

# Legislative Journal

WEDNESDAY, JULY 1, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 50

## HOUSE OF REPRESENTATIVES

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

### THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

#### PRAYER

REV. EUGENE A. BEAM, chaplain of the House of Representatives and pastor of the Faith Evangelical Congregational Church of Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Behind us, our Heavenly Father, are the busy schedules, the deadlines, the caucuses, many committee meetings. We ask Your forgiveness when within our busy bustle we became impersonal robots. Forgive us when our calculated schedules made us cold and callous, and forgive us, Father, when our haste made waste.

But in the same breath with our overactivity, we give thanks for life's busyness, for the zeal to learn, for the enthusiasm to participate, for the devotion to serve, and for the energy to persevere.

Our Heavenly Father, we give praise for this marvelous pilgrimage through the session of 1981. Amen.

#### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, June 30, 1981, will be postponed until printed. The Chair hears none.

#### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority leader for the purpose of taking leaves of absence.

Mr. HAYES. No leaves of absence, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader for the purpose of leaves of absence.

Mr. IRVIS. Mr. Speaker, we have no leaves of absence for today.

The SPEAKER. The Chair thanks the gentlemen.

## MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take today's master roll call. On the master roll call, only those members in their seats are permitted to vote. The members will proceed to vote.

The following roll call was recorded:

#### PRESENT—192

Alden	Fee	Lloyd	Rocks
Anderson	Fischer	Lucy	Rybak
Armstrong	Fleck	McCall	Salvatore
Arty	Foster, W. W.	McClatchy	Saurman
Belardi	Foster, Jr., A.	McIntyre	Serafini
Belfanti	Frazier	McMonagle	Seventy
Beloff	Freind	McVerry	Showers
Berson	Fryer	Mackowski	Shupnik
Bittle	Gallagher	Madigan	Sieminski
Blaum	Gallen	Maiale	Sirianni
Borski	Gamble	Manderino	Smith, B.
Bowser	Geist	Manmiller	Smith, E. H.
Boyes	Gladeck	Marmion	Smith, L. E.
Brandt	Grabowski	Merry	Snyder
Brown	Gray	Michlovic	Spitz
Burd	Greenfield	Micozzie	Stairs
Burns	Greenwood	Miller	Steighner
Caltagirone	Grieco	Miscevich	Stevens
Cappabianca	Gruitza	Moehlmann	Stewart
Cawley	Gruppo	Morris	Stuban
Cessar	Hagarty	Mowery	Swaim
Cimini	Haluska	Mrkonic	Sweet
Civera	Harper	Mullen	Swift
Clark	Hasay	Murphy	Taddonio
Clymer	Hayes	Nahill	Taylor, E. Z.
Cochran	Hoefel	Noye	Taylor, F. E.
Cohen	Honaman	O'Donnell	Tigue
Colafrella	Horgos	Oliver	Trello
Cole	Hutchinson, A.	Pendleton	Van Horne
Cordisco	Hutchinson, W.	Perzel	Wachob
Cornell	Irvis	Peterson	Wambach
Coslett	Itkin	Petrarca	Wargo
Cowell	Jackson	Petrone	Wass
Cunningham	Johnson	Phillips	Wenger
DeMedio	Kanuck	Piccola	Weston
DeVerte	Kennedy	Pievsky	White
DeWeese	Klingaman	Pistella	Wiggins
Daikeler	Kolter	Pitts	Williams, H.
Davies	Kowalyszyn	Pott	Williams, J. D.
Dawida	Kukovich	Pratt	Wilson
Dietz	Lashinger	Pucciarelli	Wogan
Diminni	Laughlin	Punt	Wozniak
Dombrowski	Lehr	Rappaport	Wright, D. R.
Donatucci	Lescovitz	Rasco	Wright, J. L.
Dorr	Letterman	Reber	Zwinkl
Duffy	Levi	Richardson	
Durham	Levin	Rieger	Ryan,
Emerson	Lewis	Ritter	Speaker
Evans	Livengood		

ADDITIONS—5

Barber                      Spencer                      Telek                      Vroon  
Gannon

NOT VOTING—0

EXCUSED—4

Deal                      George                      Heiser                      Olasz

MEMBER'S PRESENCE RECORDED

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 7, PN 1114**, entitled:

An Act amending the act of January 10, 1968 (1967 P. L. 925, No. 417), entitled "Legislative Officers and Employes Law," eliminating the office of Senate Librarian, providing for the adoption of job classification and pay plans, creating a Senate Committee on Management Operations, providing for the transfer of certain appropriations within the Senate and making repeals.

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—192

Alden	Fee	Lloyd	Salvatore
Anderson	Fischer	Lucyk	Saurman
Armstrong	Fleck	McCall	Serafini
Arty	Foster, W. W.	McClatchy	Seventy
Barber	Foster, Jr., A.	McIntyre	Showers
Belardi	Frazier	McMonagle	Shupnik
Belfanti	Freind	McVerry	Sieminski
Berson	Fryer	Mackowski	Sirianni
Bittle	Gallagher	Madigan	Smith, B.
Blaum	Gallen	Maiale	Smith, E. H.
Borski	Gamble	Manderino	Smith, L. E.
Bowser	Geist	Manmiller	Snyder
Boyes	Gladeck	Marmion	Spencer
Brandt	Grabowski	Merry	Spitz
Brown	Gray	Michlovic	Stairs
Burd	Greenfield	Micozzie	Steighner
Burns	Greenwood	Miscevich	Stevens
Caltagirone	Grieco	Moehlmann	Stewart
Cappabianca	Gruitza	Morris	Stuban
Cawley	Gruppo	Mrkonic	Swaim
Cessar	Hagarty	Mullen	Sweet
Cimini	Haluska	Murphy	Swift
Civera	Harper	Nahill	Taddonio
Clark	Hasay	Noye	Taylor, E. Z.
Clymer	Hayes	O'Donnell	Taylor, F. E.
Cochran	Hoeffel	Oliver	Telek
Cohen	Honaman	Pendleton	Tigue
Colafiglia	Horgos	Perzei	Trello
Cole	Hutchinson, A.	Peterson	Van Horne
Cordisco	Hutchinson, W.	Petrarca	Vroon

Cornell	Irvis	Petrone	Wachob
Coslett	Itkin	Phillips	Wambach
Cowell	Jackson	Piccola	Wargo
Cunningham	Johnson	Pievsky	Wass
DeMedio	Kanuck	Pistella	Wenger
DeVertter	Kennedy	Pitts	Weston
DeWeese	Klingaman	Pott	White
Daikeler	Kolter	Pratt	Wiggins
Davies	Kowalshyn	Pucciarelli	Williams, H.
Dawida	Kukovich	Punt	Wilson
Dietz	Lashinger	Rappaport	Wogan
Dininni	Laughlin	Rasco	Wozniak
Dombrowski	Lehr	Reber	Wright, D. R.
Donatucci	Lescovitz	Richardson	Wright, J. L.
Dorr	Letterman	Rieger	Zwikel
Duffy	Levi	Ritter	
Durham	Levin	Rocks	Ryan,
Emerson	Lewis	Rybak	Speaker
Evans	Livengood		

NAYS—0

NOT VOTING—5

Beloff                      Miller                      Mowery                      Williams, J. D.  
Gannon

EXCUSED—4

Deal                      George                      Heiser                      Olasz

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. Spencer, and the gentleman from Philadelphia, Mr. Barber, who ask that their names be added to the master roll call.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1385, PN 1966**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitations on governmental immunity.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. LEVIN offered the following amendments No. A2903:

Amend Sec. 1 (Sec. 8542), page 2, line 9, by striking out "ANY" and inserting personal

Amend Sec. 1 (Sec. 8542), page 2, line 15, by striking out "such" and inserting Commonwealth

Amend Sec. 1 (Sec. 8542), page 2, line 15, by removing the period after "highways" and inserting , or the local agency has actively undertaken maintenance or repairs of Commonwealth streets or highways.

Amend Sec. 1 (Sec. 8542), page 2, line 16, by inserting after "contract"

or actively undertakes maintenance or repairs

On the question,

Will the House agree to the amendments?

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

Mr. LEVIN. Mr. Speaker, HB 1385 and the following bill, HB 1386, were designed to solve a problem where a court imposed responsibility upon a municipality for a state-controlled highway. The original language of both bills was defective, in my opinion and in the opinion of Mr. Davies, in that it permitted a loophole to exist where it was possible that no one could collect for a particular accident, even though someone had been seriously hurt as a result of the negligence of the municipality.

As a result, Mr. Davies and myself and Mr. Cohen had a conference with Mr. Pitts, and we agreed to amendments which we believe resolve the problem. We have left the original intent of the bill intact. We have simply made it clear that if the municipality undertakes repairs and does it in a negligent fashion, that even though it is a state highway and they did not have a contract to do it, they would still be responsible. Therefore, my amendment is an agreed-to amendment, and Mr. Davies' amendment to the subsequent bill is agreed to.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

I would just like to confirm what the gentleman from Philadelphia said. These amendments are agreed to, and I would urge support.

**MEMBERS' PRESENCE RECORDED**

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Vroon, and the gentleman from Delaware, Mr. Gannon, who ask that their names be added to the master roll call.

