

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, OCTOBER 6, 1980

Session of 1980

164th of the General Assembly

No. 66

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE JOHN M. RODGERS, member of the House of Representatives and guest chaplain, offered the following prayer:

O God, the Everlasting Father of God, the ancient prophets and holy martyrs, pour upon us in this new day Thy Holy Spirit that we may dream dreams and see visions. Bless this Assembly this afternoon with Thy divine presence and give the needed strength, wisdom, and direction to all things that may be done here today. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Journals of Monday and Tuesday, September 22 and 23, 1980, are now in print and, without objection, will stand approved. The Chair hears none.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, October 1, 1980, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2962 By Representatives FISHER, CESSAR AND McVERRY

An Act regulating certain aspects of the precious metals, jewelry and coin purchasing business, requiring registration by certain persons and providing penalties.

Referred to Committee on STATE GOVERNMENT, October 6, 1980.

No. 2963 By Representatives FISHER AND CESSAR

An Act relating to the removal and disposition of pituitary glands during autopsies.

Referred to Committee on JUDICIARY, October 6, 1980.

No. 2964 By Representative ANDERSON

An Act authorizing the Department of Transportation, with the approval of the Governor, to sell and convey a parcel of land in Springettsbury Township, York County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 6, 1980.

No. 2965 By Representatives ANDERSON AND LEHR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for prohibitions on parking in areas marked for handicapped parking only.

Referred to Committee on TRANSPORTATION, October 6, 1980.

No. 2966 By Representatives PHILLIPS, RASCO, E. G. JOHNSON AND VROON

An Act amending the act of July 10, 1980 (No. 108), entitled "An act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled 'An act establishing a system of unemployment *** and contributions of nonprofit organizations,'" eliminating a retroactive application of payment of certain contributions and granting refunds to certain employers.

Referred to Committee on LABOR RELATIONS, October 6, 1980.

No. 2967 By Representatives GALLAGHER, BURNS, HARPER, DAVIES, MILLER AND LESCOVITZ

An Act amending the "General Appropriation Act of 1980," approved June 18, 1980 (No. 17A), increasing an appropriation to the Department of Education for special education for exceptional children in public schools.

Referred to Committee on APPROPRIATIONS, October 6, 1980.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 254 By Representatives CHESSE, RYAN, DeWEESE, GALLAGHER AND BOWSER

House urges Governor to proclaim week of November 10, 1980 as "Marine Corps Week."

Referred to Committee on RULES, October 6, 1980.

SENATE MESSAGE**SENATE BILLS FOR CONCURRENCE**

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

SB 455, PN 2093

Referred to Committee on Appropriations, October 6, 1980

SB 1074, PN 1924

Referred to Committee on Finance, October 6, 1980

SB 1098, PN 1324

Referred to Committee on Conservation, October 6, 1980

SB 1280, PN 1796

Referred to Committee on Appropriations, October 6, 1980

SB 1361, PN 1727

Referred to Committee on Judiciary, October 6, 1980

SB 1367, PN 2094

Referred to Committee on Judiciary, October 6, 1980

SB 1372, PN 1740

Referred to Committee on Conservation, October 6, 1980

SB 1374, PN 2142

Referred to Committee on Consumer Affairs, October 6, 1980

SB 1407, PN 1788

Referred to Committee on Judiciary, October 6, 1980

SB 1480, PN 2023

Referred to Committee on Transportation, October 6, 1980

SB 1481, PN 2113

Referred to Committee on Business and Commerce, October 6, 1980

SB 1494, PN 2114

Referred to Committee on Business and Commerce, October 6, 1980

SB 1495, PN 1982

Referred to Committee on State Government, October 6, 1980

SB 1509, PN 2000

Referred to Committee on Health and Welfare, October 6, 1980

SB 1525, PN 2029

Referred to Committee on Finance, October 6, 1980

SB 1526, PN 2135

Referred to Committee on Appropriations, October 6, 1980

SENATE MESSAGE**SENATE RESOLUTION FOR CONCURRENCE**

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

SR 239

Referred to Committee on Federal-State Relations, October 6, 1980

SENATE MESSAGE**HOUSE BILLS****CONCURRED IN BY SENATE**

The clerk of the Senate informed that the Senate has concurred in **HB 213, PN 3422; HB 893, PN 979; HB 1020, PN 2276; HB 1094, PN 1225; HB 1150, PN 2415; HB 1574, PN 2516; HB 1609, PN 2294; HB 2640, PN 3500, and HB 2893, PN 3834.**

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. 200, 269, 1624 and 1873.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

October 1, 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 1624, Printer's No. 1972, entitled "An act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault".

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

October 5, 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 200, Printer's No. 3341, entitled "An act amending the act of May 28, 1937 (P. L. 955, No. 265), entitled, as amended, 'An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the

remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments,' providing certain additional powers to housing authorities in cities of the first class''.

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

October 5, 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 269, Printer's No. 2983, entitled "An act amending the act of June 18, 1974 (P. L. 359, No. 120), entitled 'An act creating the Municipal Police Officers' Education and Training Commission; providing for the commission's membership, selection, compensation, and removal; providing for the powers and duties of the commission; providing for the appointment and duties of the chairman; providing for the act's applicability to the civil service laws; requiring training by certain political subdivisions and police departments; providing penalties for violation thereof; and making an appropriation,' PROVIDING POLICE TRAINING FOR SECURITY OFFICERS APPOINTED BY FIRST CLASS CITY HOUSING AUTHORITIES''.

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

October 5, 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 1873, Printer's No. 3650, entitled "A SUPPLEMENT TO THE ACT OF JULY 9, 1976 (P. L. 586, No. 142), ENTITLED 'AN ACT AMENDING TITLES 42 (JUDICIARY AND JUDICIAL PROCEDURE), 15 (CORPORATIONS AND UNINCORPORATED ASSOCIATIONS), 18 (CRIMES AND OFFENSES) AND 71 (STATE GOVERNMENT) OF THE PENNSYLVANIA CONSOLIDATED STATUTES, ADDING REVISED, CODIFIED AND COMPILED PROVISIONS RELATING TO JUDICIARY AND JUDICIAL PROCEDURE, INCLUDING CERTAIN JUDICIALLY ENFORCEABLE RIGHTS, DUTIES, IMMUNITIES AND LIABILITIES AND SEPARATELY ENACTING CERTAIN RELATED PROVISIONS OF LAW,' ADDING CERTAIN PROVISIONS OF EXISTING LAW TO AND MAKING CONFORMING, REDESIGNATION AND EDITORIAL CHANGES IN CERTAIN PROVISIONS OF THE PENNSYLVANIA CONSOLIDATED STATUTES, MAKING REVISIONS, CORRECTIONS AND ADDITIONS RELATING TO JUDICIARY AND JUDICIAL PROCEDURE, INCLUDING CERTAIN JUDICIALLY ENFORCEABLE RIGHTS, DUTIES, IMMUNITIES AND LIABILITIES, AND REPEALING CERTAIN ACTS AND PARTS OF ACTS SUPPLIED BY THE ACT AS HERETOFORE SUPPLEMENTED AND AS SUPPLEMENTED HEREBY''.

DICK THORNBURGH
GOVERNOR

BILLS SIGNED BY SPEAKER

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

HB 213, PN 3422

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, adding provisions relating to the termination of parent-child relationships and adoptions; revising certain provisions of the law relating thereto; and making repeals.

HB 893, PN 979

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further restricting the use of spotlights, headlights or other artificial lights and changing the penalty.

HB 1020, PN 2276

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), authorizing certain boroughs to operate cable television service for borough inhabitants.

HB 1094, PN 1225

An Act authorizing the City of Easton in the County of Northampton and Commonwealth of Pennsylvania to sell and convey certain Project 70 lands in said city and county belonging to the City of Easton subject to certain conditions.

HB 1150, PN 2415

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the penalty of the owner of dogs injuring or killing deer and elk.

HB 1574, PN 2516

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to fish and fishing and boats and boating.

HB 1609, PN 2294

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742, No. 467), excluding transfers between grandparents and grandchildren or the spouse of such grandchild and eliminating the requirement of affidavits of value in certain exemption transfers.

HB 2640, PN 3500

An Act amending the act of March 22, 1862 (P. L. 164, No. 164), entitled, as amended, "An act to provide for the destruction, and to prevent the spread of Canada thistles, chicory and marihuana, and imposing certain powers and duties upon supervisors and constables in relation thereto," extending the act to include Johnson grass.

HB 2893, PN 3834

A Supplement to the act of June 30, 1980 (No. 21A), entitled "An act making an appropriation from a restricted revenue account within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs," making an appropriation.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. Mr. Speaker, I do not have any requests for leave at this time.

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

Mr. PIEVSKY. Mr. Speaker, I ask leave for Messrs. B. F. O'BRIEN and JONES for today.

The SPEAKER. Without objection, leaves will be granted.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—176

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

ADDITIONS—18

Austin	Gannon	Reed	Sweet
Barber	Gatski	Richardson	Williams
Beloff	Harper	Ritter	Wilson
Burns	Kowalyshyn	Shadding	Wright, Jr., J.
DeWeese	Milanovich		

NOT VOTING—4

Dumas Giammarco Johnson, J. J. Street

EXCUSED—2

Jones O'Brien, B. F.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Wright; the gentleman from Philadelphia, Mr. Barber; the gentleman from Northampton, Mr. Kowalyshyn; the lady from Philadelphia, Mrs. Harper, and the gentleman from Lehigh, Mr. Ritter, who ask that their names be added to the master roll.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, at this time I would ask that the House go into recess until quarter of 3 for the purpose of caucusing on the nonpreferred bills and the attorney general bill and several other bills that the minority leader has been put on notice to.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. We shall likewise be required to go into caucus, and I would urge the Democratic members to report immediately so we can get started on the long list of bills. You heard the rumor about our going home today; so far, that is only a rumor. You might be able to make it fact, though, if you come to caucus. Thank you, Mr. Speaker.

RECESS

The SPEAKER. Without objection, this House now stands in recess until 2:45. The Chair hears none.

AFTER RECESS

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

MEMBERS' PRESENCE RECORDED

The SPEAKER. The following members ask that their names be added to the master roll:

The gentleman from Washington, Mr. Sweet; the gentleman from Delaware, Mr. Gannon; and the gentleman from Allegheny, Mr. Austin.

**JOINT STATE GOVERNMENT
COMMISSION REPORT**

GENERAL ASSEMBLY OF THE COMMONWEALTH OF
PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
ROOM 108 - FINANCE BUILDING
HARRISBURG 17120

October 6, 1980

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

On behalf of the Joint State Government Commission, I
have the honor to transmit herewith the publication The
Impact of PIDA Loans on Employment.

Copies of this publication for members of the House of
Representatives have been placed in their post office boxes.

Respectfully submitted,
Fred J. Shupnik
Chairman

(For report, see Appendix.)

SENATE MESSAGE

**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate informed that the Senate has
concurred in **HB 2919, PN 3909.**

BILL SIGNED BY SPEAKER

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

HB 2919, PN 3909

An Act providing for the capital budget for the fiscal year
1980-1981.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The following members ask that their
names be added to the master roll:

The gentleman from Bucks, Mr. Wilson; the gentleman
from Bucks, Mr. Burns; the gentleman from Philadelphia,
Mr. Williams; the gentleman from Philadelphia, Mr.
Richardson; and the gentleman from Philadelphia, Mr.
Levin.

CALENDAR

**BILLS AGREED TO
ON SECOND CONSIDERATION**

The following bills, having been called up, were consid-
ered for the second time and agreed to, and ordered trans-
cribed for third consideration:

SB 1410, PN 1791, and HB 2439, PN 3994.

QUESTION OF INFORMATION

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

Mr. GALLAGHER. Mr. Speaker, I could not hear what
you did on the first page. We could not hear what you were
doing on the first page.

The SPEAKER. Bills were read for the second time.

Mr. GALLAGHER. So they are on third reading now?

The SPEAKER. They will be tomorrow or the next legis-
lative session.

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

MEMBERS' PRESENCE RECORDED

The SPEAKER. The following members ask that their
names be added to the master roll:

The gentleman from Philadelphia, Mr. Shadding, and the
gentleman from Philadelphia, Mr. Beloff.

RESOLUTION CALLED UP

The SPEAKER. The Chair recognizes the majority
leader.

Mr. RYAN. Mr. Speaker, Mr. Richardson on our last
day of session had asked that the House immediately
consider a resolution dealing with the Harrisburg Police
Department. Earlier this morning when we were marking
the calendar, I had asked the minority leader, or I had,
rather, told the minority leader that I would like to inter-
rogate Mr. Reed, the Representative of the city of
Harrisburg, in connection with this resolution, it being my
thought that before we as a House should look into some-
thing as specific as the activities of the police department in
any given area, the Representative from that area should
have some input. At the moment I note that Mr. Reed is
not on the floor of the House, and because I had made a
commitment to Mr. Richardson to take this up as a priority
order of business, I am wondering if Mr. Richardson would
have any objections to allowing this to drift— Oh, here is
Mr. Reed now. Mr. Speaker, I have no objection to calling
up the Richardson resolution.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman
from Dauphin, Mr. Reed, who asks that his name be added
to the master roll.

SUSPENSION OF RULE REQUESTED

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

Mr. RICHARDSON. Mr. Speaker, I ask for the suspen-
sion of the rules for a resolution I am about to offer.

The SPEAKER. The question before the House is the
suspension of the rules in order that a resolution to be
offered by Mr. Richardson may be considered immediately.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, prior to taking a vote on the suspension of the rules, I would appreciate it if Mr. Richardson would explain to the House the necessity to take this matter up immediately by suspension.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Last week I rose to speak specifically of the problem concerning the Ku Klux Klan here in the Harrisburg Police Department, and I did so because of the fact that we were approached by several black police officers here in Harrisburg who were sitting in my office last week because they were concerned about the safety of the men on the police force concerning medallions, which I have a picture of here, that were being sold to members of the Harrisburg Police Department by other police officers in the department. It was at that point, Mr. Speaker, with other information that we gathered, that we said that we felt that this issue was severe enough because of the rise of the Klan and the Nazi Party and the other conservative elements in this country right now that are seemingly taking place. There has been a letter sent that we also have a copy of. I have all of this in the record that I have submitted to every member of this House. A newspaper here in Harrisburg has printed, "Ku Klux Klan Challenges Governor & City of Harrisburg, Klan Says They'll Hold Night Rides Thru Suburbs In Hbg. Area." This was printed by a newspaper here in the Harrisburg area, which brought on grave concern by the men who are on the force.

