
DeMedio	Klingaman	Perzel	Trello
DeWeese	Knight	Petrarca	Wachob
Dawida	Kolter	Pievsky	Wargo
Durham	Kowalyszyn	Pistella	White
Earley	Kukovich	Reed	Wright, D. R.
Fee	Laughlin	Rhodes	Zeller
Fischer	Lescovitz	Ritter	Zitterman
Gallagher	Letterman	Serafini	Zwikl
Gamble	Livengood		

NOT VOTING—25

Austin	Fryer	Jones	Richardson
Barber	Gatski	Levin	Rieger
Beloff	Giammarco	Mullen	Shadding
Bennett	Gray	Pratt	Williams
Berson	Hutchinson, A.	Pucciarelli	Wilson
Donatucci, R.	Johnson, J. J.	Rappaport	Zord
Dumas			

EXCUSED—11

Burns	Goodman	Milanovich	Schmitt
Caltagirone	Helfrick	O'Donnell	Weidner
Dombrowski	Maiale	Rodgers	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over.

The Chair hears no objection.

DELETION OF SPONSOR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, initially, I would like to submit in accordance with our rules a deletion of a sponsor.

DELETION:

HB 1457, Taylor, F. 22.

REQUEST FOR ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask the Speaker to explain to the House the circumstances surrounding an adjournment motion at this time in light of our concurrent resolution. I would advise the members of both sides of the aisle that I am going to request the Speaker to call us back into session Tuesday of this coming week at 11 a.m. I believe the appropriate motion at this time, Mr. Speaker, is that we adjourn for the week.

The SPEAKER. It is the Chair's observation of the concurrent adjournment resolution that when we adjourn for the week, that we will adjourn until Monday, September 15, 1980, unless sooner recalled by the Speaker.

The Chair gives notice now and will give notice formally by Mailgram that it is the intention to recall the House into session next Tuesday, July 8, 1980, at 11 a.m.

The majority leader, Mr. Ryan, has moved that this House now adjourn for the week.

Mr. RYAN. Mr. Speaker, there has been some confusion. You did say that the Mailgram would indicate that you are calling us back in for Tuesday—

The SPEAKER. Tuesday, July 8, 1980, at 11 a.m.

Does the minority leader wish to be recognized?

Mr. IRVIS. No further business.

BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

HB 2237, PN 3737

A Supplement to the act of _____, entitled "An act providing for the capital budget for the fiscal year 1979-1980," itemizing emergency public improvement projects to be constructed by the Department of General Services together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the

projects, stating the estimated useful life of the projects, and making an appropriation.

ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 8, 1980, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:58 p.m., e.d.t., the House adjourned.