**CONSIDERATION OF HB 1385 CONTINUED**

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

**YEAS—189**

Alden	Fischer	Lucyk	Salvatore
Anderson	Fleck	McCall	Saurman
Armstrong	Foster, W. W.	McClatchy	Serafini
Arty	Foster, Jr., A.	McIntyre	Seventy
Barber	Frazier	McMonagle	Showers
Belardi	Freind	McVerry	Shupnik
Belfanti	Fryer	Mackowski	Sieminski
Beloff	Gallagher	Madigan	Sirianni
Berson	Gallen	Maiiale	Smith, B.
Bittle	Gamble	Manderino	Smith, E. H.
Blaum	Geist	Manmiller	Smith, L. E.
Borski	Gladeck	Marmion	Snyder
Bowser	Grabowski	Merry	Spencer
Boyes	Gray	Michlovic	Spitz
Brandt	Greenfield	Micozzie	Stairs

Brown	Greenwood	Miscevich	Steighner
Burd	Grieco	Moehlmann	Stevens
Burns	Gruppo	Morris	Stewart
Caltagirone	Hagarty	Mowery	Stuban
Cappabianca	Haluska	Mrkonic	Swaim
Cessar	Harper	Mullen	Sweet
Cimini	Hasay	Murphy	Swift
Civera	Hayes	Nahill	Taddonio
Clark	Hoeffel	Noye	Taylor, E. Z.
Clymer	Honaman	O'Donnell	Taylor, F. E.
Cochran	Horgos	Oliver	Telek
Colafella	Hutchinson, A.	Pendleton	Tigue
Cole	Hutchinson, W.	Perzel	Trello
Cordisco	Irvis	Peterson	Van Horne
Cornell	Itkin	Petrarca	Vroon
Coslett	Jackson	Petrone	Wachob
Cowell	Johnson	Phillips	Wambach
Cunningham	Kanuck	Piccola	Wargo
DeMedio	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Wenger
DeWeese	Kolter	Pitts	Weston
Daikeler	Kowalyshyn	Pott	White
Davies	Kukovich	Pratt	Wiggins
Dawida	Lashinger	Pucciarelli	Williams, J. D.
Dietz	Laughlin	Punt	Wilson
Dininni	Lehr	Rappaport	Wozniak
Dombrowski	Lescovitz	Rasco	Wright, D. R.
Donatucci	Letterman	Reber	Wright, J. L.
Duffy	Levi	Richardson	Zwikl
Durham	Levin	Rieger	
Emerson	Lewis	Ritter	Ryan,
Evans	Livengood	Rocks	Speaker
Fee	Lloyd	Rybak	

**NAYS—4**

Cawley	Dorr	Williams, H.	Wogan
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**NOT VOTING—4**

Cohen	Gannon	Gruitza	Miller
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**EXCUSED—4**

Deal	George	Heiser	Olasz
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—192**

Alden	Evans	Lloyd	Salvatore
Anderson	Fee	Lucyk	Saurman
Armstrong	Fischer	McCall	Serafini
Arty	Fleck	McClatchy	Seventy
Barber	Foster, W. W.	McIntyre	Showers
Belardi	Foster, Jr., A.	McMonagle	Shupnik
Belfanti	Frazier	McVerry	Sieminski
Beloff	Freind	Mackowski	Sirianni
Berson	Fryer	Madigan	Smith, B.
Bittle	Gallagher	Maiiale	Smith, E. H.
Blaum	Gallen	Manderino	Smith, L. E.
Borski	Gamble	Manmiller	Snyder
Bowser	Gannon	Marmion	Spencer
Boyes	Geist	Merry	Spitz
Brandt	Gladeck	Michlovic	Stairs
Brown	Grabowski	Micozzie	Steighner

Burd	Gray	Miller	Stewart
Burns	Greenfield	Miscevich	Stuban
Caltagirone	Greenwood	Morris	Swaim
Cappabianca	Grieco	Mowery	Sweet
Cawley	Gruppo	Mullen	Swift
Cessar	Hagarty	Murphy	Taddonio
Cimini	Haluska	Nahill	Taylor, E. Z.
Civera	Harper	Noye	Taylor, F. E.
Clark	Hasay	O'Donnell	Telek
Clymer	Hayes	Oliver	Tigue
Cochran	Hoeffel	Pendleton	Trello
Cohen	Honaman	Perzel	Van Horne
Colafella	Hutchinson, A.	Peterson	Vroon
Cole	Hutchinson, W.	Petrarca	Wachob
Cordisco	Irviss	Petrone	Wambach
Cornell	Itkin	Phillips	Wargo
Coslett	Jackson	Piccola	Wass
Cowell	Johnson	Pievsky	Wenger
Cunningham	Kanuck	Pistella	Weston
DeMedio	Kennedy	Pitts	White
DeVerter	Klingaman	Pott	Wiggins
DeWeese	Kolter	Pratt	Williams, H.
Daikeler	Kowalyshyn	Pucciarelli	Williams, J. D.
Davies	Kukovich	Punt	Wilson
Dawida	Lashinger	Rappaport	Wogan
Dietz	Laughlin	Rasco	Wozniak
Dininni	Lehr	Reber	Wright, D. R.
Dombrowski	Lescovitz	Richardson	Wright, J. L.
Donatucci	Letterman	Rieger	Zwikl
Dorr	Levi	Ritter	
Duffy	Levin	Rocks	Ryan,
Durham	Lewis	Rybak	Speaker
Emerson	Livengood		

NAYS—4

Horgos	Moehlmann	Mrkonc	Stevens
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NOT VOTING—1

Gruitza

EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

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The House proceeded to third consideration of **HB 1309, PN 1541**, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158, No. 401), referred to as the Constable Fee Law, changing the mileage allowance for constables.

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—194

Alden	Evans	Lewis	Salvatore
Anderson	Fee	Livengood	Saurman
Armstrong	Fischer	Lucyk	Serafini
Arty	Fleck	McCaill	Seventy
Barber	Foster, W. W.	McClatchy	Showers

Belardi	Foster, Jr., A.	McIntyre	Shupnik
Belfanti	Frazier	McMonagle	Sieminski
Beloff	Freind	McVerry	Sirianni
Berson	Fryer	Mackowski	Smith, B.
Bittle	Gallagher	Madigan	Smith, E. H.
Blaum	Gallen	Maiale	Smith, L. E.
Borski	Gamble	Mandirino	Snyder
Bowser	Gannon	Manmiller	Spencer
Boyes	Geist	Marmion	Spitz
Brandt	Gladeck	Merry	Stairs
Brown	Grabowski	Michlovic	Steighner
Burd	Gray	Micozzie	Stevens
Burns	Greenfield	Miller	Stewart
Caltagirone	Greenwood	Miscevich	Stuban
Cappabianca	Grieco	Moehlmann	Swaim
Cawley	Gruitza	Morris	Sweet
Cessar	Gruppo	Mowery	Swift
Cimini	Hagarty	Mrkonc	Taddonio
Civera	Haluska	Mullen	Taylor, E. Z.
Clark	Harper	Murphy	Taylor, F. E.
Clymer	Hasay	Nahill	Telek
Cochran	Hayes	Noye	Tigue
Cohen	Hoeffel	O'Donnell	Trello
Colafella	Honaman	Oliver	Van Horne
Cole	Horgos	Pendleton	Vroon
Cordisco	Hutchinson, A.	Perzel	Wachob
Cornell	Hutchinson, W.	Peterson	Wambach
Coslett	Irviss	Petrarca	Wargo
Cowell	Itkin	Phillips	Wass
Cunningham	Jackson	Piccola	Wenger
DeMedio	Johnson	Pievsky	Weston
DeVerter	Kanuck	Pistella	White
DeWeese	Kennedy	Pitts	Wiggins
Daikeler	Klingaman	Pott	Williams, H.
Davies	Kolter	Pratt	Williams, J. D.
Dawida	Kowalyshyn	Pucciarelli	Wilson
Dietz	Kukovich	Punt	Wogan
Dininni	Lashinger	Rasco	Wozniak
Dombrowski	Laughlin	Reber	Wright, D. R.
Donatucci	Lehr	Richardson	Wright, J. L.
Dorr	Lescovitz	Rieger	Zwikl
Duffy	Letterman	Ritter	
Durham	Levi	Rocks	Ryan,
Emerson	Levin	Rybak	Speaker

NAYS—2

Lloyd	Rappaport
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NOT VOTING—1

Petrone

EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

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The House proceeded to third consideration of **SB 319, PN 974**, entitled:

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to increase certain retirement benefits or pensions and further providing for the disposition of taxes on aviation fuel.