The specific need and reason why we are asking that an investigation take place immediately in the suspension of the rules is because of the fact that a number of those men who are on the force do not feel that anyone is going to listen to what is being said unless the Department of Justice is moved in in this matter to look into the serious problems that have arisen. Number one, the officer who sold the medallions to the police officer on duty was called in and was given a verbal reprimand and told not to do that anymore, but nothing more than that took place. That was it. They are saying—and there are some ambiguities as to the time factor now after the time frame went out in terms of the reprimand—that after the reprimand was given, no more medallions were sold. Now, there seems to be some discrepancy about the time in relationship to that.

We feel that the suspension of the rules needs to take place now because of the fact that this has somewhat damaged the morale of the police department here in Harrisburg as well as those persons who are serving in it not feeling adequately safe to be able to go out and handle their particular job.

The documents that I have—unless you, Mr. Speaker, want me to read them all into the record now—I was going to submit for the record, but those police officers here, a number of them who have been on the force for a number of years, feel that unless this is brought to some type of

head, unless some immediate action is taken on this specifically, they will continue to be in jeopardy and acts of subterfuge will continue to exist relevant to this particular case. I will offer that at this time. If there is additional information that is needed by the Speaker, I will be more than happy to give it to him.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, rather than go into a form of interrogation, I would invite the Representatives from this area to give the House their views as to whether or not there is need to suspend the rules to look into this matter.

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

Mr. REED. Mr. Speaker, I first learned of this resolution last Wednesday in the last moments before our adjournment till this Monday. At no time did I have any opportunity to be involved in the writing of this resolution nor was I aware, frankly, until 2 minutes before it came up on the floor last Wednesday that the matter was even going to be presented, although it does pertain to my legislative district, the 103d. To my knowledge, my fellow Representative, Jeffrey Piccola of the 104th, which includes three wards of the city of Harrisburg, was likewise uninformed.

I spoke to Mr. Richardson then. I am very much aware of the investigation presently being conducted by the Harrisburg Human Relations Commission into the allegations that have been set forth in this resolution as well as additional allegations that are not listed in this resolution. I have spoken with Ted Jefferson, the chairman of that Harrisburg Human Relations Commission, several times since last Wednesday afternoon on this subject. It is a matter of active investigation.

With regard to its urgency, I personally have no objection to the House suspending its rules for the immediate consideration of this resolution. I believe as a practical matter that the resolution directs, not requests, that the Department of Justice, over which we really have no authority to order an investigation to be done by them, directs that they do so and that they report back to us on the results of that investigation. I see no harm in that. I think it might be duplicative of work that is already going on, but as to the suspension of the rules, I have no objection and will be voting "yes."

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

Mr. PICCOLA. Mr. Speaker, I had no knowledge of this resolution prior to coming up here to the Capitol this morning, and I, too, am not aware of any urgency in the state addressing this issue. As Mr. Reed indicated, the Harrisburg Human Relations Commission is—and from my information, ably so—investigating this matter. I would assume, although I have no knowledge on this, that if there are allegations of criminality, the Dauphin County district attorney's office will be investigating this. The mayor of the city of Harrisburg has indicated his full cooperation in the investigation, and quite frankly, under existing law I doubt

seriously whether there is very much that the Justice Department can do, because it involves only a single county and because there is no organized crime or official corruption involved, and so a statewide investigating grand jury probably could not get involved in the matter.

I would much prefer this matter being sent to an appropriate committee awaiting the actions taken by the city officials, in Harrisburg and the Dauphin County officials, and if for any reason they do not act properly, this House may find it appropriate to take action. But I think it is premature now. I think it would only impede the proper investigation now under way in Dauphin County, and I would be opposed to a suspension of the rules.

PARLIAMENTARY INQUIRY

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

Mr. WHITE. Mr. Speaker, is this a proper motion to be debated, Mr. Speaker, in terms of a parliamentary inquiry?

The SPEAKER. In response to the gentleman, the motion to suspend the rules is debatable only as it pertains to suspension of the rules and not to necessarily the merits of the resolution.

CONSIDERATION OF SUSPENSION OF RULE CONTINUED

Mr. WHITE. Thank you, Mr. Speaker. I would like to be recognized to debate the motion.

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

Mr. WHITE. Very briefly, Mr. Speaker, I think that this is an opportunity for the House to in effect open up this whole discussion for debate among our good members. The only way that we can have an adequate discussion of the issues at hand is by in fact suspending the rules. To vote against suspending the rules would effectively cut off any type of rational discussion of what really has become a very, very key issue in many communities not only here in Pennsylvania but across this country.

Many of us were made aware this morning by news broadcasts, for example, that the Ku Klux Klan is planning to have a rally in another part of this state, in Uniontown, Pennsylvania, on October 25, and I just think that it would be more than appropriate, more than necessary, for us to go ahead and vote in the affirmative on the suspension of the rules. I would also like to thank Mr. Reed for his comments on this matter. I think that he put it succinctly, and we would urge that the other members of the House would stand in the affirmative on suspension of the rules. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—110

Table listing names of members who voted 'YEAS' (110 total). Includes Alden, Barber, Beloff, Bennett, Berson, Borski, Brown, Burns, Caltagirone, Cappabianca, Clark, B. D., Cochran, Cohen, Cole, Cornell, Coslett, Cowell, DeMedio, DeWeese, DiCarlo, Davies, Dawida, Dombrowski, Donatucci, R., Duffy, Durham, Earley, Fee, Fischer, Fryer, Gallagher, Gamble, Gannon, George, C., George, M. H., Gladeck, Goebel, Goodman, Grabowski, Gray, Greenfield, Harper, Hasay, Hoeffel, Hutchinson, A., Irvis, Itkin, Knight, Kolter, Kowalyszyn, Kukovich, Lashinger, Laughlin, Lescovitz, Letterman, Levin, Livengood, McCall, McIntyre, McKelvey, McMonagle, McVerry, Mackowski, Maiale, Manderino, Michlovic, Milanovich, Mrkonic, Mullen, Murphy, Nahill, Novak, O'Donnell, Oliver, Petrarca, Phillips, Pievsky, Pistella, Pratt, Pucciarelli, Pyles, Rappaport, Reed, Rhodes, Richardson, Rieger, Ritter, Rodgers, Schmitt, Schweder, Seventy, Shadding, Shupnik, Spitz, Steighner, Stewart, Stuban, Sweet, Taylor, F., Trello, Wachob, Wargo, White, Williams, Wright, D. R., Wright, Jr., J., Yahner, Zeller, Zitterman, Zwinkl.

NAYS—76

Table listing names of members who voted 'NAYS' (76 total). Includes Anderson, Armstrong, Arty, Belardi, Bowser, Brandt, Burd, Cessar, Cimini, Civera, Clark, M. R., Cunningham, DeVerter, Dietz, Dininni, Dorr, Fisher, Foster, W. W., Foster, Jr., A., Gallen, Geist, Grieco, Gruppo, Hagarty, Halverson, Hayes, Jr., S., Helfrick, Honaman, Hutchinson, W., Johnson, E. G., Klingaman, Knepper, Lehr, Levi, Lewis, Lynch, E. R., McClatchy, Madigan, Manmiller, Micozzie, Miller, Moehlmann, Mowery, Noye, O'Brien, D. M., Perzel, Peterson, Piccola, Pitts, Polite, Pott, Punt, Rasco, Rocks, Ryan, Salvatore, Scheaffer, Serafini, Sieminski, Sirianni, Smith, E. H., Smith, L. E., Spencer, Stairs, Swift, Taylor, E. Z., Telek, Thomas, Vroon, Wass, Wenger, Wilson, Wilt, Yohn, Zord, Seltzer, Speaker.

NOT VOTING—12

Table listing names of members who did not vote (12 total). Includes Austin, Bittle, Chess, Dumas, Freind, Gatski, Geesey, Giammarco, Johnson, J. J., Kanuck, Street, Taddonio.

EXCUSED—2

Table listing names of members who were excused (2 total). Includes Jones, O'Brien, B. F.

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

RESOLUTION FOR INVESTIGATION ON KKK ACTIVITIES PRESENTED AND ADOPTED

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

Mr RICHARDSON. Mr. Speaker, I offer the following resolution.

The following resolution was read:

In the House of Representatives,

WHEREAS, There have recently arisen in Dauphin County reports and allegations of activity by supporters and/or members of the Ku Klux Klan; and

WHEREAS, There have been specific allegations of KKK activity among members of the Harrisburg Police Department; and

WHEREAS, Based on the Klan's record of hatred and violence, such increased activity poses a threat to life and limb of Dauphin County residents; therefore be it

RESOLVED, The House of Representatives of the Commonwealth of Pennsylvania hereby requests the Pennsylvania Department of Justice to conduct a complete and thorough investigation of all suspected Ku Klux Klan activity in Dauphin County. Such investigation shall include specifically the alleged buying and selling of KKK medallions among Harrisburg police officers and the wearing of such medallions by police officers while in uniform; and be it further

RESOLVED, That the Department of Justice make a full and complete report of the results of its investigation to the House of Representatives as soon as practicable, together with any recommendations for remedial legislation; and be it further

RESOLVED, That copies of this resolution be transmitted immediately to Governor Thornburgh and to Attorney General Bartle.

DAVID P. RICHARDSON, JR.
ARTHUR F. EARLEY

On the question,

Will the House adopt the resolution?

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

Mr. RICHARDSON. I will be very brief because most of the information has come out through the interrogation and also the explanation of the reason why we are offering this resolution.

I would like to, first of all, Mr. Speaker, submit to the House the record concerning the information on the Ku Klux Klan, if we could submit this, Mr. Speaker.

The SPEAKER. The Chair was unable to hear Mr. Richardson.

Mr. RICHARDSON. I just said, Mr. Speaker, instead of me reading these remarks, I would like to submit these remarks for the record.

The SPEAKER. The gentleman will send his remarks to the desk.

Mr. RICHARDSON. I would like to say, Mr. Speaker, I rise this afternoon so that each and every member of this House will support this important resolution. We all realize the history of the Ku Klux Klan and the terror this group has inflicted on many neighborhoods and communities throughout the State of Pennsylvania and throughout the country. I rise today because we are faced with the resurgence of this Klan here in Harrisburg, throughout this state and this country, and there needs to be some immediate action taken. This resolution calls for the immediate investigation by our Justice Department into the Harrisburg Police Department concerning the Ku Klux Klan's selling of medallions and also the recent activity here in Harrisburg of the Klan with the department. I would like for the members of this House to know that the information that we have obtained and acquired from members of the police depart-

ment here in Harrisburg and other citizens who are very concerned about this, and I ask that some immediate attention be given. It is in this regard that I ask each of you to vote "yes" so the Justice Department may begin to take a look into the circumstances surrounding the policemen wearing the Ku Klux Klan medallions while in uniform.

The Jews, the Catholics, and others, and black people in America have been subject to and victimized by this nonsense that continues to exist around a system of social relations which operates in a way as to deprive them of a chance to share in the more desirable material and nonmaterial products of a society which is dependent on loyalty. They are victimized also because they do not have the same degree of access as others who have the attributes needed for rising in this general-class system. I feel it is important that we stand against what the Ku Klux Klan stands for and other such groups like them and what they represent. I ask for an affirmative vote on the resolution. Mr. Speaker, I ask that each member vote in favor of this resolution.

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

Mr. WILLIAMS. Mr. Speaker, I rise to ask an affirmative vote on the resolution, also. And very briefly, Mr. Speaker, and not to be too wordy, I know of no matter that would come before our body that more readily strikes at the very roots of the philosophy of our country. In a grouping or an organization of people who have historically been against races and religions and based on those basic facts, it contradicts our history; it contradicts our philosophy; it contradicts our democracy.

No more than just this morning I read about the incident in Paris of a group of neo-Nazis who bombed an institution causing injury against some Jewish people. An investigation revealed that that group had about 30 police officers within that group which made investigations of that very matter very, very difficult.

It is important and vital that our body, Mr. Speaker, say that we are totally and unalterably opposed to any groups in this country who would oppress or create violence or intimidate or threaten any group of Americans based on race, religion or their national heritage. I believe that this resolution although, as Mr. Reed pointed out, may not be grammatically correct in our ability to direct the investigation, it would certainly serve to encourage a thorough and effective investigation of this matter. I would hope that all the members of this chamber would basically agree that each and every one of us have to do something to stem the tide of Nazism and Ku Klux Klanism in this country. Thank you, Mr. Speaker.

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

Mr. REED. Mr. Speaker, on this resolution, I have several remarks which I think are appropriate.

I have been the state Representative for the 103d district for 6 years. It encompasses the first through 12 wards of the city of Harrisburg. There are a total of 15. During that

time, I have spent many, many hours on the streets of this town on weekends and at late night hours and daytime hours with some members of the Harrisburg police bureau and with others who are involved in the law-enforcement process of Pennsylvania's capitol city. Therefore, I know many of the police officers in this city on a first-name basis.

I do not want anyone in this chamber nor any member of the news media, particularly, to portray by whatever action the House takes on this resolution as being a stigma upon every officer and every member of the Harrisburg police bureau. That is one of the dangers associated with the public pursuit of this type of question and this type of issue. I have already seen on the streets in Harrisburg these last 2 months the direct impact of allegations which have been wittingly or unwittingly aired in the public press prior to their being investigated or substantiated in which there is a perception— There has been created in many communities and neighborhoods in this district, a perception by members of the community, especially minority members of this community, that the Harrisburg police bureau is riddled with Ku Klux Klan membership, and that is simply not true. But as long as that perception exists, there is created on our streets an atmosphere of tension; of fear on everyone's part. It causes a breakdown of the necessary communication between police and members of the community in order to have effective or even the rudiments of effective law enforcement.

The wording of this resolution is not emotional and is not sensational, and I compliment its sponsor for the fact that it very methodically seeks the involvement of a state agency, the Department of Justice, to lend its way to the investigation of the allegations of Ku Klux Klan activity by certain members of the Harrisburg police bureau.

There is also another danger, Mr. Speaker, which needs to be mentioned today, and that is that because of the sensationalism that has been surrounding the allegations of Ku Klux Klan activity by certain members of the Harrisburg police bureau, those proponents of the investigation have unwittingly given to the Ku Klux Klan, which seems to be headquartered in Reading, Pennsylvania—at least its head is in Reading, Pennsylvania, and one of its statewide offices is located in Morrisville, Pennsylvania, wherever that is; they have unwittingly given to the Ku Klux Klan—a public forum and an opportunity for that public forum, which they have heretofore never had in Dauphin County. Therefore, while I urge that this investigation, if it is conducted by the Department of Justice, be done swiftly, I hope that it is done quietly in the sense that it does not provide the forum for the Ku Klux Klan and those of that ilk to berate minority members of our community and those other persons whom they see as enemies of Christian American values.

And, Mr. Speaker, I hope that the Department of Justice, if it receives this resolution, will take heed to that specific provision of the resolution that asks for legislative remedies. I hope that those remedies come back with a

specific statutory proposal that would prohibit membership in an organization that advocates violence and intimidation against any member of the community; that it would prohibit any such person from belonging to a law-enforcement agency paid for from public funds, and further that it would address something that Mr. Goebel was trying to deal with earlier this year, and that is, what is the true definition of a religious organization, for indeed, the Ku Klux Klan has hidden behind the definition or their identification as a Christian religious organization in order to conduct some of their activities. I believe that that is clearly an abuse of the term, and perhaps the term should sooner or later—and I think sooner is better—be defined by law.

Therefore, Mr. Speaker, I will be voting for this resolution and I would hope that its pursuit will be done in a detached, unemotional and independent manner, and that the resources of the Department of Justice will be applied in an effort to quickly resolve the question of whether or not there is evidence supporting any allegations about Ku Klux Klan activity by any member of the Harrisburg police bureau. Most members of the bureau would have no part of such an activity, and I can stand on this floor of the House and say that without the slightest hesitation. Thank you.

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

Mr. PICCOLA. I would just like to echo the remarks of Mr. Reed and indicate to the House that I am going to support this resolution at this time, despite the misgivings that I indicated during my prior remarks on the suspension of the rules. I still have those misgivings, and, at this time, after echoing the remarks of Mr. Reed, I would like to warn the House of two things.

First of all, I seriously doubt, for the reasons I stated earlier, that the Justice Department, under the circumstances and facts as I believe they have been reported in the press and so forth, will be able to do anything because of the very local nature of the incident. I believe this is better handled by local authorities, district attorneys and our own Human Relations Commission in Harrisburg.

And for the second reason, and probably much more important to every member of this House as you cast your vote on this subject, that we are setting a very unusual and very strange precedent by urging an investigation of a uniquely local subject which is probably better handled at a local level, which has some obnoxious characteristics to it but which is not even regionalized, let alone statewide, oriented.

So I would urge the House to vote "yes" with the qualification that this is not to be a precedent for future investigations of every sort of local matters that might take place in the Commonwealth of Pennsylvania.

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

Mr. EARLEY. Mr. Speaker, I rise to urge support of this resolution. A packet of material was passed around to the members of the House that contained a number of pages of

reprints of newspaper articles and other data regarding the activities of the Ku Klux Klan, or alleged activities of the Klan, in Harrisburg and its vicinity. I am certain that that material was not examined carefully, particularly because of the climate that we are in here today, attempting to go home for an election recess. An examination of that material alone will show that we are not speaking of a merely local matter involving perhaps two or three police officers on the Harrisburg police force, but we are speaking of the largely subliminal activities of an organization that has stood for all that this country has stood against over the years and that has, by recalling the various newspaper reports and magazine reports of incidents across the country within the past several months, begun to rise again in such a pervasive manner, that unless, whenever any indication of it becomes obvious, action is taken, we will find that it will have a stranglehold on our communities as it did one time so many decades ago.

It bothers me that there is a chapter known as the "Invisible Klan" that is engaging in training for guerrilla warfare in Alabama. It bothers me that there are communities in our State of Pennsylvania that are considered headquarters for various chapters of the Klan. I believe that we in Pennsylvania should let it be known to the Klan and all such organizations that we are alert to any indication of their presence, and no matter how small that indication may be, we as a state will take action. We are mindful of the fact that through the years organizations such as this have hidden behind various constitutional rights, and I am not advocating the abridgement of any constitutional right of any organization. We are also mindful of the fact that organizations such as this traditionally operate in secrecy. Periodically there comes before us an indication of the presence of such heretofore secret organizations. I think that not only should our Department of Justice inquire into the existence on a municipal police force of Klan activity but that it shall also inquire into the extent, if any, of Klan activity throughout this state and send a message to such obviously subversive organizations that an ever-watchful eye will be cast across this state, and any indication, no matter how minuscule, of this nature will be investigated and appropriate action taken to see that it does not grow and flourish in our communities across Pennsylvania. I urge that you support this resolution. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. Spencer.

Mr. SPENCER. Mr. Speaker, very briefly, I am going to vote against this resolution because it does set a very dangerous precedent. Number one, there is no method by which the Attorney General can preempt the office of the local district attorney, to my knowledge, in such a field. Secondly, the resolution indicates there has been no violation of any laws, to my knowledge, as reprehensible as, I think and I know, the Ku Klux Klan's aims and methods are. The mere joining or being a member of it in itself is not illegal, nor is the mere buying and selling of medallions illegal. Therefore, this resolution means nothing. And,

lastly, even if the resolution did mean something, the Attorney General could only possibly do it by a grand jury investigation and under no circumstances could he report back to us before December 1 to have any effect, and, therefore, I think it is a complete exercise in futility and I am going to vote "no."

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

Mr. WHITE. Mr. Speaker, I rise in support of the resolution. I understand quite clearly the point that the good gentleman from Tioga, Mr. Spencer, was trying to make. But I would suggest, Mr. Speaker, that it is a greater potential threat, a greater detrimental precedent, for us to back away from what is really a pervasive issue, not just in the localized nature in which the resolution is drafted with respect to Dauphin County and the city of Harrisburg, but with the very tenets of our constitution and our freedom that we have fought so diligently over the last several hundred years to preserve and to maintain. The mere thought that there are organized groupings out there that seek to destroy the individual liberties; that simply decide that because of someone's race, because of their creed, because of their nationality, that they should not be entitled to the various freedoms that are afforded us in this country, is in itself something that needs to be repudiated.

We take the first step, Mr. Speaker, in doing that by passing such a resolution, which puts organizations of this type on notice that in the Commonwealth of Pennsylvania we do not condone, in fact we very sincerely oppose, this type of racial hatred, this type of ethnic hatred that is put forth in the name of Christianity by groups such as the Ku Klux Klan. Thank you, Mr. Speaker.

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

Mr. WILLIAMS. Mr. Speaker, I will not be more than a minute, but I do want to say that I am somewhat shocked. I have sat on a number of committee meetings in the Judiciary Committee about some very deep, deep problems - one of which was the insidiousness of organized crime in this state and throughout this country. I have sat on there with the gentleman, Mr. Spencer, and we talked and the Governor talked about the venal insidiousness of how organized crime dribbles down and eats away at the fabric of our local law institutions. I just want to say it is perfectly clear in the history of our country that it is internationally recognized that the concepts, the actions of the Nazis, neo-Nazis, and the Klan, are of organized crime and on many occasions violent organized crime. I just want to say that to those of us who were stopped at the water's edge on a problem that strikes the heart of our people, whether they be Jews, or blacks, or Catholics, or, the next day, somebody else, and I would say far, far more dangerous in the long run than organized crime.

I just had to say that I have sat with the speaker in judiciary meetings, and we talked about the effects of organized crime, even though it may rear its head in any given locale. Thank you, Mr. Speaker.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—165

Alden	Foster, W. W.	Livengood	Ryan
Anderson	Foster, Jr., A.	Lynch, E. R.	Salvatore
Armstrong	Fryer	McCall	Schmitt
Arty	Gallagher	McClatchy	Schweder
Austin	Gallen	McIntyre	Serafini
Barber	Gamble	McKelvey	Seventy
Belardi	Gannon	McMonagle	Shadding
Beloff	George, C.	McVerry	Shupnik
Bennett	George, M. H.	Mackowski	Sieminski
Berson	Gladeck	Maiale	Sirianni
Borski	Goebel	Manderino	Smith, E. H.
Bowser	Goodman	Michlovic	Spitz
Brandt	Grabowski	Micozzie	Stairs
Brown	Gray	Milanovich	Steighner
Burns	Greenfield	Moehlmann	Stewart
Caltagirone	Grieco	Mullen	Stuban
Cappabianca	Gruppo	Murphy	Sweet
Chess	Hagarty	Nahill	Swift
Cimini	Halverson	Novak	Taylor, E. Z.
Civera	Harper	O'Donnell	Taylor, F.
Clark, B. D.	Hasay	Oliver	Telek
Clark, M. R.	Hayes, Jr., S.	Perzel	Thomas
Cochran	Helfrick	Peterson	Trello
Cohen	Hoeffel	Petrarca	Wachob
Cole	Honaman	Phillips	Wargo
Cornell	Hutchinson, A.	Piccola	Wass
Coslett	Irvis	Pievsky	Wenger
Cowell	Itkin	Pistella	White
Cunningham	Johnson, E. G.	Pitts	Williams
DeMedio	Klingaman	Pratt	Wilson
DeWeese	Knepper	Pucciarelli	Wilt
DiCarlo	Knight	Punt	Wright, D. R.
Davies	Kolter	Pyles	Wright, Jr., J.
Dawida	Kowalyszyn	Rappaport	Yahner
Dietz	Kukovich	Rasco	Yohn
Dombrowski	Lashinger	Reed	Zeller
Donatucci, R.	Laughlin	Rhodes	Zitterman
Duffy	Lehr	Richardson	Zwikl
Durham	Lescovitz	Rieger	
Earley	Letterman	Ritter	Seltzer,
Fee	Levi	Rocks	Speaker
Fischer	Levin	Rodgers	

NAYS—21

Bittle	Fisher	Noye	Smith, L. E.
Burd	Geist	O'Brien, D. M.	Spencer
Cessar	Madigan	Polite	Taddonio
DeVerter	Manmiller	Pott	Vroon
Dininni	Mowery	Scheaffer	Zord
Dorr			

NOT VOTING—12

Dumas	Geesey	Johnson, J. J.	Miller
Freind	Giammarco	Kanuck	Mrkonic
Gatski	Hutchinson, W.	Lewis	Street

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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

ARTICLES PRESENTED FOR RECORD

Mr. RICHARDSON presented the following articles for the Legislative Journal:

LEADER OF KKK DISCUSSES
CHANCES IN CONGRESS RACE

FALLBROOK, Calif. (AP)— Nowhere across the hills and broiling desert stretching from the Pacific Ocean to the Arizona line - where about a million California voters live - is a Tom Metzger billboard or bumper sticker to be seen.

Almost daily, somebody whose name is news says he would never vote for Metzger, the Democratic nominee in the race to represent the three-county 43rd Congressional District, most populous in the nation.

Fewer than 50 volunteers staff his campaign, which has attracted less than \$10,000 in contributions, most under \$100.

No party money is going to Metzger, who has been officially disavowed by Democratic leaders because he is state leader of the Ku Klux Klan.

"In Riverside County, they say they have \$500 in their treasury (for the congressional campaign) but they wouldn't give it to me — in fact, they're telling everybody not to vote at all," Metzger said in an interview. "It's a mixed bag in San Diego and Imperial counties, but the party boys are encouraging Democrats to vote for my Republican opponent."

With the 1980 campaign almost half over, Metzger has yet to be endorsed by any major organization. Newspapers which oppose four-term Rep. Clair Burgener in the past are urging readers this year to vote for the millionaire Republican real estate man.

Metzger won the party primary by just 318 ballots over two opponents whose supporters split the vote.

"The party people were surprised when I won, but I stood for Americans who haven't had a real voice in their government," he said. "But wait. They'll be more surprised in November.

"The opposition is making a mistake saying people voted for me because they didn't know who I was. That's wrong. They voted for me because they knew exactly who I was."

Metzger is a 42-year-old avowed racist who belonged to David Duke's Louisiana-based Knights of the Ku Klux Klan before forming his own Klan in 1976. He's been called California Grand Dragon, Grand Titan and Cyclops but now goes simply by "leader."

Metzger keeps a gun handy, wears a bullet-proof vest and is accompanied by six or seven bodyguards in public. He has also installed closed-circuit cameras on his roof since someone set fire to the white picket fence around his split-level house in June, then threw rocks through the windows the next night.

Apart from his Klan activity, Metzger stresses that he is also an Army veteran, father of five, son of an Indiana farmer and factory worker and a small-business man, who still puts in several hours a day fixing television sets in his basement shop.

Upstairs in his library, the titles include "White Niggers of America," but the White Brotherhood pennant he designed is gone, along with other Klan insignia, replaced by the Golden Bear state flag.

Metzger said the last time he appeared publicly in a white hood was last January in Escondido at a protest against illegal aliens. In early May, he spoke at a Klan cross-burning in Sacramento County, but without the KKK hood.

"Race is my opinion, not my issue," he said. "I'm sticking with issues now."

As a candidate, Metzger says he favors nuclear power and tax cuts. If elected, he said, he will propose bills to abolish affirmative action laws and "phony giveaway programs like that boondoggle called bilingual education."

In his campaign literature and occasional speeches, Metzger appeals to resentments about inflation and welfare recipients, refugees and Mexicans getting jobs that might go to white Americans.

POLICE PROBED ON KKK REPORT

Top Harrisburg police officials announced Monday that an "internal investigation" is under way after a hooded figure, wearing a white sheet, accompanied by another person, appeared at noon in front of City Hall to distribute leaflets claiming Ku Klux Klan medallions have been allegedly bought, sold, and worn by city police officers.

Affirmation that a departmental inquiry into the allegations is under way came from city Public Safety Director William A. Hewitt and Police Chief Bruno V. Favasuli, with the latter issuing an order to all police personnel that "disciplinary action will be taken" against officers who violate the department's uniform dress code.

"Members shall only wear 'approved' items of uniform apparel as designated by the department. Members shall only carry items of equipment which have been approved by the department," the order said.

Meantime, Mayor Paul E. Doutrich, Jr., in a memorandum late Monday to Hewitt, referred to initial findings indicating that "one officer bought a souvenir medallion at a flea market, which medallion indicated support of the KKK."

In fact, the metal medallion indicates that the holder is a "member in good standing" of the KKK — although police officials indicated that the flea market item was apparently of a souvenir variety.

"This," the mayor told Hewitt, "hardly constitutes a 'link' with the department with this most reprehensible organization or even support on the part of that individual officer... In any event, if any evidence is uncovered linking any officer or officers to the KKK and its vicious purposes, immediate steps will be taken to remove that officer from the force..."

Angered by the appearance of the hooded figure at City Hall, Doutrich added, "One of the allegations...is that certain members of the police department are or have been wearing a KKK button. Never have I seen this nor has anybody reported such a thing to me...The leader of the demonstration on the City Hall steps used one of the more reprehensible precepts of the KKK, namely to cover himself with a sheet so that he would remain anonymous while making his charge."

Doutrich further stated, "While people have the right to join any organization as they see fit, this does not apply to one like the KKK whose precepts are against our U.S. Constitution and the best interests of our country and all our citizens."