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—159

Alden	Durham	McMonagle	Seventy
Anderson	Emerson	McVerry	Shupnik
Armstrong	Evans	Mackowski	Sirianni
Arty	Fee	Madigan	Smith, B.
Barber	Fischer	Maiale	Smith, E. H.
Belardi	Foster, W. W.	Manderino	Smith, L. E.
Belfanti	Freind	Manmiller	Spencer
Beloff	Gallagher	Michlovic	Spitz
Bittle	Gamble	Micozzie	Stairs
Blaum	Gannon	Miller	Steighner
Borski	Geist	Miscevich	Stevens
Bowser	Gladeck	Mullen	Stewart
Boyes	Grabowski	Murphy	Stuban
Burd	Gray	Nahill	Swaim
Burns	Greenfield	Noye	Sweet
Caltagirone	Grieco	O'Donnell	Swift
Cappabianca	Haluska	Oliver	Taylor, E. Z.
Cessar	Harper	Pendleton	Taylor, F. E.
Cimini	Hasay	Perzel	Telek
Civera	Hayes	Peterson	Tigue
Clark	Hoeffel	Petrarca	Trello
Clymer	Honaman	Petrone	Vroon
Cochran	Horgos	Phillips	Wachob
Cohen	Hutchinson, A.	Piccola	Wambach
Colafella	Hutchinson, W.	Pievsky	Wass
Cole	Irvis	Pistella	Wenger
Cordisco	Irkin	Pott	Weston
Coslett	Johnson	Pratt	White
Cowell	Klingaman	Pucciarelli	Wiggins
Cunningham	Kolter	Punt	Williams, H.
DeVerter	Kukovich	Rappaport	Williams, J. D.
DeWeese	Lashingier	Rasco	Wilson
Daikeler	Laughlin	Reber	Wogan
Davies	Lehr	Richardson	Wozniak
Dawida	Lescovitz	Rieger	Wright, D. R.
Dietz	Letterman	Ritter	Wright, J. L.
Dininni	Levi	Rocks	Zwilk
Dombrowski	Lucyk	Salvatore	
Donatucci	McCall	Saurman	Ryan,
Dorr	McIntyre	Serafini	Speaker
Duffy			

NAYS—34

Berson	Gallen	Livengood	Pitts
Brandt	Greenwood	Lloyd	Rybak
Brown	Gruppo	Marmion	Showers
Cawley	Hagarty	Merry	Sieminski
Cornell	Jackson	Moehlmann	Snyder
Fleck	Kanuck	Morris	Taddonio
Foster, Jr., A.	Kennedy	Mowery	Van Horne
Frazier	Kowalyszyn	Mrkonic	Wargo
Fryer	Levin		

NOT VOTING—4

DeMedio	Gruitza	Lewis	McClatchy
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EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the distinguished Representative from the county of Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I inadvertently voted in the negative on that last bill, SB 319. I would like to be recorded in the affirmative. Thank you, Mr. Speaker.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 725, PN 761, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the administration, management and investment of certain funds.

On the question,

Will the House agree to the bill on third consideration?

Mr. McCLATCHY offered the following amendments No. A2998:

Amend Title, page 1, line 2, by inserting after "for" mandatory and optional membership and termination of annuities and for

Amend Bill, page 1, by inserting between lines 5 and 6

Section 1. Section 5301 of Title 71, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a subsection to read:

§ 5301. Mandatory and optional membership.

\*\*\*

(d) Return to service.—An annuitant who returns to service as a State employee shall resume active membership in the system as of the effective date of employment, except as otherwise provided in section 5706(a) (relating to termination of annuities), regardless of the optional membership category of the position.

Amend Sec. 1, page 1, line 6, by striking out "1." and inserting

2.

Amend Sec. 1, page 1, line 6, by inserting after "Subsection" (a) of section 5706, subsection

Amend Sec. 1, page 1, lines 8 through 10, by striking out "act of" in line 8, all of line 9, and "Consolidated Statutes," in line 10

Amend Sec. 1, page 1, by inserting between lines 11 and 12

§ 5706. Termination of annuities.

(a) General rule.—If the annuitant returns to State service or enters school service and elects multiple service membership, any annuity payable to him under this part shall cease and in the case of an annuity other than a disability annuity the present value of such annuity, adjusted for full coverage in the case of a joint coverage member who makes the appropriate back contributions for full coverage, shall be frozen as of the date such annuity ceases: Provided, however, That this provision shall not apply in the case of any annuitant who may render services to the Commonwealth in the capacity of an independent contractor or as a member of an independent board or commission or as a member of a departmental administrative or advisory board or commission when such members of independent or departmental boards or commissions are compensated on a per diem basis for not more than 100 days per calendar year.

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Amend Sec. 2, page 7, line 9, by striking out "2." and inserting

3.

Amend Sec. 2, page 7, line 9, by striking out "in 60 days." and inserting immediately.

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

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

I suggest that the members listen to the explanation of Mr. McClatchy as to these amendments, as it is a prelude to what is going on for the rest of the day.

Mr. McCLATCHY. Mr. Speaker, my amendment simply takes the contents of SB 618, which is on the calendar on the previous page, and puts that into SB 725. It is our intention, after this amendment goes into SB 725, to use SB 618 as a vehicle for the Federal augmentation that is necessary to complete the budget this year. I would ask support for this amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I support the amendment process offered by Mr. McClatchy. I want to point out to the members in our caucus, who had been told that SB 725 would not run until the fall, that there is no intention of further dealing with SB 725 except for the placing of the McClatchy amendment into it so that SB 618 will become available for the Federal augmentation bill.

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

The following roll call was recorded:

YEAS—194

Alden	Fee	Livengood	Rybak
Anderson	Fischer	Lucyk	Salvatore
Armstrong	Fleck	McCall	Saurman
Arty	Foster, W. W.	McClatchy	Serafini
Barber	Foster, Jr., A.	McIntyre	Seventy
Belardi	Frazier	McMonagle	Showers
Belfanti	Freind	McVerry	Shupnik
Beloff	Fryer	Mackowski	Sieminski
Berson	Gallagher	Madigan	Sirianni
Bittle	Gallen	Maiale	Smith, B.
Blaum	Gamble	Manderino	Smith, E. H.
Borski	Gannon	Manmiller	Smith, L. E.
Bowser	Geist	Marmion	Snyder
Boyes	Gladeck	Merry	Spencer
Brandt	Grabowski	Michlovic	Spitz
Brown	Gray	Micozzie	Stairs
Burd	Greenfield	Miller	Steighner
Burns	Greenwood	Miscevich	Stevens
Caltagirone	Grieco	Moehlmann	Stewart
Cappabianca	Gruitza	Morris	Stuban
Cessar	Gruppo	Mowery	Swaim
Cimini	Hagarty	Mrkonic	Sweet
Civera	Haluska	Mullen	Swift
Clark	Harper	Murphy	Taddonio
Clymer	Hasay	Nahill	Taylor, E. Z.
Cochran	Hayes	Noye	Taylor, F. E.
Cohen	Hoeffel	O'Donnell	Telek
Colafella	Honaman	Oliver	Trello
Cole	Horgos	Pendleton	Van Horne
Cordisco	Hutchinson, A.	Perzel	Vroon
Cornell	Hutchinson, W.	Peterson	Wachob
Coslett	Iris	Petrarca	Wambach
Cowell	Itkin	Petrone	Wargo
Cunningham	Jackson	Phillips	Wass
DeMedio	Johnson	Piccola	Wenger
DeVerter	Kanuck	Pievsky	Weston
DeWeese	Kennedy	Pistella	White

Daikeler	Klingaman	Pitts	Wiggins
Davies	Kolter	Pott	Williams, H.
Dawida	Kowalshyn	Pratt	Williams, J. D.
Dietz	Kukovich	Pucciarelli	Wilson
Dininni	Lashinger	Punt	Wogan
Dombrowski	Laughlin	Rappaport	Wozniak
Donatucci	Lehr	Rasco	Wright, D. R.
Dorr	Lescovitz	Reber	Wright, J. L.
Duffy	Letterman	Richardson	Zwikl
Durham	Levi	Rieger	
Emerson	Levin	Ritter	Ryan,
Evans	Lewis	Rocks	Speaker

NAYS—3

Cawley                      Lloyd                      Tighe  
NOT VOTING—0

EXCUSED—4

Deal                      George                      Heiser                      Olasz

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

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

Bill as amended was agreed to.

Ordered, That the bill as amended be prepared for final passage.

\* \* \*

The House proceeded to third consideration of **HB 685, PN 720**, entitled:

An Act amending the act of July 6, 1917 (P. L. 747, No. 271), entitled "An act requiring all counties, \*\*\*, " providing that a city of the first class shall sell bonds or other securities, except as provided herein, issued by it at public sale after not less than one public notice for such price, \*\*\*, whenever authorized.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 685, PN 720, be recommitted to the Committee on Urban Affairs.

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

\* \* \*

The House proceeded to third consideration of **HB 1332, PN 1482**, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), limiting certain agreements involving land not needed for airport purposes.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. FLECK offered the following amendments No. A2665:

Amend Sec. 1 (Sec. 2404), page 1, line 11, by inserting after "2404."

(a)

Amend Sec. 1 (Sec. 2404), page 1, line 18, by inserting after "or"

subject to the provisions of subsection (b)

Amend Sec. 1 (Sec. 2404), page 2, by inserting between lines 9 and 10

(b) Where the county has acquired land through condemnation proceedings it shall not enter into any agreement for nonaviation purposes under the provisions of subsection (a) without first offering to sell such land at its fair market value to the person from whom such land was originally taken, his heirs, personal representative, successors or assigns.

On the question,

Will the House agree to the amendments?

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

Mr. FLECK. Thank you, Mr. Speaker.

HB 1332 deals with land that was taken for the purposes of building the Greater Pittsburgh International Airport. This land, some 2,000 acres, is now deemed not to be necessary for use at the Greater Pittsburgh International Airport, and it is the purpose of this bill to permit the land to be used for a nonaviation purpose.

I do not object to the bill, but my amendment simply states that that part of the land that was taken under eminent domain for the purposes of use for aviation and is now being converted to a commercial use would be reoffered to the original holders at the fair market value, that they would have a chance to reacquire property that was taken under the ax of eminent domain.

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

Mr. GAMBLE. Mr. Speaker, I rise to oppose the amendment. It will in effect kill the bill. Allegheny County wishes to use property that was taken over the years for environmental protection purposes, which is presently not being used for airport-related endeavors, and use this property for commercial, light industrial, or recreational. The bill says that the land will be leased for 50 years. If we were to contact the people whose property was condemned—and only 17 percent of the property was condemned at the airport—and go back and renegotiate and sell the property back to them, it would entirely kill the bill. We do not want to get rid of any property, and that is why there is a 50-year lease.

In the township where most of this property is located—it is Findlay Township in my district—one-third of this township has been taken by Allegheny County for airport purposes. None of the commercial area of the airport is in Findlay Township; it is in the adjoining township. Five thousand of the acres in Findlay Township have been strip-mined indiscriminately over the years. One thousand acres now are the largest dump in western Pennsylvania. Findlay Township needs this property to have some positive development, and I ask you to vote "no" on the amendment.

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

Mr. DAWIDA. Mr. Speaker, the effect of the Fleck amendment would be to eliminate the possibility of some jobs

in Allegheny County that are going to be put into use because of the development of what is otherwise useless land next to an airport. I would urge all of you to vote "no" on this amendment and help us build our industrial base back in Allegheny County. We need the jobs; we can do it here, and I would appreciate a "no" vote.

### MR. SPENCER REQUESTED TO PRESIDE

The SPEAKER. Will the gentleman from Tioga, Mr. Spencer, come to the rostrum to preside temporarily?

### THE SPEAKER PRO TEMPORE (WARREN H. SPENCER) IN THE CHAIR CONSIDERATION OF HB 1332 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Mr. Speaker, would the gentleman, Mr. Fleck, consent to interrogation, please?

Mr. FLECK. Yes, sir.

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation. The gentleman from Bucks may proceed.

Mr. WILSON. Mr. Speaker, in your amendment you use the term "at its fair market value." Do you mean the current market value today or the value at which the authority acquired the property back some years ago?

Mr. FLECK. That would be the current market value of the land today.

Mr. WILSON. Okay. And then you use the words "successors or assigns." What do you mean by "successors"? I understand what you mean by "heirs" and so forth, but what do you mean by "successors"?

Mr. FLECK. Well, in the event that the land had belonged to a corporation or some other entity and had transferred beyond, it would be offered back to the holder.

Mr. WILSON. What about the "assigns"? I mean, is it somebody that they would assign interest to?

Mr. FLECK. That is true.

Mr. WILSON. Okay. I thank the gentleman.

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

Mr. RAPPAPORT. Mr. Speaker, would the gentleman from Allegheny, Mr. Fleck, consent to interrogation?

Mr. FLECK. Yes, sir.

The SPEAKER pro tempore. The gentleman from Allegheny indicates he will. You may proceed.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, does the gentleman know whether the land was originally condemned in fee simple?

Mr. FLECK. I am sorry; I cannot answer that question. I have inquired as to the nature of this and the specific location of the land as to how much land area is actually involved and am unable to get a response from the county of Allegheny to my questions.

Mr. RAPPAPORT. Mr. Speaker, I cannot quite hear the gentleman. Am I correct that he said that he is unaware of whether the ground was condemned in fee simple or not?

Mr. FLECK. That is correct.

Mr. RAPPAPORT. Might I be heard, Mr. Speaker?

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

Mr. RAPPAPORT. Mr. Speaker, I am a trifle confused. If the ground was condemned in fee simple, then it is owned absolutely by the county of Allegheny and they can do with it as they please, and there is case law to that effect. On the other hand, if it was not condemned in fee simple, then they cannot and there is nothing we can do about it because we would be taking away somebody's property rights. I therefore wonder why this bill is before us in the first place. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Fleck.

Mr. FLECK. Perhaps I can clear up some of Mr. Rappaport's questions. My understanding is that the land was condemned solely for the purposes of use with the aviation field in this area and that the condemnation proceedings were specific to that, and the purpose of the bill that is before us is to convert and to change that use to permit the commercial use of this land.

In this particular area we have had a growth of development. We have an industrial development park; we have a free-trade zone that has been located there. And the land here, which was taken for use principally environmentally to protect from the development of homes what is in the flightpath of a runway, is now to be used for commercial development. All my amendment says is that that portion of the land which was taken over the objections of the owners, that was taken away by the government under the use of eminent domain, be offered back to these people who rightfully owned it, who had the use of the land, who had the right to continue in that use except for the fact that we wanted it for an airport. Now we no longer want this for an airport. We want to put commercial development into this area, and my statement is—and I defy Mr. Dawida to show how this is going to hold jobs or industrial development out of Allegheny County—what it will do is to permit that development to occur privately as opposed to publicly.

The issue here really is, does a landowner have the right to get his land back when the purposes of eminent domain have been diverted and changed in the future? That is what we are arguing here, just that simple principle - does a man who owns land that is condemned for a purpose by a public entity and taken away under eminent domain have the right to have that land restored to him at the fair market value if at a future date that purpose is no longer necessary and that governmental entity now wants to go out to a commercial purpose? I feel that it should go back to the private holder.

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

Mr. GAMBLE. Mr. Speaker, briefly. Over the years, again, Allegheny County has acquired this property for envi-

ronmental protection purposes. Unfortunately, under the Second Class County Code, the county is not permitted to use the land acquired for airport use for other purposes than it was acquired for. This prohibits the county presently from using this unused property for any other purpose.

We do not want to sell this property that was taken by condemnation—and only 17 percent was—we want to have a 50-year lease with commercial and light-industrial people who want to develop in the area. This would put the buildings and whatever is erected back on the tax rolls in Findlay Township, and I would ask you to give every consideration to this move that is supported by the township, by Allegheny County, by the Airport Advisory Board, and the RIDC - Regional Industrial Development Corporation. I ask for your support of the bill, but I ask that you oppose the Fleck amendment, which will kill the bill. Thank you.

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

Mr. ITKIN. Mr. Speaker, I think what is a critical issue here today is the question as to whether the county will have to sell the land or whether it could lease the land. It is quite a difference, because under a lease proviso the county subsequently, after the terms of the lease, can use the property once again for the airport expansion if it is deemed feasible. If we go ahead and sell the land, then we will probably never be able to get it back except at a tremendous expense. I support Mr. Gamble and his position to oppose the Fleck amendment. I urge the members to vote "no."

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

The following roll call was recorded:

YEAS—83

Alden	Dorr	Lehr	Reber
Anderson	Fleck	Levi	Saurman
Armstrong	Foster, Jr., A.	Lewis	Serafini
Arty	Freind	McClatchy	Smith, B.
Bittle	Gallen	Mackowski	Smith, E. H.
Bowser	Geist	Madigan	Smith, L. E.
Boyes	Gladeck	Manmiller	Snyder
Brandt	Grabowski	Merry	Spencer
Burd	Greenwood	Micozzie	Spitz
Burns	Gruitza	Miller	Stairs
Cessar	Hagarty	Moehlmann	Stevens
Civera	Hasay	Mowery	Swaim
Clymer	Hayes	Nahill	Swift
Cornell	Honaman	Noye	Taddonio
Coslett	Hutchinson, W.	Peterson	Taylor, E. Z.
Cunningham	Jackson	Phillips	Vroon
DeVerter	Johnson	Piccola	Wass
Davies	Kanuck	Pitts	Wenger
Dietz	Kennedy	Pott	Wilson
Diminni	Klingaman	Punt	Wright, J. L.
Donatucci	Lashingier	Rasco	

NAYS—113

Barber	Fischer	McMonagle	Showers
Belardi	Foster, W. W.	McVerry	Shupnik
Belfanti	Frazier	Maiale	Sieminski
Beloff	Fryer	Manderino	Sirianni
Berson	Gallagher	Marmion	Steighner
Blaum	Gamble	Michlovic	Stewart
Borski	Gray	Miscevich	Stuban
Brown	Greenfield	Morris	Sweet
Caltagirone	Grieco	Mrkonic	Taylor, F. E.
Cappabianca	Gruppo	Mullen	Telek



Cawley	Haluska	Murphy	Tigue
Cimini	Harper	O'Donnell	Trello
Clark	Hoeffel	Oliver	Van Horne
Cochran	Horgos	Pendleton	Wachob
Cohen	Hutchinson, A.	Perzel	Wambach
Colafella	Irvis	Petrarca	Wargo
Cole	Itkin	Petrone	Weston
Cordisco	Kolter	Pievsky	White
Cowell	Kowalyszyn	Pistella	Wiggins
DeMedio	Kukovich	Pratt	Williams, H.
DeWeese	Laughlin	Pucciarelli	Williams, J. D.
Daikeler	Lescovitz	Rappaport	Wogan
Dawida	Letterman	Richardson	Wozniak
Dombrowski	Levin	Rieger	Wright, D. R.
Duffy	Livengood	Ritter	Zwinkl
Durham	Lloyd	Rocks	
Emerson	Lucyk	Rybak	Ryan,
Evans	McCall	Salvatore	Speaker
Fee	McIntyre	Seventy	

NOT VOTING—1

Gannon

EXCUSED—4

Deal George Heiser Olasz

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

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

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

The question is, shall the bill pass finally?

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

Mr. WILSON. Mr. Speaker, would the gentleman—I believe Mr. Gamble is the sponsor—consent to interrogation?

The SPEAKER pro tempore. The gentleman indicates he will. The gentleman from Bucks may proceed.