The mayor asked Hewitt to have his memorandum read at all police roll calls and to distribute a copy to each individual officer, while also directing that copies go to city Solicitor Herbert C. Goldstein, City Council President Miriam G. Menaker, and Council Vice President Wesley A. Plummer.

FOP DEPLORES 'KLAN' INCIDENT HERE

Appearance in front of City Hall Monday of a hooded figure dressed in the apparent garb of the Ku Klux Klan constituted an example of "headline-grabbing" by individuals who, instead, should have filed a "formal complaint" with city officials, according to Joseph Polomski, president of Capital City Lodge 12, Fraternal Order of Police.

Polomski, in a prepared statement late Tuesday, said the incident has led to "a mistaken impression that a police official was the person dressed as a Klansman on the City Hall steps...I want to stress that this is not true."

The FOP official's reference was to the appearance of the Klansman individual who, while remaining anonymous, distributed leaflets alleging that members of the city police force have participated in selling, buying and wearing KKK buttons.

The incident led to an order by Police Chief Bruno V. Favasuli that police must adhere to the bureau's dress code, and an announcement by Public Safety Director William A. Hewitt and Mayor Paul E. Doutrich Jr. that an "internal investigation" into the allegations is under way.

Polomski said, "The black man who would demean himself to don the garb of the Klan is not the least bit concerned about community relations but is dealing with sensationalism solely with the intent of causing bitter feelings within the community against the police. What he has done is comparable to inciting to riot.

"The atrocious behavior of one individual has caused such a media splash that every member of the Harrisburg police department will now be subject to additional—and totally uncalled for—harassment by some people.

"If persons involved had truly cared about their accusation, instead of headline-grabbing, they would have filed a formal complaint with city officials."

KLAN, NAACP CAN'T BE COMPARED

Editor: In a recent article, Harrisburg Public Safety Director William Hewitt was quoted in a statement before City Council's Public Safety Committee as comparing his membership in the NAACP with various police officers, right to join the Ku Klux Klan.

As president of the Greater Harrisburg Area Branch of the NAACP, I am at a loss to understand how Mr. Hewitt could compare such dissimilar organizations as the NAACP and the KKK. The NAACP is the largest, oldest and most respected civil rights organization in America. Its aims are

to improve the political, economic, educational and social rights of minority groups, to eliminate racial prejudice and to keep the public aware of the effects of racial discrimination. It engages in various legal actions to eliminate racism in our society.

The NAACP invites people of all racial, religious and ethnic backgrounds to join its ranks in its fight for freedom.

Either Mr. Hewitt is not aware what the NAACP stands for or he puts it in the same category with the KKK.

Mr. Hewitt should know the aims and objectives of an organization before he joins it.

Violet W. Fields,
Harrisburg

K.K.K.

It's no joking matter, The recent increase in K.K.K. activities on a national level is no joking matter...also the recent discovery that there are Klan sympathizers, if not Klan members in the Harrisburg Police Department. There have been statements that the Harrisburg Human Relations Commission is on a "Witch Hunt". This statement by the President of the F.O.P. is quite indicative of the insensitive attitude displayed by the Harrisburg Police Department. This is borne out by the graffiti that appears in the rest room in the Police Department of Harrisburg City Hall. See exclusive photos in next week's Paxton Herald. (The rest room was hastily painted right after these photos were taken.)

N.A.A.C.P. Expels Public Safety Director

The Harrisburg Chapter of the N.A.A.C.P. in what might be an historical move, has expelled Public Safety Director William Hewitt from their membership. The reason? His inference that membership in the K.K.K. and membership in the N.A.A.C.P. were similar.

6 POLICEMEN FIGHT SUBPOENAS FROM HRC IN ITS KLAN PROBE

By RON JURY
Staff Writer

Six city policemen—including four top officers of the Fraternal Order of Police—who have been subpoenaed to appear before the Harrisburg Human Relations Commission in connection with a probe of alleged Ku Klux Klan activities on the force have filed a petition in Dauphin County Court asking that the subpoenas be quashed.

The court petition alleges that the subpoenas are improper, and adds that the commission lacks the authority to hold a hearing on alleged KKK police involvement because no complaint has been filed with the city commission.

The court is asked to set aside the six subpoenas and delay the Human Relations Commission hearing, scheduled for Thursday.

Police officers named on the petition are Joseph F. Polomski Jr., president of Capital City Lodge 12, Fraternal Order of Police, Donald Maxwell, Thomas Stone, Ralph C. Brown, Willard Crossland and Litho Ware.

Stone, Maxwell and Brown are also officers of the FOP, Stone is vice president, Maxwell is treasurer and Brown is financial secretary.

According to the petition, filed by attorney P. Richard Wagner, of the Harrisburg law firm of Mancke and Lightman, the six men are all members of the FOP who received "what purports to be subpoenas" on Sept. 9 issued by the Human Relations Commission.

The subpoenas—containing a stamped signature—ordered the men to attend a hearing before the commission "regarding alleged irregular and improper conduct within the Harrisburg Police Department," the petition states.

The subpoenas are said to contain a certificate of service which is unsigned and which doesn't "accurately reflect" the way the subpoenas were served. The petition continues that the subpoenas were issued under the "alleged powers" of the Human Relations Commission, but are "improper" because the commission cannot "issue subpoenas without showing a necessity therefor."

The FOP members, through their attorney, also say that the subpoenas are improper because they "do not believe that there has been any complaints of discrimination in employment" making the issuance of subpoenas necessary.

The commission has jurisdiction over alleged discrimination practices by the city, "but does not have jurisdiction over the allegations which are the subject of the subpoenas," the petition continues. The six officers also challenge the commission's jurisdiction "in regard to the subject of the subpoenas."

The three-page petition continues that there has been "no showing that there is any necessity" for the police officers to appear before the commission and that "their presence is not relevant and not material to the commission's hearing."

The petition concludes that the commission lacks the "power and authority" to conduct the hearing on Thursday because there has been no properly initiated complaint "which falls within the jurisdiction of the Human Relations Commission."

Polomski said earlier this month that the union's position is that HRC is engaged in a "witch hunt" as well as "headline-hunting."

HEARING NEEDED ON HRC'S ROLE IN KKK PROBE

By George Myers Jr.
Staff Writer

Dauphin County Judge John C. Dowling today said a formal hearing is necessary to decide whether the Harrisburg Human Relations Commission had authority to subpoena seven police officers in a probe of alleged Ku Klux Klan activities within the city's police department.

After an informal hearing with the judge today, City Solicitor Herbert C. Goldstein said the formal hearing would "determine if the serving of subpoenas was correct and if the HRC has the authority to issue subpoenas for this kind of (investigative) purpose."

The hearing will be held Friday at 9:30 a.m.

Dowling indicated he would allow the hearing to address only the issue of "whether there has been some reasonableness for HRC to enter into this investigation."

The investigations began when a black city employee allegedly purchased a KKK medallion from a white police officer. The incident was dramatized earlier this month by a hooded black man dressed in the garb of a klansman who protested the alleged incident in front of City Hall.

HRC investigator Michael Bowles reportedly was checking allegations that white officers used racial slurs in the presence of black officers; that there was racist graffiti on the walls of the police department's men's room; and that black officers received supposedly humorous printed matter containing racial epithets.

Doutrich said the matter may have begun as a "joke" when an officer bought a Klan button as a "curiosity item" at a local flea market and displayed it on his uniform in the presence of other men on the force.

He said that an inquiry by the Internal Affairs unit of the department would determine if any officers were members of the KKK. If there were, he said, they'd be fired.

Gary Lightman, attorney for the officers under subpoena from the Fraternal Order of Police, Capitol City Lodge 12, said the case was not a matter of racial discrimination and so argued that the HRC lacked jurisdiction in the case. He likened the probe to the anti-Communist attacks of the Sen. Joseph McCarthy era.

Lightman said, "What are they going to do, hold hearings and ask, 'Have you now or have you ever been...?' There is no police officer who belongs to the Klan that I know of. It's not true. It's just that simple."

Violet Fields, president of the local NAACP chapter, said she suspected only a small number of officers were involved and she indicated that the city's black community did not wish to point a finger at the whole department.

But she expected a departmental coverup. "They are trying to act like this is a joke."

Public Safety Director William A. Hewitt fueled the controversy when he said he couldn't interfere with an officer's personal life. Hewitt, a white man, since has been expelled from NAACP membership.

MINORITY POLICE RECRUITMENT DRIVE OFFERS CHANCE FOR HACC DEGREE

By George Myers Jr.
Staff Writer

Beset with racial tension, the city's Police Bureau has begun a tuition-free minority police recruitment drive.

The "police cadet" program, bolstered by \$131,000 in public funds, offers candidates an opportunity to participate in an associate degree program at Harrisburg Area Community College, valued at \$2,500 per cadet. The recruits will receive \$80 per week for service to the department while attending school.

The recruitment drive comes after police officers complained that manpower on the force this year was equal to that of several years ago—even after the crime rate has escalated—and after the force itself has come under close scrutiny for alleged Ku Klux Klan activity within its ranks.

Though claiming there are no police officers of KKK state rolls, Grand Dragon Ray Doerfler of Morrisville submitted a letter to the mayor's office indicating the clan would be happy to have city officers join up.

Public Safety Director William Hewitt and Mayor Paul E. Doutrich Jr., both slandered by anti-KKK leaflets distributed across the city last week, announced installation of a "police cadet" hotline - 255-3117 - where potential applicants can call to get further information.

Doutrich said, "The program is geared for black candidates in an effort to meet the number of minority personnel under a Pennsylvania Human Relations Commission decree signed in 1978." Twelve of the 15-member cadet class must be black, according to the decree.

In a joint statement by Hewitt and Doutrich, it was announced that applicants must have good vision, be between 18 and 33 years old, and have good backgrounds, the desire to do college-level work and a state driver's license.

Cadets would begin the HACC classes next January and, at the end of two years, would receive associate degrees in police science plus municipal police officers' training certificates.

Upon course completion, the cadets would be hired by the city's police department at an estimated starting salary of \$15,000 about \$1,500 more than the current starting salary on the force, with "generous fringe benefits."

SUBPOENAS FOR POLICE IN KKK PROBE 'JUST A FORMALITY'

By George Myers Jr.
Staff Writer

A Harrisburg Human Relations Commission investigator said today subpoenas were served seven city police officers Tuesday only because the officers had previously agreed not to talk about an alleged Ku Klux Klan link on the force, unless by order of the courts.

Michael Bowles told The Evening News that the subpoenas were "just a formality" and not indicative of anyone's possible KKK connection on the force. He said the local Fraternal Order of Police had sent a letter Sept. 4 to its membership asking that no policeman address the KKK issue unless under subpoena.

Four of the officers served subpoenas are top officers of FOP Capital City Lodge 12.

It was expected that the subpoenas would act as a greater wedge between racially-torn police personnel, already divided by five suits filed by black officers with the state Human Relations Commission charging harassment and/or discrimination on the basis of race or sex.

Defendants on the force told The Evening News that they would countersue, if ordered to testify on the discrimination case before the state, and would charge the complainants with various offenses ranging from insubordination to "messing around" while on duty.

Patrolman Joseph Polomski, president of FOP Capital City Lodge 12, said he and three other top officers of the lodge were ordered to appear before the commission later this month to speak to the KKK issue.

He described the subpoenaing of the top FOP officers as "witch-hunting."

The KKK probes, conducted separately by both the HHRC and the city's Public Safety Department, stem from allegations that some police officers have been engaged in the sale or purchase of KKK buttons and that some officers have displayed them on their uniforms while on duty.

TO DISCUSS KKK ALLEGATIONS, SUBPOENAES
JUDGE TO MEET WITH POLICEMEN, HRC
ATTORNEYS
By Ron Jury
Staff Writer

Dauphin County Judge John C. Dowling plans to meet Monday morning with Harrisburg Human Relations Commission attorneys and Fraternal Order of Police members whom the commission has subpoenaed in a probe of alleged Ku Klux Klan activities on the city police force.

Dowling scheduled the meeting in his chambers late Friday afternoon after city Solicitor Herbert C. Goldstein filed an answer to a petition that seeks to quash HRC subpoenas of six city policemen.

The judge said the intent of the Monday morning conference will be to determine whether a court hearing is necessary in the dispute involving the six officers and the HRC.

The six policemen filed a petition Tuesday alleging that the HRC subpoenas are improper and that the commission lacks the authority to hold a hearing on alleged police-KKK activity because no complaint has been filed with the commission.

Officers named in the petition are Joseph F. Polomski Jr., president of Capital City Lodge 12, FOP; Donald Maxwell; Thomas Stone; Ralph C. Brown; Willard Crossland, and Litho Ware. In addition to Polomski, three of the other men are officials of the FOP lodge.

The city, in its answer, denies that the subpoenas are improper. The city answer says that the commission's investigation so far suggests that the six policemen in the petition and Pedro Vegas, a seventh officer, "have information essential to the commission's thorough investigation of this matter which justifies the commission's exercise of its subpoena power and the necessity of the subpoenas to facilitate the commission's inquiry."

The city cites an ordinance authorizing the commission to "initiate investigations where it is suspected that activity contrary to the city's declared policy and best interest exists."

The investigation and subpoenas were prompted by "serious allegations of Ku Klux Klan activity and support among unascertained members of the Harrisburg Police Department.

"The commission's inquiry is not hinged on discriminatory employment practices," the answer states, but on the possibility of KKK activity in the department. It adds that the probe is a "proper extension" of the commission's "jurisdictional mandate."

Concerning the claim that the commission does not have such jurisdiction, the city responds that the commission's

mandate authorizes it "to address complaints registered by others and to initiate the commission's investigations which may ferret out discriminatory and illegal activities." The policemen were subpoenaed "because of their knowledge and awareness of events and activities essential" to the commission's investigation, the answer continues.

The city solicitor says that in creating the commission, the city gave the commission the power to investigate complaints as well as "self-contained power to initiate investigations." The commission believes that the six men named in the petition have information concerning the validity of the KKK allegations.

The city's answer includes an affidavit signed by Dr. Harold J. Hurst, executive director of HRC, attesting to the facts in the response.

The city does not deny that the six subpoenas are not signed but contain a "stamped signature," or that the certificate of service is unsigned and does not accurately reflect the way the subpoenas were served. These are allegations concerning the subpoenas made by attorney P. Richard Wagner, representing the six policeman.

KLAN GETS TOO BIG FOR ITS SHEET!
KU KLUX KLAN CHALLENGES GOVERNOR
& CITY OF HARRISBURG
KLAN SAYS THEY'LL HOLD NIGHT RIDES
THRU SUBURBS IN HBG. AREA

"Yes, there are members of the Administration of the City of Harrisburg who are Ku Klux Klan members"...so said the Grand Dragon of the Klan in an exclusive interview with the Paxton Herald. The Grand Dragon went on to say that most of the Klan's members are not listed...that he refuses to even know who they are by name...because of the sensitive positions they hold in government. He said, "If I don't know these people then I can't reveal who they are when I'm questioned, as I frequently am." "I can truthfully say that I know of no Klan members within a certain organization as long as I refuse to hear of them and to learn their names when they enlist in the Klan," said the leader of the Penna. Klan.

Klan Proposes to "Relocate" Minorities
On Unused Land

Grand Dragon Doerfler said, "You know, since 1865 people bigger than Mayors and Governors have tried to destroy us and we're still here." He also said, "We'll have a religious experience in Harrisburg - that's when we burn some crosses".

In a statement to this paper almost eery in its similarity—almost identical to the "Indian vs. Government" bargaining scenes in this past week's episode of "Centennial", the Penna. KKK Grand Dragon proposed that all Blacks and Hispanics in the United States each be given 40 acres of State or Federal land, taught to farm, and relocated away from cities which, he says, "They have caused to deteriorate."

Grand Dragon Claims State Police Hire Them

The Penna. Grand Dragon claimed that the Klan has been employed by the FBI, the CIA and the Penna. State

Police...that they were paid \$2300 by the CIA to go to Canada in behalf of that agency. He also said that the Ku Klux Klan has lecturers going into the public schools and colleges.

There's more...and it's all extremely interesting...extremely unbelievable...but extremely true, and a real issue to be faced by America in the 1980's.

Grand Dragon Issues Challenge

Raymond Doerfler of Morrisville, Pa. (A quiet little community in southern Bucks County) is the Pennsylvania Grand Dragon of the Invisible Empire, "Knights of the Ku Klux Klan." In an exclusive interview, Mr. Doerfler said, "I challenge the City of Harrisburg to fire any employee because he is a member of the Klan." He went on to say, "I'm angry because of the Harrisburg Mayor's threat to fire any policeman who is a member of our organization. He spent all that money sending a detective down here to interview me...for what?" Doerfler continued, "Now I'm going to come to Harrisburg and find one of our City-employed members there who is willing to say, 'I'm a member of the Ku Klux Klan,'...watch the Mayor fire him...and then sue the hell out of the City." "I'll give you another real laugh" Doerfler said. "When I went to type my statement for the Mayor's investigation my typewriter wouldn't work so I got the key to the Police Department and used the Chief's typewriter to type my statement—on a Klan Letterhead."

(Editors note: This interview came about following a September 26 telephone call from the KKK Grand Dragon to the Paxton Herald requesting that a reporter talk to him. Reporter, R. Irving Rosakoff, returned his call on Saturday, Sept. 27, 1980.)

(Here is part of the Exclusive Interview!)

Reporter: Mr. Doerfler, just what does the Grand Dragon in the Ku Klux Klan do?

Doerfler: The Grand Dragon is the highest officer in the State and is in charge of all Klan activities in the State.

Reporter: You say you're going to sue the City of Harrisburg. On what basis?

Doerfler: When anybody threatens to fire somebody on the basis that he's a member of the Klan there's big trouble. Our organization is a registered religious organization protected by the Laws of the Country.

Reporter: The Klan claims to be a religious organization.

Doerfler: Absolutely..We promote a white Christian Culture..we stick up for the rights of whites. We believe it's important to remind people that it's been the white culture which created our Country.

Reporter: When you say, "white," does that mean you include Jews?

Doerfler: No! They have their organizations and we have ours. I couldn't belong to the B'Nai Brith, could I?

Reporter: Getting back to the Harrisburg situation..you say the Mayor of Harrisburg angered you. But, didn't the problem in Harrisburg start with a complaint from a Harrisburg policeman to the Harrisburg Human Relations Commission?

Doerfler: The Human Relations Commission has been pulling gangster like intimidation tactics for years. In Reading they tried to squeeze us and...

Reporter: But we're talking about Harrisburg. When you refer to the Human Relations Commission are you saying the Harrisburg Human Relations Commission uses gangster like tactics?

Doerfler: No, it's the State I'm talking about. They've been after us in Reading, Allentown and Pittsburgh...and now Harrisburg. Well, there's going to be trouble in Pittsburgh and Harrisburg. Every time this happens we win in court. I'll be happy when one of our Harrisburg members reveals himself and gets fired. We'll make him a rich man.

Reporter: But you told the Mayor's Investigator that there are no Klan members in the Harrisburg Police Department.

Doerfler: That's right, but they only asked me about the police department personnel..they didn't ask about City employes.

Reporter: You're saying that there are Klan members who are also City employees?

Doerfler: Absolutely! Harrisburg memberships in the Klan go back to the 1930 marches. We've had people in the city government there ever since.

Reporter: You mean there's a Klan organization in Harrisburg...not just individual members of the State organization. What do you call such a unit.

Doerfler: We call it a Klavern or Den and the Leader is the Exalted Cyclops...EC for short. Yes, there is a Klavern in Harrisburg. There are also very active Klaverns in York, Reading, Manheim, and Bird-In-Hand. "As a matter of fact there is one in Reading which is all Policemen."

Reporter: You mean the Police Department in Reading has its own Klan unit?

Doerfler: That's right...we won that in court..the fact that we can't be discriminated against. And that's what we're going to do in Harrisburg. You, know a former Reading Policeman, Roy Frankhouser, who lost his eye in a police incident, lectures every year at the State Police Academy in Hershey. He's one of our long time members and he's employed by the State Police to tell policemen about our organization.

Note: This reporter contacted Captain John Dalinsky, Penna. State Police Chief Training Officer at the State Police Academy and asked if he knew of a Roy Frankhouser. Captain Dalinsky said, "Yes, when I was stationed in Reading a number of years ago, Frankhouser was very active in the American NAZI PARTY in that City." He continued, "He lost an eye in a fight of some kind there." When asked if Mr. Frankhouser had ever been to the Academy for any reason. The Captain said that he knew of no time when Frankhouser had ever been to the Academy. When told that we had received information that this man lectures every year to Police Classes at the Academy, Captain Dalinsky stated, "Frankhouser has never, to my knowledge, talked to any class about any subject at the State Police Academy."

Reporter: You say members of the Ku Klux Klan are employed by the State Police. What do you mean by this statement?

Doerfler: Well, we give information about subversives...like when the Pope was to visit Philadelphia...the State Police and the FBI and the Secret Service asked us to tell them about our information on subversives, Communists.

Reporter: You are paid informers for these law enforcement agencies...is that what you're saying?

Doerfler: Well, no. We didn't get paid for that...we were just questioned. But we did get paid by the CIA to go to Canada and get into the Black Septembrists. We got between \$2300 and \$2500 for that job.

Reporter: In a phrase, Mr. Doerfler, what are the goals of the Ku Klux Klan?

Doerfler: First, our fight against Communism and second, pushing white Christian Culture. Getting people to stick up for the rights of whites.

Reporter: What does the Klan see as the political future of America?

Doerfler: We're looking for anyone who will be willing to severely punish any office holder who cheats or steals...and I'm not just talking about a fine or a jail sentence...I'm talking about someone who'll use the death penalty to punish a crooked politician.

Reporter: Is there anything else you'd like to say about the Klan.

Doerfler: Yes, we've got to stop the crime. Just look at the prisons and you'll know that the majority of crimes are committed by the Blacks. That's why there are so many more of them in the prison population. Get them and the Hispanics off on their own piece of public ground somewhere...teach them how to farm and our crime rate in the Cities will be reduced. After all, they're the reason for the deterioration of the Cities.

Klan Plans Night Rider Thru Our Suburbs

Reporter: Can you tell me what specific plan you have for the Harrisburg area other than getting a City employee to come out in the open?

Doerfler: Certainly. We didn't start this thing but we're sure going to finish it. We'll be having massive literature drives in the City and we'll be standing on the street corners in our robes—recruiting. We'll also schedule some night rides in the White areas to recruit new members. We intend to show the Mayor of Harrisburg how powerful we are!

By R. Irving Rosakoff

(Editors note; The Ku Klux Klan has historically "oppressed" Catholics, Jews, Blacks, Immigrants and other minorities. All these people have been targets in past years in the United States. Night rides, cross burning, violence and terror have marked the night Rider of the Ku Klux Klan.

DAUPHIN COUNTY BLACK POLICE ASSOCIATION

203 Market Street - Suite 202 - Harrisburg, PA. 17101
September 1, 1980

Mr. Johnny Butler, District Director
Equal Employment Opportunity Commission
127 North 4th Street
Philadelphia, Pa. 19106

Dear Sir,

A series of individual harassment and discrimination complaints have been filed against the City of Harrisburg, Bureau of Police on Aug. 26, 1980 by four black police officers on behalf of the Dauphin County Black Police Association.

It is the undersigning black police officers desire that these complaints also be investigated by your organization to insure a permanent discontinuation of the harassment and discriminatory actions and policies employed by the Harrisburg Police Department, that continually deprives the black police officers of their rights not to be discriminated against in Hiring, Promotions, and Disciplinary actions.

Adley, Maritta
(Document #E-18699)
Spriggs, James L.
(Document #E-18701)
Ware, Litho
(Document #E-18698)
Macon, Ernest Jr.
(Document #E-18707)
Moore, Pat
(Document #E-18700)

Sincerely,
Carl Robinson, Director
Public Relations
Dauphin County Black
Police Association

A response would be greatly appreciated either to this Director or individual complainants.

DAUPHIN COUNTY BLACK POLICE ASSOCIATION

203 Market Street - Suite 202 - Harrisburg, PA. 17101
September 11, 1980

Mr. Frederick D. Dorsey, Director
Office of Policy Implementation
Equal Employment Opportunity Commission
2401 East Street North West
Washington, D.C. 20506

Dear Sir,

On August 20, 1980, a series of harassment and discrimination complaints were filed with the Pa. Human Relations Commission by five black police officers, two of which are female. These complaints climaxed a long and continuous practice of discrimination and harassment by white supervisors against black police officers. All complainants are

members of the Dauphin County Black Police Association which organized in August of 1978. It is the request of the five complainants as well as the Dauphin County Black Police Association, of which 98% of the 25 black police officers are members, that your organization conduct a complete investigation into the alleged discriminatory actions and policies employed by the Harrisburg Police Department that violates the Civil Rights of the black police officers.

There have recently been indications that the Ku Klux Klan have infiltrated the Harrisburg Police Department and investigations are currently being conducted by the Pa. Human Relations Commission as well as the Harrisburg City Human Relations Commission relative to white officers and supervisors selling, distributing and/or wearing KKK medallions while in full police uniform and on duty. The white body of the Fraternal Order of Police, Lodge #12, have released a statement to the Harrisburg news media through the Lodge President, Joseph Polomski, urging that no Harrisburg Police Officer discuss or cooperate with the investigators looking into the KKK allegations unless served with a judicial subpoena.

The Dauphin County Black Police Association has every reason to believe that the City of Harrisburg falls within the Civil Rights Act VII and executive order 11246.

The City of Harrisburg now employs 150 police officers of which 118 are white and 25 are black. The force has a total of five captains, 3 white and two black; eight lieutenants, 6 white and two black; 17 sergeants, 16 white and 1 black; seven corporals, 7 white and 0 black. As near as we can ascertain, the city currently receives some \$15,000 in highway safety grants; \$127,281 in police cadet program; \$410,000 in police resource systems; and \$564,000 in federal revenue sharing; totalling \$1,116,281.00 in federal monies.

Discrimination and harassment complaints were filed by the following officers.

Patrol Officer Maritta Adley; 2048 Market St. Hbg., Pa. 17103.

Phone #717-233-4712

Docket #E-18699.

Patrol Officer Patricia Moore; 1612 Catherine St. Hbg., Pa. 17104.

Phone #717-233-0070

Docket #E-18700

Patrol Officer James Spriggs; 2032 Chevy Chase Drive Hbg., Pa. 17110.

Phone #717-652-4289

Docket #E-18701.

Patrol Officer Litho Ware; 3211 Pennwood Road Hbg., Pa. 17110.

Phone #717-233-0460

Docket #E-18698.

Detective Ernest Macon Jr.; 1926 Rudy Road Hbg., Pa. 17104.

Phone #717-232-4731

Docket #E-18707.

Please find enclosed copies of recent articles of subject matter as printed in two Harrisburg news papers.

If any additional information is required, in order to commence the requested investigation by your agency, please contact Sergeant Carl Robinson, President Elect Dauphin County Black Police Association, 4312 Beaufort Hunt Drive Hbg., Pa. 17110. Phone #717-545-8503.

We Remain Very Truly

Yours,

Dauphin County Black
Police Association
Carl Robinson

In addition to the above information, the City of Harrisburg does not currently have an Affirmative Action Program for the Bureau of Police.

DAUPHIN COUNTY BLACK
POLICE ASSOCIATION

203 Market Street - Suite 202 - Harrisburg, PA. 17101
September 15, 1980

TO: The Hbg. Human Relations Com. c/o Michael Bowles

FROM: Executive Board Dauphin Co. Black Police Assoc.

SUBJECT: Investigation of KKK medallions by the HRC

The Dauphin County Black Police Association (DCBPA) local chapter of the National Black Police Assoc. (NBPA) feel compelled to make the following statement concerning the alleged selling and wearing of the KKK medallions:

Our position, as we stated publicly on Sept. 12, 1980, is simply that we welcome support from the HRC investigation into these allegations.

Initially, we felt the investigation would be conducted and completed in a matter of days without too much resistance, but much to our surprise, and concern, the FOP does not want this investigation, or at least some members don't want it. The tension being created by the FOP's stubbornness is mounting and is now reaching the explosive stage. The longer this is allowed to continue the more dangerous it becomes. In addition the question is being asked, "Is there something to hide within the Bureau of Police?" If the union (FOP) leadership are sincerely interested in lessening the tension oriented by the alleged selling and wearing of the KKK medallions, it seems to us, that they would want this investigation to be conducted and completed as soon as possible, so as to alleviate the tension that has taken a strangle hold on the entire Police Department as well as doubts and mistrust in the community! What we don't need is the adolescent belligerence being fomented by the FOP which serves only to aggravate the injury rather than heal it. This kind of resistance promotes a public perception that is condoned and encouraged by the City Administrators as well as the white populus of the FOP. This issue has excelled into an explosive situation, which can be ignited by the least bit of spark or word exchanged between a white and black officer.