Mr. WILSON. Mr. Speaker, I have concern over this bill. Would you tell me, if this bill were to go through, is an airport authority or whatever of Allegheny County going to sell off some of the land they acquired for an airport to build industrial plants and buildings of that nature?

Mr. GAMBLE. No; that is incorrect, Mr. Speaker. This will permit them to enter into a 50-year lease. They will not sell off any of the property.

Mr. WILSON. Okay. What is to be put on the land with the 50-year lease?

Mr. GAMBLE. There is nothing specific. It all hinges on this legislation passing. They have been talking about commercial, light industrial, and recreational.

Mr. WILSON. They would be in fact putting buildings on the land?

Mr. GAMBLE. Right. There would be buildings on the land, and, of course, that would be contingent on the okay of the FAA - Federal Aviation Administration.

Mr. WILSON. Is that in the legislation, that it is contingent on the FAA?

Mr. GAMBLE. No, but I think you know, Mr. Speaker, that anything in the airport area has to be scrutinized by the FAA.

Mr. WILSON. I do not believe that is quite true, that it has to be, Mr. Speaker. The FAA only requires certain setbacks from the currently existing runways. They slope-line off to the sides and ends, and sometimes they abrogate those, as the gentleman from Bucks County knows.

I am concerned about the buildings. You say there are buildings to be built?

Mr. GAMBLE. Yes, there are buildings to be built, and again I am sure they would have to be okayed by the FAA, being they are on Allegheny County property at the Greater Pittsburgh International Airport. I would like to remind the gentleman that the property that was taken through condemnation proceedings was almost entirely because of noise and that there were buildings there before, and the buildings were not a problem. It was the noise problem to the people in the area, and that is why most of the condemnation did take place.

Mr. WILSON. Mr. Speaker, I would like to comment on the bill.

MOTION TO RECOMMIT

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WILSON. I have deep apprehension, Mr. Speaker, over this legislation. Myself, I am a little bit knowledgeable in this field, and I find that what we have is airports are encroached upon; buildings are put up next to the airport under current conditions, as the gentleman alludes to. They build a building; it is okay today; 20 years down the line, 10 years down the line, the airport traffic gains, grows, and they need expansion. Once they need the expansion, we have a problem. We have existing buildings, factories, businesses, recreational areas, homes, what have you, and what happens, Mr. Speaker, is they protest the expansion of the airport and the airport has to go someplace else.

I think that what we ought to do with this bill, and I would so move, that it be recommitted to the Transportation Committee for study over the summer, and I would suggest that the committee do study the bill and take a better look at it and bring it out or consider it in the fall. I would so move to recommit it to the Transportation Committee.

The SPEAKER pro tempore. The question is on the motion to recommit the bill to the Transportation Committee.

On the question, the Chair recognizes the gentleman from Allegheny, Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I oppose the motion. I think our request is very clear and very fair, that we want to lease property on about 2,000 acres of unused property that was taken, because of the noise problem, from private dwellers. And this is going to develop an area in my district that direly needs it.

I think anyone here knows that at any airport, and especially an international airport, the FAA has the final word on buildings, on the height of buildings, and where they are going to be, and I do not think that is merit enough to hold this bill over for the entire summer. I would ask that you vote "no" on the recommittal motion.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Marmion.

Mr. MARMION. Thank you, Mr. Speaker.

I rise in support of Mr. Gamble, my colleague from Allegheny County. I rather doubt if my colleague, Mr. Wilson, has ever been near this airport. I think that Mr. Gamble is completely right, and I ask that this bill be voted on and forget committee.

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery, Mrs. Lewis.

Mrs. LEWIS. Mr. Speaker, I rise in support of Mr. Wilson's motion to table this bill. We have a situation at National Airport in Washington at the present moment where development has come around the airport, and they are trying to relocate it. And I think without further study and, really, consideration, looking down the road as to what development is going to do, I recognize the need for a tax base. But on the other hand, I have seen it even with local airports. People come out and they have houses around the airport; they recognize the airport is there. However, 5 years later they want to shut the airport down. I think our air traffic is too important. The need for our airports is great, and I think we should look beyond to see what we are doing here. So, therefore, I hope you consider Mr. Wilson's motion to table this bill so that we can look into it further. Thank you.

The SPEAKER pro tempore. The Chair would like to remind all members that the motion is not to table; the motion is to recommit to the Transportation Committee.

### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Frazier.

Mr. FRAZIER. Mr. Speaker, a point of parliamentary inquiry. Is in fact the motion a motion to recommit to the Transportation Committee or a motion to recommit to the Urban Affairs Committee?

The SPEAKER pro tempore. The motion is a motion to recommit to the Transportation Committee.

Mr. FRAZIER. Then, Mr. Speaker, may I debate on the motion?

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

Mr. FRAZIER. Mr. Speaker, I would oppose the motion. The Urban Affairs' Second-Class Cities Subcommittee had extensive deliberations and preparation on this. As far as Allegheny County is concerned, this land has been reviewed and this land has been studied very, very extensively, and the county commissioners recommended exactly what their precise timetable was on land use. This land is not being given back; it is merely being made available for a lease, and it is a lease quite within the terms of what Allegheny County Land Use Planning has designed. I think Mr. Gamble is entirely in order, and I think the motion to recommit should be defeated. Thank you, Mr. Speaker.

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

Mr. IRVIS. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the motion to recommit.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Fleck.

Mr. FLECK. Mr. Speaker, I would like to oppose the motion to recommit this bill. I sought to amend the bill a moment ago to improve it, I felt, but I nevertheless do not want to be misunderstood. This is a good bill. I believe the land in question indeed is available, that there is more than enough land area available at our airport that this amount of land can be dedicated and should be used. We need this bill. We would like to have it run, and I urge you to vote down the motion to recommit and to support the bill. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. McVerry.

Mr. McVERRY. Thank you, Mr. Speaker.

Mr. Speaker, the Greater Pittsburgh International Airport has been in existence at its current location for a period of approximately 30 years. The airport is in a constant state of development. As a matter of fact, it is being expanded now. Soon there will be a new midfield terminal built. The airport is in constant expansion as one of the largest growing airports in the United States.

This piece of legislation did not come out of a pipedream. The county commissioners have a tremendous amount of land surrounding the Greater Pittsburgh Airport, and it is expanding. It is expanding, however, in a direction opposite to that which this development is planned for in Findlay Township. The issue has been studied. The county commissioners and the director of the airport are in full command of the knowledge that is necessary for the expansion of this airport. There is not any further study that is going to prove it to be not in the best interests of the people of Allegheny County for this development to be permitted.

I rise in opposition to the motion to recommit and request that you vote "no" on that motion so that the people of Allegheny County can have this development near the airport area which is vital for its economy.

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

Mr. ITKIN. Mr. Speaker, I would just like to rise and allay Mr. Wilson's and Mrs. Lewis' fears about this proposed lease arrangement. I believe that the bill contains a provision that the development must be in accordance with the airport master plan, and before that master plan can be approved, the Federal Aviation Administration must give its approval to the master plan. So, really, we do have in effect the requiring approval by the FAA before this development can occur. I would appreciate it if Mr. Wilson would withdraw his motion to recommit at this time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Misceovich.

Mr. MISCEVICH. Thank you, Mr. Speaker.

I rise, too, to ask Mr. Wilson to withdraw his motion to recommit this bill. This land happens to be in Mr. Gamble's area. The county has studied it thoroughly; Mr. Gamble has gone over it thoroughly; the rest of the Allegheny County

delegation has studied this; they have had meetings on it; and we feel it is in the best interests of the county to handle it the way the bill is presented. I would thank you for your nonrecommittal to the Transportation Committee or any other committee, and give us a positive vote on this piece of legislation today.

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

Mr. FISCHER. Mr. Speaker, I rise to oppose the motion to recommit, and I urge passage of this bill.

I am a major in the U.S. Air Force Reserve at the Greater Pittsburgh Airport, and I know this land very well. It is a place where I often jog. It was land that was taken because of the noise problem, not because of an airport expansion. That has been done and accomplished over a period of years and continues, as Mr. McVerry pointed out, in other areas of the airport.

This land is vitally needed by the people in that area and the people in Mr. Gamble's district for industrial development. It is one area in Allegheny County that can be developed as an industrial property and can put some jobs in there. We vitally need every opportunity we can find to expand industry and jobs in southwestern Pennsylvania. This is one way to do it.

Mr. Speaker, I ask you to either take away your motion or I ask then all of you to defeat this motion for recommitment. We need jobs in that area and throughout southwestern Pennsylvania.

MOTION WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes for the second time the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Mr. Speaker, on Mr. Fischer's behalf, at his request, I will withdraw my motion, but when they have to go to Dulles International to get an airplane, why, do not call me.

The SPEAKER pro tempore. The motion by Mr. Wilson is withdrawn. Is that correct?

On the question recurring,  
Shall the bill pass finally?