Since the FOP initially came public indicating their support of this type of facist conduct, by white officers and castrating the black officers for their resentment of such conduct, the tension escalated to an epidemic proportion between the black and white officers. We have patiently awaited for the administration to take some action against the officer responsible for the selling and wearing of the racist, facist medallions which would demonstrate that they, the administration, will not tolerate such gross misconduct. Apparently they too are waiting, waiting as they usually do for the issue to pass or resolve itself.

In the DCBPA's opinion and with many reason to draw this opinion some type of confrontation between the white and black officers is eminent and we feel that when this confrontation does in fact occur only the administration will be to blame. Perhaps, because of pressures mentioned with the various investigation processes which have taken place and still taking place, there has been no thorough after-action critique of the situation. There has been no addressing of the hard question which bear on individual performances, assignments, existing and new policies, procedures, and propaganda.

In closing we wish to reflect an awareness to the pervasive need to probe more deeply into the problems affecting the community and the Police Department and to discover how to address such problems.

We remain respectfully yours,

Carl Robinson
President-Elect

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2929, PN 3930**, entitled:

An Act making an appropriation to the Pennsylvania Coalition Against Domestic Violence.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, there is an interrogation which we would like to engage in before the passage of the nonpreferred bills. The gentleman, Mr. Pievsky, desires to interrogate the gentleman, Mr. McClatchy, on HB 2929.

The SPEAKER. It was the Chair's marked calendar that an opportunity be given—

Mr. IRVIS. I beg the Chair's pardon.

The SPEAKER.—beginning with the first Senate bill.

Mr. IRVIS. SB 1531; my error, and I apologize.

On the question recurring,

Shall the bill pass finally?

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

YEAS—183

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

NAYS—0

NOT VOTING—15

Cochran	Gatski	Lewis	Street
Cunningham	Geesey	Manderino	
Dumas	Giammarco	Pyles	Seltzer,
Freind	Johnson, J. J.	Shadding	Speaker
Gamble			

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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

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

* * *

The House proceeded to third consideration of **HB 2930, PN 3931**, entitled:

An Act making an appropriation to the Pennsylvania Coalition Against Rape.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

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

NAYS—0

NOT VOTING—11

Dumas	Geesey	Lashingier	Spencer
Freind	Giammarco	Lewis	Street
Gatski	Johnson, J. J.	Ryan	

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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

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

REMARKS ON VOTES

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

Mr. GAMBLE. Mr. Speaker, I was locked out on HB 2929. I would like to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. Mr. Speaker, my switch was inoperative on HB 2929. I would like to be recorded in the affirmative, please, sir.

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

SPECIAL ORDER OF BUSINESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 962 be taken up as a special order of business on page 21, the attorney general bill.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CONSIDERATION OF HB 962 ON CONCURRENCE

The Senate returned the following **HB 962, PN 3976**, 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 Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations.

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.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I was just advised that Mr. Kukovich is going to make a motion to suspend the rules to permit amending this particular bill, and at this time I would yield to him and then I would expect to be recognized again to oppose his motion.

MOTION TO SUSPEND RULES

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

Mr. KUKOVICH. I move that the rules be suspended in order that I may offer amendments to HB 962, which is on concurrence in Senate amendments.

The SPEAKER. The Chair recognizes Mr. Kukovich on the motion.

Mr. KUKOVICH. My reason for moving to suspend is basically the same as it was last week. I have two specific objections, one in particular, that if that amendment was adopted regarding the intervention and supersession in sections 303 and 403, I would gladly vote for this bill.

It has come to my attention just since we came back to session today that there has been a mistake made, or it appears to be a mistake, I am not clear, but on pages 28 and 29 among the repealer sections, it appears that inadvertently the language has been drafted in such a way that the PUC's - Public Utility Commission - own counsel would not be able to represent himself or the PUC itself. I do not know if there is any way that that can adequately be cleared up in any other section of the bill, but my reading tells me that it cannot. I think that is another problem that we could probably clear up with perhaps some sort of technical amendment. I would simply suggest that to avoid an impasse—I do not know if the impasse still exists; my guess is that it does, but to avoid that impasse—we can very easily adopt a few of these amendments, clean this language up, and I could vote for this bill.

Now, there are two amendments that I have had circulated, the same two that I discussed last week and that I just mentioned. If anybody has any questions before they vote on this motion, I would suggest that they take a look at those amendments and judge for themselves. I am not trying to open this bill up to a plethora of amendments from the members but simply to correct what I think is an inadequacy in this legislation. I think it is a chance for us to get around the stalemate and I would appreciate an affirmative vote for suspending the rules.

The SPEAKER. The Chair recognizes the majority leader on the motion.

Mr. RYAN. Mr. Speaker, there has been a question raised, very frankly, by Mr. Manderino earlier today with respect to the repealer issue that the gentleman made note of. It is our intention to make technical amendments. However, it would be our intention to do it by bringing HB

1787 off the table and putting the amendments in there, which is a public utility law. This way we could do away with that repealer that the gentleman mentioned.

That being the case, there would be no need to throw this back into a conference or by suspending the rules amending it and sending it back to the Senate, where I believe a problem would arise. The gentleman knows that this bill passed the Senate 48 to 0. The gentleman knows that virtually the entire Republican caucus voted to concur as is. I hesitate to think that a stalemate would not develop if the gentleman now tried to change the provisions of this act which have been agreed to almost 100 percent by the Republican caucus in the Senate, the Democratic caucus in the Senate, and the Republican caucus in the House. Accordingly, I oppose the motion to suspend the rules.

The SPEAKER. Does the gentleman, Mr. Manderino, wish to be recognized on the motion? The gentleman is in order and may proceed.

Mr. MANDERINO. Mr. Speaker, all of the amendments that were finally adopted in the Senate were contested, and Mr. Ryan knows that they did not go into the bill unanimously, and the Democratic caucus was nowhere near unanimous in the Senate on the amendments that Mr. Kukovich is offering.

On final passage of the bill, the vote may have been unanimous, but the Senators were afforded the privilege of their office to try to amend the bill and to make their arguments for the bill, and that is all the members of this House are asking. They are asking that we be permitted the privilege of our office, that we be permitted to represent the people who elected us to this office, and that we be allowed to attempt to amend a very important bill that is on the calendar that we have never seen before. That is what we are trying to do in simple terms, and there certainly is some question about the method in which Mr. Ryan wants to clear up what he calls a very technical amendment.

The amendment that is needed is to correct the mistake that the Senate made in taking away the attorney for the PUC, taking away from the general counsel of the PUC the right to represent the PUC in court. In appellate courts, at the magistrate level, on appeals, the utility companies may—from orders of the public utility commission, which may or may not grant rate increases—take away the power of general counsel to go into court if we pass this bill. And he says we will correct that in another bill; that is just technical. It is not so technical as far as those people who are going to pay those rates are concerned, that they cannot even have an attorney representing them in the court from the PUC on appeal, defending the action of the PUC. That is not very technical. And I would rather do it in this bill that establishes all the rights and powers of the attorney general, and in this bill I would like to correct the mistake that was made that deletes the power of the PUC's general counsel to act as a counsel in court.

There is no guarantee that House bill is going to pass. There is no guarantee that that House bill is even going to get out of the House and into the Senate in time to pass,

and what you are going to do if you pass this is take away the counsel of the PUC. That is just one matter. There are certainly other matters that we would like the chance to offer amendments on.

I have circulated three amendments; Mr. Kukovich has circulated two amendments. I think that we have wasted much, much too much time in trying to delay members exercising the right and privilege of their office in this House. One of the rights and privileges of the office of a member of the General Assembly is to try to have input on very important legislation by amending that legislation by putting forth the individual thoughts of the members of this Assembly.

There was never any consultation of anyone on this side of the aisle when whatever was decided was decided that Mr. Ryan calls a compromise. There are a hundred members on this side of the aisle or somewhere near there. That is an awful lot of people to write out of the process of making legislation in the Commonwealth. When you do that, Mr. Ryan, and whoever else participated in any discussions when you do that, you make the kind of mistakes that we picked up in this bill. When you make those kinds of mistakes, time after time—we corrected the SB 10 mistake the other day on triaxles, and I imagine we will correct some more mistakes all because people do not get the input that the privileges and responsibilities and duties of their office ought to give them - the right to deliberate on legislation and the right to have input on legislation - and that is all we are asking for in the suspension of the rules.

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

Mr. KUKOVICH. Mr. Speaker, I just took a look at the tabled bill calendar, and I would like to call to the member's attention that in order to make the correction that Mr. Ryan and myself talked about, we would have to do the same thing with HB 1787 because it is a House bill on concurrence in Senate amendments. So I would just suggest that it would be much simpler to do that with this bill now and get our problems out of the way, rather than wait until later and go through the suspension of the rules problems again.

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

The following roll call was recorded:

YEAS—92

Austin	Fryer	Livengood	Rieger
Barber	Gallagher	McCall	Ritter
Beloff	Gamble	McIntyre	Rodgers
Bennett	George, C.	McMonagle	Schmitt
Berson	George, M. H.	Maiale	Schweder
Borski	Goebel	Manderino	Seventy
Brown	Goodman	Michlovic	Shadding
Caltagirone	Grabowski	Milanovich	Shupnick
Cappabianca	Gray	Mrkonic	Steighner
Chess	Greenfield	Mullen	Stewart
Clark, B. D.	Harper	Murphy	Stuban
Cochran	Hoeffel	Novak	Sweet
Cohen	Hutchinson, A.	O'Donnell	Taylor, F.
Cole	Irvis	Oliver	Trelfo
Cowell	Itkin	Petrarca	Wachob

DeMedio	Knight	Pievsky	Wargo
DeWeese	Kolter	Pistella	White
DiCarlo	Kowalshyn	Pratt	Williams
Dawida	Kukovich	Pucciarelli	Wright, D. R.
Dombrowski	Laughlin	Rappaport	Yahner
Donatucci, R.	Lescovitz	Reed	Zeller
Duffy	Letterman	Rhodes	Zitterman
Fee	Levin	Richardson	Zwinkl

NAYS—99

Alden	Foster, W. W.	McKelvey	Scheaffer
Anderson	Foster, Jr., A.	McVerry	Serafini
Armstrong	Gallen	Mackowski	Sieminski
Arty	Gannon	Madigan	Sirianni
Belardi	Geist	Manmiller	Smith, E. H.
Bittle	Gladeck	Micozzie	Smith, L. E.
Bowser	Grieco	Miller	Spencer
Brandt	Gruppo	Moehlmann	Spitz
Burd	Hagarty	Mowery	Stairs
Burns	Halverson	Nahill	Swift
Cessar	Hasay	Noye	Taddonio
Cimini	Hayes, Jr., S.	O'Brien, D. M.	Taylor, E. Z.
Civera	Helfrick	Perzel	Telek
Clark, M. R.	Honaman	Peterson	Thomas
Cornell	Hutchinson, W.	Phillips	Vroon
Coslett	Johnson, E. G.	Piccola	Wass
Cunningham	Kanuck	Pitts	Wenger
DeVerter	Klingaman	Polite	Wilson
Davies	Knepper	Pott	Wilt
Dietz	Lashingier	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

NOT VOTING—7

Dumas	Gatski	Giammarco	Street
Freind	Geesey	Johnson, J. J.	

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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 majority leader.

Mr. RYAN. Mr. Speaker, briefly. I guess every member of this General Assembly has been subjected to a certain extent with the criticism of the press, the editorial writers, and many other people interested in the elected attorney general bill. That criticism basically has been that it is not fair to the voters of Pennsylvania nor is it fair to the candidates for the office of attorney general to go to the polls on November 4 without knowing exactly what the duties of that office are.

Mr. Manderino explains or states, rather, that there has not been a true compromise. I would remind the gentleman that HB 2, which was debated to a great extent in this House, was even more severe with its treatment of the civil litigation area giving the attorney general a far weaker position than does this bill.

The compromise that I make reference to is that this bill in its present form is somewhere inbetween HB 2 as

amended and SB 885, which was the position of what appeared to be the majority of the Senate earlier in the session.

This bill, as I understand it, was voted on favorably, of course, by Senator O'Pake, one of the candidates for the office; has been passed on favorably, commented on favorably by Leroy Zimmerman, the Republican candidate for this office; has been regarded as an acceptable compromise by the executive branch; regarded as an acceptable compromise by the Senate of Pennsylvania - Republican and Democratic caucuses alike - and voted on favorably by the Republican caucus at its last viewing last week in this House.

I believe that this bill is of sufficient importance now that it is in a posture that it can become law prior to the November 4 election and that the energies of this House be directed to its passage to the exclusion of perhaps all the other legislation on our calendar. By that I am suggesting that this is the most important piece of legislation before us now, most important piece of legislation of this term, when one considers what is left to be done during this term, which, generally speaking, has been a very, very favorable legislative experience, I think, not only for us but for the people.

Accordingly, I would ask not only that the Republican caucus maintain its favorable posture in voting for this bill, but I would ask that our colleagues on the other side of the aisle, the members of the Democratic caucus, look too with favor on passage of this bill, so that the people of Pennsylvania will know what the duties of these candidates will be when they cast their vote, so that these candidates in the remaining 3 or 4 weeks prior to the election will be able to address the office of attorney general in their campaign speeches so that they can more ably describe their own experiences, their own positions, in seeking to be elected to the office. I would ask for a unanimous "yes" vote on this as it was voted on by our Democratic-Republican colleagues in the Senate. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I am touched by the amount of weight which my good friend, the majority leader, attaches to the way the Democrats and the Republicans vote in the Senate. That is a new attachment on Mr. Ryan's part which I imagine he will detach himself from after this vote.

I am not so attached to the way they voted on this measure. I am not attached to the method by which this came to our floor, giving the members on the Republican side and the Democratic side of the House of Representatives absolutely no input as to the contents of this bill. I am not panicked by the passage of time. I am still convinced, as I was last week, that if we fail to concur in the Senate amendments and send this bill to a committee of conference, the differences which divide us can be eliminated. I think it is extremely important that for the first time in the history of this Commonwealth we should have an elected attorney general, that we clearly define the parameters of

his position, and that we not freeze the directions of those parameters into statutory law without due consideration of the errors which we on this side have already pointed out to you.

It is not inconsequential that an error was made in this legislation removing the right of counsel for PUC to appear for PUC in any court in this Commonwealth that is not an inconsequential error. It is not inconsequential that the Governor's counsel general may intervene at his will in all civil cases with which he may disagree with the position of the elected attorney general. I stand here as an elected official. *You sit here as elected officials. I maintain that elected officials always should have precedence over appointed officials.* I do not see the precedence being given to the attorney general in this particular bill over the Governor's particular familiar appointment of his counsel general.