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

YEAS—190

Alden	Fee	Lloyd	Rybak
Anderson	Fischer	Lucyk	Salvatore
Armstrong	Fleck	McCall	Saurman
Arty	Foster, W. W.	McIntyre	Serafini
Barber	Foster, Jr., A.	McMonagle	Seventy
Belardi	Frazier	McVerry	Showers
Belfanti	Freind	Mackowski	Shupnik
Beloff	Fryer	Madigan	Sirianni
Berson	Gallagher	Maiale	Smith, B.
Bittle	Gallen	Manderino	Smith, E. H.
Blaum	Gamble	Manmiller	Smith, L. E.
Borski	Gannon	Marmion	Snyder
Bowser	Geist	Merry	Spencer
Boyes	Gladeck	Michlovic	Spitz
Brandt	Grabowski	Micozzie	Stairs
Brown	Gray	Miller	Steighner
Burd	Greenfield	Miscevich	Stevens
Burns	Greenwood	Mochlmann	Stewart
Caltagirone	Grieco	Morris	Stuban
Cappabianca	Gruitza	Mowery	Swaim
Cawley	Gruppo	Mrkonic	Sweet

Cessar	Hagarty	Mullen	Swift
Cimini	Haluska	Murphy	Taddonio
Civera	Harper	Nahill	Taylor, E. Z.
Clark	Hasay	Noye	Taylor, F. E.
Clymer	Hayes	O'Donnell	Telek
Cochran	Hoeffel	Oliver	Tigue
Cohen	Honaman	Pendleton	Trello
Colafella	Horgos	Perzel	Van Horne
Cole	Hutchinson, A.	Peterson	Vroon
Cordisco	Hutchinson, W.	Petrarca	Wachob
Cornell	Irvis	Petrone	Wambach
Coslett	Itkin	Phillips	Wargo
Cowell	Jackson	Piccola	Wass
DeMedio	Johnson	Pievsky	Wenger
DeVerter	Kennedy	Pistella	Weston
DeWeese	Klingaman	Pitts	White
Daikeler	Kolter	Pott	Wiggins
Davies	Kowalyszyn	Pratt	Williams, H.
Dawida	Kukovich	Pucciarelli	Williams, J. D.
Dietz	Lashinger	Punt	Wogan
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lehr	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Dorr	Letterman	Richardson	Zwikel
Duffy	Levi	Rieger	
Emerson	Levin	Ritter	Ryan,
Evans	Livengood	Rocks	Speaker

NAYS—6

Cunningham	Kanuck	Sieminski	Wilson
Durham	Lewis		

NOT VOTING—1

McClatchy

EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

\* \* \*

The House proceeded to third consideration of **HB 1056, PN 1170**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for and the amount of State blind pensions.

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

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

The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—194

Alden	Fee	Livengood	Rocks
Anderson	Fischer	Lloyd	Rybak
Armstrong	Fleck	Lucyk	Salvatore
Arty	Foster, W. W.	McCall	Saurman
Barber	Foster, Jr., A.	McClatchy	Serafini
Belardi	Frazier	McIntyre	Seventy
Belfanti	Freind	McMonagle	Showers
Beloff	Fryer	McVerry	Shupnik

Berson	Gallagher	Mackowski	Sieminski
Bittle	Gallen	Madigan	Sirianni
Blaum	Gamble	Maiale	Smith, B.
Borski	Gannon	Manderino	Smith, E. H.
Bowser	Geist	Manmiller	Smith, L. E.
Boyes	Gladeck	Marmion	Snyder
Brandt	Grabowski	Merry	Spencer
Brown	Gray	Michlovic	Spitz
Burd	Greenfield	Micozzie	Stairs
Burns	Greenwood	Miller	Steighner
Caltagirone	Grieco	Miscevich	Stevens
Cappabianca	Gruitza	Moehlmann	Stewart
Cawley	Gruppo	Morris	Stuban
Cessar	Hagarty	Mowery	Swaim
Cimini	Haluska	Mrkonjic	Sweet
Civera	Harper	Mullen	Swift
Clark	Hasay	Murphy	Taddonio
Clymer	Hayes	Nahill	Taylor, E. Z.
Cochran	Hoeffel	Noye	Taylor, F. E.
Cohen	Honaman	O'Donnell	Telek
Colafranca	Horgos	Oliver	Trello
Cole	Hutchinson, A.	Pendleton	Van Horne
Cordisco	Hutchinson, W.	Perzel	Vroon
Cornell	Irvis	Peterson	Wachob
Coslett	Itkin	Petrarca	Wambach
Cowell	Jackson	Petrone	Wargo
Cunningham	Johnson	Phillips	Wass
DeMedio	Kanuck	Piccola	Wenger
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	White
Daikeler	Kolter	Pitts	Wiggins
Davies	Kowalshyn	Pott	Williams, H.
Dawida	Kukovich	Pratt	Wilson
Dietz	Lashinger	Pucciarelli	Wogan
Dininni	Laughlin	Punt	Wozniak
Dombrowski	Lehr	Rappaport	Wright, D. R.
Donatucci	Lescovitz	Rasco	Wright, J. L.
Duffy	Letterman	Reber	Zwikl
Durham	Levi	Richardson	
Emerson	Levin	Rieger	Ryan,
Evans	Lewis	Ritter	Speaker

NAYS—0

NOT VOTING—3

Dorr Tigue Williams, J. D.

EXCUSED—4

Deal George Heiser Olasz

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

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

**BILL ON THIRD CONSIDERATION POSTPONED**

The House proceeded to **HB 1394, PN 1968**, on third consideration postponed, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike extension in southwestern Pennsylvania, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; \*\*\*.

On the question recurring,

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

**BILL RECOMMENDED**

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

Mr. **HAYES**. Thank you, Mr. Speaker.

I move that **HB 1394** be recommitted to the House Committee on Urban Affairs.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The clerk of the Senate, being introduced, returned the following **HB 229, PN 2027**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act creating the Public Employee Retirement Study Commission to make a continuing study of all public employee retirement and pension systems; and making an appropriation.

On the question,

Will the House concur in Senate amendments?

The **SPEAKER** pro tempore. The Chair recognizes the minority leader.

Mr. **IRVIS**. Mr. Speaker, before the gentleman proceeds further, I would ask for a 2-minute recess. I want to talk with the majority leader. We have not caucused on **HB 229, HB 243, and HB 793**. It may not be necessary, but I want to make sure.

The **SPEAKER** pro tempore. The House will be at ease for 2 minutes.

The Chair recognizes the majority leader, Mr. Hayes.

Mr. **HAYES**. The minority leader and I have conferred, and it is our considered opinion that we are prepared to handle those three bills on page 13 which have come back to us for concurrence in Senate amendments.

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. **O'DONNELL**. Mr. Speaker, there are three bills on the calendar today which have not been caucused on in their present form. Those are the ones that are on concurrence in Senate amendments. Those amendments have been reviewed, and in two cases those amendments are merely editorial, and in the other case the change is extremely insignificant and has been reviewed by the caucus staff. I do not think a caucus is necessary on these changes, but I wanted to get that on the record. Thank you.

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

Mr. **MOWERY**. Thank you, Mr. Speaker.

Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate. This is the study commission for pensions for public employee pension programs in Pennsylvania, and the Senate amendments are acceptable. Thank you.

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

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

YEAS—192

Alden	Evans	Livengood	Rocks
Anderson	Fee	Lloyd	Rybak
Armstrong	Fischer	Lucyk	Salvatore
Arty	Fleck	McCall	Saurman
Barber	Foster, W. W.	McClatchy	Serafini
Belardi	Foster, Jr., A.	McIntyre	Seventy
Belfanti	Frazier	McMonagle	Showers
Beloff	Freind	McVerry	Shupnik
Berson	Fryer	Mackowski	Sieminski
Bittle	Gallagher	Madigan	Sirianni
Blaum	Gallen	Maiale	Smith, B.
Borski	Gamble	Manderino	Smith, L. E.
Bowser	Geist	Manmiller	Snyder
Boyes	Gladeck	Marmion	Spencer
Brandt	Grabowski	Merry	Spitz
Brown	Gray	Michlovic	Stairs
Burd	Greenfield	Micozzie	Steighner
Burns	Greenwood	Miscevich	Stevens
Caltagirone	Grieco	Moehmann	Stewart
Cappabianca	Gruitza	Morris	Stuban
Cawley	Gruppo	Mowery	Swaim
Cessar	Hagarty	Mrkonic	Swift
Cimini	Haluska	Mullen	Taddonio
Civera	Harper	Murphy	Taylor, E. Z.
Clark	Hasay	Nahill	Taylor, F. E.
Clymer	Hayes	Noye	Telek
Cochran	Hoefel	O'Donnell	Tigue
Cohen	Honaman	Oliver	Trello
Colafella	Horgos	Pendleton	Van Horne
Cole	Hutchinson, A.	Perzel	Vroon
Cordisco	Hutchinson, W.	Peterson	Wachob
Cornell	Irvis	Petrarca	Wambach
Coslett	Itkin	Petrone	Wargo
Cowell	Jackson	Phillips	Wass
Cunningham	Johnson	Piccola	Wenger
DeMedio	Kanuck	Pievsky	Weston
DeVerter	Kennedy	Pistella	Wiggins
DeWeese	Klingaman	Pitts	Williams, H.
Daikeler	Kolter	Pott	Williams, J. D.
Davies	Kowalyszyn	Pratt	Wilson
Dawida	Kukovich	Pucciarelli	Wogan
Dietz	Lashinger	Punt	Wozniak
Dininni	Laughlin	Rappaport	Wright, D. R.
Dombrowski	Lehr	Rasco	Wright, J. L.
Donatucci	Lescovitz	Reber	Zwikel
Dorr	Letterman	Richardson	
Duffy	Levi	Rieger	Ryan,
Durham	Levin	Ritter	Speaker
Emerson	Lewis		

NAYS—1

Smith, E. H.

NOT VOTING—4

Gannon Miller Sweet White

EXCUSED—4

Deal George Heiser Olasz

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

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

Mr. WHITE. Thank you, Mr. Speaker.

On the last vote, concurrence in Senate amendments to HB 229, I was out of my seat. I would like to be recorded in the affirmative.

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

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 243, PN 1989**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, extending exceptions to prohibition on interception and disclosure of communications to the Pennsylvania Emergency Management Agency and to certain personnel of public utilities.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Wright.

Mr. J. L. WRIGHT. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HB 243, PN 1989.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—195

Alden	Fee	Lloyd	Rybak
Anderson	Fischer	Lucyk	Salvatore
Armstrong	Fleck	McCall	Saurman
Arty	Foster, W. W.	McClatchy	Serafini
Barber	Foster, Jr., A.	McIntyre	Seventy
Belardi	Frazier	McMonagle	Showers
Belfanti	Freind	McVerry	Shupnik
Beloff	Fryer	McKowski	Sieminski
Berson	Gallagher	Madigan	Sirianni
Bittle	Gallen	Maiale	Smith, E. H.
Blaum	Gamble	Manderino	Smith, L. E.
Borski	Gannon	Manmiller	Snyder
Bowser	Geist	Marmion	Spencer
Boyes	Gladeck	Merry	Spitz
Brandt	Grabowski	Michlovic	Stairs
Brown	Gray	Micozzie	Steighner
Burd	Greenfield	Miller	Stevens
Burns	Greenwood	Miscevich	Stewart
Caltagirone	Grieco	Moehmann	Stuban
Cappabianca	Gruitza	Morris	Swaim
Cawley	Gruppo	Mowery	Sweet
Cessar	Hagarty	Mrkonic	Swift
Cimini	Haluska	Mullen	Taddonio
Civera	Harper	Murphy	Taylor, E. Z.
Clark	Hasay	Nahill	Taylor, F. E.
Clymer	Hayes	Noye	Telek
Cochran	Hoefel	O'Donnell	Tigue
Cohen	Honaman	Oliver	Trello
Colafella	Horgos	Pendleton	Van Horne
Cole	Hutchinson, A.	Perzel	Vroon

Cordisco	Hutchinson, W.	Peterson	Wachob
Cornell	Irvis	Petrarca	Wambach
Coslett	Itkin	Petrone	Wargo
Cowell	Jackson	Phillips	Wass
Cunningham	Johnson	Piccola	Wenger
DeMedio	Kanuck	Pievsky	Weston
DeVerter	Kennedy	Pistella	White
DeWeese	Klingaman	Pitts	Wiggins
Daikeler	Kolter	Pott	Williams, H.
Davies	Kowalshyn	Pratt	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Dietz	Lashingner	Punt	Wogan
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lescovitz	Rasco	Wright, D. R.
Donatucci	Letterman	Reber	Wright, J. L.
Dorr	Levi	Richardson	Zwinkl
Duffy	Levin	Rieger	
Durham	Lewis	Ritter	Ryan,
Emerson	Livengood	Rocks	Speaker
Evans			

NAYS—1

Smith, B.

NOT VOTING—1

Lehr

EXCUSED—4

Deal George Heiser Olasz

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

Ordered, That the clerk inform the Senate accordingly.

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The clerk of the Senate, being introduced, returned the following **HB 793, PN 1857**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for public school employees and State employees.

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

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Ryan.

Mr. **RYAN**. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to **HB 793, PN 1857**.

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

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

YEAS—197

Alden	Fee	Lloyd	Salvatore
Anderson	Fischer	Lucyk	Saurman
Armstrong	Fleck	McCall	Serafini
Arty	Foster, W. W.	McClatchy	Seventy
Barber	Foster, Jr., A.	McIntyre	Showers
Belardi	Frazier	McMonagle	Shupnik
Belfanti	Freind	McVerry	Sieminski
Beloff	Fryer	Mackowski	Sirianni

Berson	Gallagher	Madigan	Smith, B.
Bittle	Gallen	Maiale	Smith, E. H.
Blaum	Gamble	Manderino	Smith, L. E.
Borski	Gannon	Manmiller	Snyder
Bowser	Geist	Marmion	Spencer
Boyes	Gladeck	Merry	Spitz
Brandt	Grabowski	Michlovic	Stairs
Brown	Gray	Micozzie	Steighner
Burd	Greenfield	Miller	Stevens
Burns	Greenwood	Miscevich	Stewart
Caltagirone	Grieco	Moehlmann	Stuban
Cappabianca	Gruitza	Morris	Swaim
Cawley	Gruppo	Mowery	Sweet
Cessar	Hagarty	Mrkoncic	Swift
Cimini	Haluska	Mullen	Taddonio
Civera	Harper	Murphy	Taylor, E. Z.
Clark	Hasay	Nahill	Taylor, F. E.
Clymer	Hayes	Noye	Telek
Cochran	Hoefel	O'Donnell	Tigue
Cohen	Honaman	Oliver	Trello
Colafella	Horgos	Pendleton	Van Horne
Cole	Hutchinson, A.	Perzel	Vroon
Cordisco	Hutchinson, W.	Peterson	Wachob
Cornell	Irvis	Petrarca	Wambach
Coslett	Itkin	Petrone	Wargo
Cowell	Jackson	Phillips	Wass
Cunningham	Johnson	Piccola	Wenger
DeMedio	Kanuck	Pievsky	Weston
DeVerter	Kennedy	Pistella	White
DeWeese	Klingaman	Pitts	Wiggins
Daikeler	Kolter	Pott	Williams, H.
Davies	Kowalshyn	Pratt	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Dietz	Lashingner	Punt	Wogan
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lehr	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Dorr	Letterman	Richardson	Zwinkl
Duffy	Levi	Rieger	
Durham	Levin	Ritter	Ryan,
Emerson	Lewis	Rocks	Speaker
Evans	Livengood	Rybak	

NAYS—0

NOT VOTING—0

EXCUSED—4

Deal George Heiser Olasz

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

Ordered, That the clerk inform the Senate accordingly.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 357, PN 366**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for retail outlets for limited wineries.

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

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

The question is, shall the bill pass finally?

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

YEAS—183

Alden	Fee	McClatchy	Saurman
Anderson	Fleck	McIntyre	Serafini
Armstrong	Foster, W. W.	McMonagle	Seventy
Arty	Foster, Jr., A.	McVerry	Showers
Barber	Frazier	Madigan	Shupnik
Belardi	Freind	Maiale	Sieminski
Belfanti	Fryer	Manderino	Sirianni
Beloff	Gallagher	Manmiller	Smith, B.
Berson	Gallen	Marmion	Smith, E. H.
Bittle	Gamble	Merry	Smith, L. E.
Blaum	Gannon	Michlovic	Snyder
Borski	Geist	Micozzie	Spencer
Bowser	Gladeck	Miller	Spitz
Boyes	Grabowski	Miscevich	Staigner
Brandt	Greenwood	Moehlmann	Stevens
Brown	Grieco	Morris	Stewart
Burd	Gruitza	Mowery	Stuban
Burns	Gruppo	Mrkonjic	Swaim
Cappabianca	Hagarty	Mullen	Sweet
Cessar	Harper	Murphy	Swift
Cimini	Hasay	Nahill	Taddonio
Civera	Hayes	Noye	Taylor, E. Z.
Clark	Hoeffel	O'Donnell	Taylor, F. E.
Clymer	Honaman	Oliver	Telek
Cochran	Horgos	Pendleton	Tigue
Cohen	Hutchinson, A.	Perzel	Trello
Colafella	Hutchinson, W.	Peterson	Van Horne
Cole	Irvis	Petrarca	Vroon
Cordisco	Itkin	Petrone	Wachob
Cornell	Jackson	Phillips	Wambach
Coslett	Johnson	Piccola	Wass
Cowell	Kennedy	Pievsky	Wenger
Cunningham	Klingaman	Pistella	Weston
DeMedio	Kolter	Pitts	White
DeVerter	Kowalyszyn	Pott	Wiggins
DeWeese	Kukovich	Pratt	Williams, H.
Daikeler	Lashinger	Pucciarelli	Williams, J. D.
Davies	Laughlin	Punt	Wilson
Dawida	Lehr	Rasco	Wogan
Dietz	Lescovitz	Reber	Wozniak
Dininni	Letterman	Richardson	Wright, D. R.
Dombrowski	Levi	Rieger	Wright, J. L.
Donatucci	Levin	Ritter	Zwikl
Dorr	Lewis	Rocks	
Durham	Lucyk	Rybak	Ryan,
Emerson	McCall	Salvatore	Speaker
Evans			

NAYS—10

Caltagirone	Fischer	Livengood	Rappaport
Cawley	Gray	Lloyd	Wargo
Duffy	Haluska		

NOT VOTING—4

Greenfield	Kanuck	Mackowski	Stairs
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EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

\* \* \*

The House proceeded to third consideration of **HB 874, PN 945**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

On the question,

Will the House agree to the bill on third consideration?