I, like Mr. Kukovich, would like to vote for this bill. Like Mr. Ryan, I would like to be able to urge my caucus to vote for it, but I shall not do so as long as I have misgivings as I have concerning the contents of this measure. I do not intend, Mr. Speaker, to have my judgment over the years honed by experience and training, superseded by the editorial writers who tell me we ought to do something. I agree we ought to do something, but we ought to do the right something. And the right something will be to change the language of this bill in a committee of conference. It can be done within an hour. It could be done within an hour if we fail to concur, but the administration does not want that to happen. It is using the pressure of time to get as close to what it concedes to be a favorable piece of legislation for itself. I disagree with it. I think it will turn out not to be favorable. I think it will be decidedly against the wishes of any administration, Republican or Democratic, to so divide the legal powers of this government as to make it uncertain who speaks legally for the government of Pennsylvania. Consequently, I will urge my caucus to vote "no" on the question of concurrence. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I think "It is extremely important in my mind that the attorney general...be solely responsible for litigation involving the state...lest a proliferation of different litigative policies develop throughout the various agencies that might be involved." Mr. Speaker, those are not my words, but they are the words of Governor Thornburgh when he was a candidate. When he testified before the Joint State Government Commission task force about the attorney general's powers and duties, he indicated at that time what the people felt at that time, that there ought to be an attorney general who would be independent, that he should be the only one who is the attorney general, that the policies should be uniform; and, as Mr. Irvis pointed out, we are creating a situation where, even at the trial court level, the Governor's attorney can be going in one direction and the people's attorney in another direction. They are both supposed to be there representing the people of Pennsylvania.

Mr. Speaker, there is no question that what we are witnessing here this afternoon is a Republican administration in charge of the executive branch that has all of a sudden decided that he does not want an independent attorney general, and the attorney general that we are creating is not going to be independent if we pass this bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, a number of us have heard before the comments of Governor Thornburgh that he made when he addressed the task force as stated by the gentleman, Mr. Manderino.

It is my understanding and my recollection that the Governor corrected his position last January and has since admitted that that was a mistake, having now served some 6 months in office, when he made the statement, or 17 perhaps it was. When questioned, I believe he said that, having served in office as Governor, he sees now that a Governor needs his own attorney.

So I just wanted to correct the record that we are not doing something that the Governor has not approved of publicly. It was, I am told, and my recollection is, that it was stated by the Governor in one of his addresses to the General Assembly and again on being questioned by members of the press and it was publicly printed to that effect.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I do not know whether the gentlemen who report in the newspaper are correct at all times or not, but the article that I quoted from was Governor Thornburgh's statements when he was a candidate in 1978 and then in October of 1979, when he said, as Mr. Ryan indicated, that he had changed his mind. I did not indicate anything differently, I just simply said that once he wanted an independent attorney general and he no longer wants such, and to pass this bill is a sham on the constitutional amendment. He does not want an attorney general that is independent and he is not going to get an independent attorney general if we pass this bill. So let us just understand what we are doing.

On the question recurring,

Will the House concur in Senate amendments?

(Members proceeded to vote.)

The SPEAKER. Does the minority whip, Mr. Manderino, wish to challenge any votes? The Chair will recognize him for that purpose now. This would be a proper time.

Mr. MANDERINO. Mr. Speaker, there are two of your individuals who are not here, and I do not want to see them voted. I do not think they have voted at this time. I have given their names to Mr. Hayes.

The SPEAKER. Only those members in their seats may be recorded. There is nothing in order but the taking of the roll.

MEMBER'S PRESENCE RECORDED

Mr. GATSKI. I would like to be on the master roll call, Mr. Speaker, and voting on this bill.

The SPEAKER. The Chair is unable to unlock the gentleman's switch. However, if the gentleman will indicate to the Chair how he wishes to be recorded, the Chair will take that into consideration when he announces the vote. How does the gentleman wish to be recorded?

Mr. GATSKI. In the negative.

CONSIDERATION OF HB 962 CONTINUED

The SPEAKER. Under the rules of the House, the time now allowed for voting has passed. Have all the members present voted? The clerk will record the vote.

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—101

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

NAYS—91

Austin	Fryer	McCall	Ritter
Barber	Gallagher	McIntyre	Rodgers
Beloff	Gamble	McMonagle	Schmitt
Bennett	Gatski	Maiale	Schweder
Berson	George, C.	Manderino	Seventy
Borski	Goodman	Michlovic	Shadding
Brown	Grabowski	Milanovich	Shupnik
Caltagirone	Gray	Mrkonic	Steighner
Cappabianca	Greenfield	Mullen	Stewart
Chess	Harper	Murphy	Stuban
Clark, B. D.	Hoeffel	Novak	Sweet
Cochran	Hutchinson, A.	O'Donnell	Taylor, F.
Cohen	Irvis	Oliver	Trello
Cole	Itkin	Petrarca	Wachob
Cowell	Kanuck	Pievsky	Wargo
DeMedio	Knight	Pistella	White
DeWeese	Kolter	Pratt	Williams
DiCarlo	Kukovich	Pucciarelli	Wright, D. R.
Dawida	Laughlin	Rappaport	Yahner
Dombrowski	Lescovitz	Reed	Zeller
Donatucci, R.	Letterman	Rhodes	Zitterman

Duffy	Levin	Richardson	Zwilk
Fee	Livengood	Rieger	

NOT VOTING—6

Dumas	Geesey	Johnson, J. J.	Street
Freind	Giammarco		

EXCUSED—2

Jones O'Brien, B. F.

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.

RECONSIDERATION OF VOTE ON HB 962

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the vote by which HB 962 was defeated on the 6th day of October 1980 be reconsidered.

The SPEAKER. The Chair recognizes the majority whip.

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

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I ask for a "yes" vote.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, we have given a courteous vote for reconsideration. It has now been defeated twice. I am asking all members to vote in the negative on reconsideration.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—99

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

NAYS—88

Barber	Fryer	Livengood	Richardson
Beloff	Gallagher	McCall	Rieger
Bennett	Gamble	McIntyre	Ritter
Berson	Gatski	McMonagle	Rodgers
Borski	George, C.	Maiale	Schmitt
Brown	Goebel	Manderino	Schweder
Caltagirone	Goodman	Michlovic	Seventy
Cappabianca	Grabowski	Milanovich	Shupnik
Chess	Gray	Mrkonic	Steighner
Clark, B. D.	Greenfield	Mullen	Stewart
Cochran	Harper	Murphy	Stuban
Cohen	Hoefel	Novak	Sweet
Cole	Hutchinson, A.	O'Donnell	Taylor, F.
Cowell	Irvic	Oliver	Trello
DeMedio	Itkin	Petrarca	Wachob
DeWeese	Knight	Pievsky	Wargo
DiCarlo	Kolter	Pistella	White
Dawida	Kowalshyn	Pratt	Wright, D. R.
Dombrowski	Kukovich	Pucciarelli	Yahner
Donatucci, R.	Laughlin	Rappaport	Zeller
Duffy	Lescovitz	Reed	Zitterman
Fee	Letterman	Rhodes	Zwilk

NOT VOTING—11

Dumas	Geesey	Levin	Street
Durham	Giammarco	Shadding	Williams
Freind	Johnson, J. J.	Sirianni	

EXCUSED—2

Jones O'Brien, B. F.

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

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 962 be placed on the postponed calendar.

PARLIAMENTARY INQUIRY

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

Mr. MANDERINO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANDERINO. I am sure we have gone through this before, but that bill was now twice defeated. Does it take a simple majority or a constitutional majority in order to consider it for a third time?

The SPEAKER. A simple majority.

Mr. MANDERINO. Under what rule, Mr. Speaker?

Mr. Speaker, we have found the rule.

The SPEAKER. The Chair is in error. The gentleman, Mr. Ryan, does not move that the bill be placed on the postponed calendar, but rather, the question recurs, Shall the House concur in the amendments inserted by the Senate?

On the question recurring,

Will the House concur in Senate amendments?

(Members proceeded to vote.)

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

Mr. WILLIAMS. Mr. Speaker, my switch is working ineffectively and erroneously.

The SPEAKER. The Chair notes that the gentleman is voted in the negative.

Have all the members present voted? Under the rules of the House, the time permitted to keep the roll call open has now passed. Have all the members present voted? The clerk will record the vote.

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—100

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

NAYS—91

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

NOT VOTING—7

Dumas	Geesey	Johnson, J. J.	Wargo
Freind	Giammarco	Street	

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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.

RECONSIDERATION OF VOTE ON HB 962

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the vote by which concurrence in Senate amendments to HB 962 was defeated on the 6th day of October 1980 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 SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would just suggest that, in order to save time, we vote against reconsideration, get this into a conference committee, and try to come out with a compromise on those two or three points that we have raised here in debate. I suggest that is the quickest and the fairest way to solve this impasse which I mentioned earlier. I think a reasonable vote would be to vote against reconsideration.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, echoing the words of Mr. Kukovich, in order to save time, Mr. Kukovich should vote "yes" on this bill and then he would be voting in a manner similar to the 48 members of the Senate and the 101 people who were up on this board about 10 minutes ago.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—100

Alden	Fisher	McKelvey	Scheaffer
Anderson	Foster, W. W.	McVerry	Serafini
Armstrong	Foster, Jr., A.	Mackowski	Sieminski
Arty	Gallen	Madigan	Sirianni
Austin	Gannon	Manmiller	Smith, E. H.
Belardi	Geist	Micozzie	Smith, L. E.
Bittle	Gladeck	Miller	Spencer
Bowser	Grieco	Moehlmann	Spitz
Brandt	Gruppo	Mowery	Stairs
Burd	Hagarty	Nahill	Swift
Burns	Halverson	Noye	Taddonio
Cessar	Hasay	O'Brien, D. M.	Taylor, E. Z.
Cimini	Hayes, Jr., S.	Perzel	Telek
Civera	Helfrick	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	Lashingar	Pyles	Yohn
Dininni	Lehr	Rasco	Zord
Dorr	Levi	Rocks	
Durham	Lewis	Ryan	Seltzer,
Earley	Lynch, E. R.	Salvatore	Speaker
Fischer	McClatchy		

NAYS—92

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

NOT VOTING—6

Dumas	Geesey	Johnson, J. J.	Street
Freind	Giammarco		

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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

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

PARLIAMENTARY INQUIRY

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

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I would just like to know, on the reconsideration motion, when we are reconsidering bills that have been defeated, what is the rule?

The SPEAKER. Under the rules of the House, the vote can be reconsidered any number of times.

Mr. RICHARDSON. What rule is that, Mr. Speaker?

The SPEAKER. Rule 26.

Mr. RICHARDSON. I have not finished, Mr. Speaker.

Does that mean then that a bill that is defeated, regardless of how many times it has been defeated, can be reconsidered over and over again?

The SPEAKER. The gentleman is correct.
Mr. RICHARDSON. Thank you.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader—the majority leader. Minority, majority, take your pick.

Mr. RYAN. If I can take my pick, I will stick with majority.

Mr. Speaker, I would ask that the House recess for a period of 30 minutes for the purpose of a Republican caucus.

DEMOCRATIC CAUCUS

The SPEAKER. Does the minority leader, Mr. Irvis, wish to be recognized? The Chair recognizes Mr. Irvis.

Mr. IRVIS. I would like to ask the Democrats to report immediately to our caucus chambers for an immediate caucus, Mr. Speaker.

The SPEAKER. The majority and minority leaders ask that the respective members report immediately to their caucus rooms.

RECESS

The SPEAKER. Without objection, this House now stands in recess until 7 o'clock. The Chair hears none.

AFTER RECESS

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

BILLS SIGNED BY SPEAKER

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

SB 467, PN 483

An Act amending the act of August 21, 1953 (P. L. 1323, No. 373), entitled "The Notary Public Law," further providing for the manner of payment of application fees.

SB 544, PN 2107

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing criminal penalties for carrying weapons on school property and defining aggravated assault and increasing the grading for certain types of aggravated assault on a second and subsequent conviction and authorizing prosecution for obscenity violations whether or not the activity is enjoined.

SB 1063, PN 1594

An Act amending the act of June 19, 1931 (P. L. 589, No. 202), entitled, as amended, "Barbers' License Law," providing for licensing of barbers from other states and other countries, limiting the powers of the board and reducing the required months of study in barbers' school to obtain a registration certificate.

SB 1253, PN 1558

An Act amending the act of June 22, 1937 (P. L. 1987, No. 394), entitled, as amended, "The Clean Streams Law," prohibiting any administrative agency from requiring fencing along streams to restrain livestock.

SB 1373, PN 1741

An Act amending the act of March 18, 1875 (P. L. 32, No. 36), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and ad sectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," authorizing the combining of indexes for deed with indexes for mortgages.

CALENDAR CONTINUED

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 962 be passed over temporarily.

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

**AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE CONSIDERED**

The Senate returned the following **HB 2645, PN 3904**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act making an appropriation to the Association for the Blind of Armstrong and Indiana Counties, for the provision of services to the blind.

On the question,
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 2645.

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

PARLIAMENTARY INQUIRY

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

Mr. SWEET. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SWEET. Mr. Speaker, since we have now reached House bills which are on concurrence in Senate amendments, I would like to ask the Chair why HB 769, which was passed Wednesday evening by the Senate, is not on our calendar today?

The SPEAKER. The Chair is informed that the House had adjourned before the Senate had taken action on that and that message will be read across the desk later this evening. It will be read across the desk tonight and be on tomorrow's calendar.

Mr. SWEET. Mr. Speaker, then I am correct in assuming that the message is in the possession of the House?

The SPEAKER. The gentleman is correct.

Mr. SWEET. Then I would like to call that bill up for a vote this evening, Mr. Speaker.

The SPEAKER. The gentleman is out of order at this time. There is a vote before the House. The question before the House is concurrence in HB 2645 on page 22.

Mr. SWEET. Mr. Speaker, will the Chair recognize me after this vote to make that motion?

The SPEAKER. The Chair would suggest that the gentleman talk to the majority and minority floor leaders.

Mr. SWEET. Well, Mr. Speaker, we are on that part of the calendar that deals with House bills on concurrence in Senate amendments.

The SPEAKER. The gentleman is in error. That message has not crossed the desk. It is not on our calendar. It will take a suspension of the rules or the printing of a supplementary calendar.

Mr. SWEET. Is there a supplemental calendar being printed, Mr. Speaker?

The SPEAKER. The Chair has no knowledge of any being printed because the message has not as yet been read across the desk.

Mr. SWEET. If there is a supplemental calendar printed, Mr. Speaker, will that bill be printed on it?

The SPEAKER. Only if the supplemental calendar is printed after the messages are read across the desk. The Chair has been informed that there are three messages from the Senate to be read before the House adjourns this evening.

Mr. SWEET. Mr. Speaker, will you read the message across the desk this evening and place that bill on the supplemental calendar this evening?

The SPEAKER. The decision on that is not the Speaker's; the decision is the House membership's.

Mr. SWEET. I beg your pardon, Mr. Speaker. Once the message is read by the Chair, would it not routinely go on the calendar?

The SPEAKER. Tomorrow's calendar, and the Chair so informed the gentleman.

Mr. SWEET. But if there is going to be a supplemental calendar, Mr. Speaker, why would it not routinely go on that supplemental calendar?

The SPEAKER. The Chair has no knowledge of any supplemental calendar to be printed this evening.

Mr. SWEET. Mr. Speaker, may I have unanimous consent to interrogate the majority leader on this matter?

The SPEAKER. The Chair would hope the gentleman would withdraw his request at this time. There is a question before the House, and the Chair would hope that that question be disposed of.

Mr. SWEET. I will recant, Mr. Speaker, if you will agree to recognize me following the vote on this motion.

The SPEAKER. The Chair has no problem with that.

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—188

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

NAYS—2

George, M. H. Lewis

NOT VOTING—8

Dumas	Giammarco	Peterson	Street
Freind	Johnson, J. J.	Pyles	Williams

EXCUSED—2

Jones O'Brien, B. F.

The two-thirds 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.

INTERROGATION

The SPEAKER. The gentleman from Washington, Mr. Sweet, asks whether the majority leader will stand for interrogation. The gentleman, Mr. Ryan, indicates that he will. Mr. Sweet may proceed.

Mr. SWEET. Mr. Speaker, is there going to be a special calendar considered tonight? Is there going to be a special calendar, supplemental calendar, considered tonight?

Mr. RYAN. Not to my knowledge.

MOTION TO SUSPEND RULES

Mr. SWEET. Mr. Speaker, may I make a motion?

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

Mr. SWEET. I would like to make a motion that the House instruct the Speaker to read the message from the Senate on HB 769 so that that matter may be brought on our calendar and voted this evening.

The SPEAKER. The Chair must inform the gentleman that that takes a suspension of the rules.

Mr. SWEET. Then, Mr. Speaker, I move we suspend the rules to do so.

The SPEAKER. It has been moved by the gentleman from Washington, Mr. Sweet, that rule 40 be suspended temporarily in order that the House can direct the Chair to read across the desk a message received today from the Senate.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I oppose a suspension of the rules at this time. It is our intention to move immediately into the reconsideration and voting again of the attorney general bill, and that is the first priority of business this evening. It was understood by all that that was the first priority of business. The last vote was taken for the purpose of determining that everyone was here so that everyone in their offices would know that we were in fact back in session and voting.

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

Mr. SWEET. Mr. Speaker, my motion, which would allow immediate consideration of HB 769, is designed so that the House can address the question of capping the gross receipts tax. That is a matter we discussed at great length several months ago. As many of you know, that tax is a very, very, regressive tax. It is a sales tax on heat, and every consumer in this state pays that tax—

The SPEAKER. Will the gentleman yield?

PARLIAMENTARY INQUIRY

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

Mr. RYAN. Mr. Speaker, a point of parliamentary inquiry. Is the gentleman debating the bill or is the gentleman debating the question of suspension of the rules?

The SPEAKER. The Chair asks the gentleman to please confine his debate to the suspension of the rules. Within those confines, the gentleman may proceed.

Mr. SWEET. Mr. Speaker, I was trying to express to the House the immediacy and urgency of this issue, but I will try to keep myself within the confines that the Speaker indicates.

This matter cannot wait until we go home, and it certainly cannot wait until next year. It is an important question, and it is a question which all of the members of the House ought to think about and listen to tonight. I would urge that this motion be adopted so that we suspend the rules so that HB 769, the cap on the gross receipts tax, can be considered immediately.

The SPEAKER. Does the gentleman from Adams, Mr. Cole, wish to be recognized on the suspension of the rule?

Mr. COLE. Yes, Mr. Speaker.

The SPEAKER. On the suspension of the rule, the gentleman is in order and may proceed.

Mr. COLE. I urge all the members of the House to vote "yes" on suspension of the rules, because this bill, as was mentioned by the previous speaker, is very important. I amended this bill here on the House floor, and the important thing for all of us to remember—especially the members from the 14-county metropolitan service area—is that we have elimination of the gross receipts tax on replacement power for the disaster at Three Mile Island. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—95

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

NAYS—96

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

NOT VOTING—7

Chess	Freind	Johnson, J. J.	Zord
Dumas	Giammarco	Street	

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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

**RECONSIDERATION OF HB 962
ON CONCURRENCE CONTINUED**

The Senate returned the following **HB 962, PN 3976**, 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 Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations.

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 962.

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—102

Alден	Fisher	Lynch, E. R.	Salvatore
Anderson	Foster, W. W.	McClatchy	Scheaffer
Armstrong	Foster, Jr., A.	McKelvey	Serafini
Arty	Gallen	McVerry	Sieminski
Austin	Gannon	Mackowski	Sirianni
Belardi	Geesey	Madigan	Smith, E. H.
Bittle	Geist	Manmiller	Smith, L. E.
Bowser	George, M. H.	Micozzie	Spencer
Brandt	Gladeck	Miller	Spitz
Burd	Goebel	Moehlmann	Stairs
Burns	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	Helfrick	Phillips	Wass
Cunningham	Honaman	Piccola	Wenger
DeVerter	Hutchinson, W.	Pitts	Wilson
Davies	Johnson, E. G.	Polite	Wilt
Dietz	Klingaman	Pott	Wright, Jr., J.
Dininni	Knepper	Punt	Yohn
Dorr	Lashinger	Pyles	Zord
Durham	Lehr	Rasco	
Earley	Levi	Rocks	Seltzer,
Fischer	Lewis	Ryan	Speaker

NAYS—87

Barber	Gallagher	Livengood	Rieger
Beloff	Gamble	McCall	Ritter
Bennett	Gatski	McIntyre	Schmitt
Berson	George, C.	McMonagle	Schweder
Borski	Goodman	Maiale	Seventy
Brown	Grabowski	Manderino	Shupnik
Caltagirone	Gray	Michlovic	Steighner
Cappabianca	Greenfield	Milanovich	Stewart
Clark, B. D.	Harper	Mrkonic	Stuban
Cochran	Hoeffel	Mullen	Sweet
Cohen	Hutchinson, A.	Murphy	Taylor, F.
Cole	Irvis	Novak	Trello
Cowell	Itkin	O'Donnell	Wachob
DeMedio	Kanuck	Oliver	Wargo
DeWeese	Knight	Petrarca	White
DiCarlo	Kolter	Pievsky	Williams
Dawida	Kowalshyn	Pistella	Wright, D. R.
Dombrowski	Kukovich	Pratt	Yahner
Donatucci, R.	Laughlin	Pucciarelli	Zeller
Duffy	Lescovitz	Rappaport	Zitterman
Fee	Letterman	Reed	Zwikl
Fryer	Levin	Richardson	

NOT VOTING—9

Chess	Giammarco	Rhodes	Shadding
Dumas	Johnson, J. J.	Rodgers	Street
Freind			

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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.

BILL SIGNED BY SPEAKER

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

HB 962, PN 3976

A Supplement to "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations.

BUSINESS AND COMMERCE COMMITTEE MEETING

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

Mr. L. E. SMITH. Mr. Speaker, my announcement is directed to the members of the Business and Commerce Committee. We will be meeting tomorrow at 1 o'clock in room 401 if we are not in session. If we are in session, we will do it at the lunch break in room 401. Thank you.

BILL SIGNED BY SPEAKER

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

HB 2645, PN 3904

An Act making an appropriation to the Association for the Blind of Armstrong and Indiana Counties, for the provision of services to the blind.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2541, PN 3333**, entitled:

An Act providing for the regulation of gasoline advertising.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, this bill is on the 15th day. I would at this time move that that be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 2541 be taken from the table.

On the question,

Will the House agree to the motion?
Motion was agreed to.

The SPEAKER. The Chair recognizes the minority whip.
Mr. MANDERINO. Mr. Speaker, did you read across the desk the bill that Mr. Sweet asked you to read across the desk?

The SPEAKER. The Chair thanks the gentleman. There are three of them.

SENATE MESSAGE

AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE

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

HB 769, PN 3999; HB 821, PN 3996, and HB 1252, PN 3997.

The SPEAKER. The bills will appear on the calendar.

SENATE MESSAGE

AMENDED SENATE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate informed that the Senate has concurred in the amendments made by the House by amending said amendments to SB 489, PN 2141.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, in the rush to close this evening's proceedings, I neglected, perhaps, to do the second most important thing of the day, the first being the attorney general bill. The second is to ask that the House suspend its rules so that we might immediately consider a citation of Mr. Pievsky's congratulating the Philadelphia Phillies baseball team on their recent wins.

The SPEAKER. It is moved by the majority leader, Mr. Ryan, that the rules be suspended in order that a resolution to be offered by Mr. Pievsky can be considered immediately. The question is on the suspension of the rules.

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

The following roll call was recorded:

YEAS—163

Alden	Fryer	McClatchy	Rocks
Anderson	Gallagher	McIntyre	Rodgers
Armstrong	Gallen	McKelvey	Salvatore
Arty	Gannon	McMonagle	Scheaffer
Barber	Gatski	McVerry	Schweder
Belardi	Geesey	Mackowski	Serafini
Beloff	Geist	Madigan	Seventy
Berson	George, C.	Maiale	Shadding
Bittle	George, M. H.	Manderino	Sieminski
Borski	Gladeck	Manmiller	Sirianni
Bowser	Goodman	Micozzie	Smith, E. H.
Brandt	Gray	Milanovich	Smith, L. E.
Brown	Greenfield	Miller	Spitz

Burns	Grieco	Moehlmann	Stairs
Caltagirone	Gruppo	Mowery	Steighner
Cappabianca	Hagarty	Mrkonic	Stuban
Cessar	Halverson	Mullen	Sweet
Cimini	Harper	Nahill	Swift
Civera	Hasay	Novak	Taylor, E. Z.
Clark, B. D.	Hayes, Jr., S.	Noye	Taylor, F.
Clark, M. R.	Hoefel	O'Brien, D. M.	Telek
Cochran	Honaman	O'Donnell	Thomas
Cohen	Hutchinson, A.	Oliver	Trello
Cole	Irvis	Perzel	Vroon
Cornell	Itkin	Peterson	Wachob
Coslett	Johnson, E. G.	Petrarca	Wass
Cowell	Kanuck	Phillips	Wenger
Cunningham	Klingaman	Piccola	Williams
DeMedio	Knepper	Pievsky	Wilson
DeVerter	Kolter	Pistella	Wilt
DeWeese	Kowalshyn	Pitts	Wright, D. R.
Dietz	Kukovich	Polite	Wright, Jr., J.
Dininni	Laughlin	Pratt	Yahner
Dombrowski	Lehr	Pucciarelli	Yohn
Donatucci, R.	Lescovitz	Punt	Zeller
Dorr	Letterman	Pyles	Zitterman
Durham	Levi	Rappaport	Zord
Earley	Levin	Reed	Zwilk
Fee	Livengood	Richardson	
Fischer	Lynch, E. R.	Rieger	Seltzer, Speaker
Foster, W. W.	McCall	Ritter	
Foster, Jr., A.			

NAYS—13

Austin	Fisher	Grabowski	Pott
Burd	Gamble	Michlovic	Taddonio
Dawida	Goebel	Murphy	White
Duffy			

NOT VOTING—22

Bennett	Giammarco	Lewis	Shupnik
Chess	Helfrick	Rasco	Spencer
DiCarlo	Hutchinson, W.	Rhodes	Stewart
Davies	Johnson, J. J.	Ryan	Street
Dumas	Knight	Schmitt	Wargo
Freind	Lashinger		

EXCUSED—2

Jones	O'Brien, B. F.
-------	----------------

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

CITATION ADOPTED

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

Mr. PIEVSKY. Mr. Speaker, I offer the following citation.

The following citation was read:

COMMONWEALTH OF PENNSYLVANIA
CITATION BY THE HOUSE OF REPRESENTATIVES

WHEREAS, On October 4, 1980, the Philadelphia Phillies Baseball Team defeated the Montreal Expos by a score of six to four in a dramatic game at the Montreal Olympic Stadium, thereby achieving their fourth National League Eastern Division title in five years; and

WHEREAS, The Phillies, under the capable direction of Manager Dallas Green, garnered six consecutive games in the season's final week. Under tremendous pressure and great turmoil the Phillies, owned by Ruly Carpenter, have accumulated outstanding accomplishments and victories. The Phillies are emblematic of the spirit, pride and determination that has always characterized the people of the City of Philadelphia.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its heartiest congratulations to the Philadelphia Phillies, Manager Dallas Green and Owner Ruly Carpenter on capturing the National League Eastern Division title and expresses its hope for continued success, recognition and fame as a great baseball team; and further directs that a copy of this citation be delivered to the Philadelphia Phillies, Veteran Stadium, Broad and Pattison Streets, Philadelphia, Pennsylvania.

Submitted by:
Max Pievsky, Sponsor

H. Jack Seltzer,
Speaker

ATTEST:
Charles F. Mebus,
Chief Clerk

Cosponsors:
Roland Greenfield
Henry J. Giammarco
Robert A. Borski, Jr.
Gerald F. McMonagle
James M. McIntyre
William W. Rieger
Clifford Gray
T. Milton Street
Samuel Rappaport
Nicholas Maiale
Leland M. Beloff
Robert Donatucci
David Shadding
Norman S. Berson
Aljia Dumas
Martin P. Mullen
James D. Barber
Hardy Williams
Nicholas A. Pucciarelli
Stephen E. Levin
Frank Louis Oliver
Ruth B. Harper
Joel J. Johnson
Robert W. O'Donnell
John F. White, Jr.
David P. Richardson, Jr.
Mark B. Cohen
James F. Jones, Jr.
Dennis M. O'Brien
Frank A. Salvatore
John M. Perzel
Gerald J. McKelvey
M. Joseph Rocks

October 6, 1980

On the question,
Will the House adopt the citation?
Citation was unanimously adopted.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, on concurrence in Senate amendments to HB 2645, I was recorded in error. I would like to have that recorded as an affirmative vote, please.

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

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.

WELCOME

The SPEAKER. The Chair welcomes to the front of the House and to the press section Mr. Jay Shropshire, clerk of the Senate from the Commonwealth of Virginia, and Mr. Bob Doult, the deputy clerk of the Senate from the Commonwealth of Virginia, who are here today observing the House's electronic rollcall system.

ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 7, 1980, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 8:23 p.m., e.d.t., the House adjourned.