Mr. CALTAGIRONE offered the following amendments No. A2754:

Amend Title, page 1, line 16, by inserting after "laws," "eliminating forty per centum food requirement for special Sunday sales permit and

Amend Bill, page 1, by inserting between lines 20 and 21

Section 1. The third paragraph of subsection (a) of section 406, act of April 12, 1951 (P.L.90, No.21), known as the "Liquor Code," amended December 12, 1980 (P.L.1195, No.221), is amended to read:

Section 406. Sales by Liquor Licensees; Restrictions.—  
(a) \* \* \*

Hotel and restaurant liquor licensees, airport restaurant liquor licensees and municipal golf course restaurant liquor licensees [whose sales of food and nonalcoholic beverages are equal to forty per centum or more of the combined gross sales of both food and alcoholic beverages] may sell liquor and malt or brewed beverages on Sunday between the hours of one o'clock postmeridian and two o'clock antemeridian Monday upon purchase of a special annual permit from the board at a fee of two hundred dollars (\$200.00) per year, which shall be in addition to any other license fees.

\* \* \*

Section 2. The first paragraph of clause (5) of section 492 of the act, amended June 16, 1975 (P.L.14, No.5), is amended to read:

Section 492. Unlawful Acts Relative to Malt or Brewed Beverages and Licensees.—

It shall be unlawful—

\* \* \*

(5) Sales of Malt or Brewed Beverages by Hotels, Eating Places or Public Service Licensees During Prohibited Hours.— For any hotel or eating place holding a retail dispenser's license, or the servants, agents or employes of such licensees, to sell, trade or barter in malt or brewed beverages between the hours of two o'clock antemeridian Sunday and seven o'clock in the forenoon of the following Monday, or between the hours of two o'clock antemeridian and seven o'clock antemeridian of any week day: Provided, That notwithstanding any provision to the contrary, whenever the thirty-first day of December falls on a Sunday such sales of malt or brewed beverages may be made on such day after one o'clock postmeridian and until two o'clock antemeridian of the following day: And provided further, That any hotel or eating place holding a retail dispenser's license [which has sales of food and nonalcoholic beverages equal to forty per cent or more of the combined gross sales of both food and malt or brewed beverages] may sell malt or brewed beverages between the hours of one o'clock postmeridian on Sunday and two o'clock antemeridian on Monday upon purchase of a special annual permit from the board at a fee of one hundred dollars (\$100.00) per year, which shall be in addition to any other license fees. For any public service licensee authorized to sell malt or brewed beverages or the servants, agents or employes of such licensees to sell, trade or barter in malt or brewed beverages between the hours of two o'clock antemeridian and seven o'clock antemeridian on any day.

\* \* \*

Amend Sec. 1, page 1, line 21, by striking out "1." and inserting

3.

Amend Sec. 1, page 1, line 21, by striking out "493, act" and inserting

of the act,

Amend Sec. 2, page 4, line 18, by striking out "2." and inserting

4.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, the purpose of this amendment would be to eliminate the 40-percent food requirement for the special Sunday sales permit for the taverns in this state. In my conversations with the Liquor Control Board, they have indicated that this section of the code has outlived its usefulness and that they would recommend that the 40-percent food requirement for Sunday sales be eliminated. They do support this legislation, and I would hope that my colleagues in the House would also support it. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Lehr.

Mr. LEHR. Mr. Speaker, I agree with the amendment.

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

Mr. RAPPAPORT. Mr. Speaker, would the gentleman from Berks consent to an interrogation?

The SPEAKER pro tempore. The gentleman from Berks indicates that he will. The gentleman from Philadelphia, Mr. Rappaport, may proceed.

Mr. RAPPAPORT. Mr. Speaker, it is quite noisy here. Did I hear the gentleman correctly that he wants to abolish the 40-percent food requirement for Sunday sales?

Mr. CALTAGIRONE. Yes, you did.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

May I be heard?

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Rappaport, may proceed.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I am not one who is opposed to the sale or consumption of alcoholic beverages. However, many neighborhoods and many municipalities and many civic associations in all parts of the state have permitted restaurants to open knowing that they were legitimate eating places that also served alcoholic beverages because many of us like to have a drink or a beer with dinner. The civic associations have gone along with these restaurants because they served a valid community purpose, a nice place to eat. They would not have consented to the transfer of these licenses had they known that these were to become pure taprooms. And in many areas and many neighborhoods that I represent, they would become places for go-go girls—my good friend from Berks County says that he is all in favor of that. However, that is well and good in an entertainment section but not in a residential neighborhood. We do not need a disturbance at 2 o'clock in

the morning when the places close. We do not need the prostitutes that frequently frequent those places, openly and notoriously. Therefore, Mr. Speaker, I would urge that this amendment be defeated, because it is really contrary to the best interests of the restaurant industry as well as the neighborhoods in which legitimate restaurants are located. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. Mr. Speaker, this is another instance of the foot-in-the-door approach. It was not long ago where we did not allow any kind of drinking at all on Sunday, no drinks to be served anywhere on Sunday. Now we have a 40-percent rule which was put in there just to accommodate people who want to have a drink with their meals. So this comes along and we say, now we are going to abolish that altogether and now Sunday is going to be the same as every other day. I do not think that the people of the Commonwealth really want it that way. I know I do not want it that way. I think that the sanctity of the Sabbath ought to be observed to the point where we do not go beyond what we already have. I think we give enough latitude now to people to drink with their food in a restaurant, and to eliminate that now and again is going to open it all up and it is going to spoil our society to a great extent, in my opinion. I urge a negative vote on this amendment.

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

Mr. WASS. Mr. Speaker, may I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. The gentleman from Berks, Mr. Caltagirone, indicates that he will submit himself to interrogation. The gentleman may proceed.

Mr. WASS. Mr. Speaker, in layman's terms, your amendment gives every licensed establishment that sells liquor the right to sell it on Sunday. Is that right?

Mr. CALTAGIRONE. Yes, once they receive the special permit to open up on a Sunday.

You know, I think a lot is being said about a problem that really is not going to exist. You know, if people are selling food on a Sunday, that is not going to force them not to sell that food on a Sunday. If you have a good eating place, a good restaurant, that restaurant is still going to be patronized as heavily as it is now. And I daresay that there are any number of taverns and other places that close on Sunday. That is not going to present any kind of special attraction for them that they should be open on a Sunday.

Mr. WASS. Mr. Speaker, that concludes my interrogation. I would just like to make a statement.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WASS. Mr. Speaker, I am sure I speak on behalf of the people whom I represent back in Indiana in the 62d district. They are truly opposed to this amendment, and I stand here asking my colleagues to vote "no" on the Caltagirone amendment.

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



Mr. RICHARDSON. Mr. Speaker, I rise to oppose this amendment, and I do so for several reasons. One, I want to make it clear that in the city of Philadelphia we have a number of bar establishments within our communities, and particularly on Sunday, the day of worship for many of those who wish to worship on Sunday, there has been a problem in communities particularly where there are bar establishments that are near churches. We have a very strong law that says that you have to sell food, a restaurant-like food establishment, not just a hot dog and not just a hamburger, so that you can keep an establishment open. To just do away with that without any criteria, without any specific laws and definitions, certainly seems to me to break away from the heart of the intent of the law already. I would hope that the members of this House would see this as being a contradiction to allowing establishments just to be open on Sunday without having that license to sell food in that establishment so they can be open also to sell liquor. I think it is a dangerous precedent to set, and I would hope that the members of this House would recognize that and vote "no" on the Caltagirone amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

I rise to oppose this amendment. Last night we discussed in detail the alcohol problem that is not only happening in Pennsylvania but in this country, and many things were discussed that were causing it.

It has amazed me since I have been here that almost every liquor bill that we have considered has expanded the availability of liquor. I think most of us are aware that alcohol abuse is a major problem in this state and in this country, and yet each time that we make it more available, we make a step towards making it possible for more people to have this problem. This amendment is not a step as many of them are; this amendment is a major leap into making alcohol abuse much more prevalent in this Commonwealth and this Nation. I urge my colleagues to oppose it.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment. I believe that the veterans clubs of Pennsylvania deserve a little better treatment than what this bill would afford them. I think that we all know that they are in trouble, that most of them have had many restrictions placed upon them since the 40-percent law was put into being in the first place, and I would ask that you vote in opposition to this amendment to help the clubs survive. Thank you.

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

Mr. DeMEDIO. Mr. Speaker, I, too, rise in opposition to this amendment, not only because of the harm it will do to our veterans groups but to all the fraternal clubs which, like the veterans groups, are involved in civic endeavors and which rely to a great extent on the revenue that is obtained from Sunday sales and the fact that members congregate at these

various clubs, the veterans and the other fraternal clubs, for social contact and for some imbibing of alcoholic beverages on Sunday. This amendment would drastically cut into the revenue that these clubs need for their continued support and maintenance. I therefore urge members on both sides of the aisle to vote against this amendment. After all, the beer gardens which operate on a 6-day basis most certainly should not be permitted to take the revenue from our fraternal and veterans clubs which they need so badly. I urge a "no" vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Marmion.

Mr. MARMION. Mr. Speaker, I also rise in opposition, but not for the usual reasons. I like the smell of it; I like the taste of it; I like the shaped bottles they put it in, but Indians and Irish should not drink; 6 1/3 days a week are plenty.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, I daresay that the clubs are open now 7 days a week as it is, and I think if we really want to be honest with ourselves, there are an awful lot of clubs in this Commonwealth that are violating the law by having a lot of gambling devices, and that is probably where they are making most of their money. We ought to face that question sooner or later in this House. We are spending an awful lot of time and money on enforcement on this issue when the LCB - Liquor Control Board - maintains they could better spend their time with their enforcement people on other areas.

I do not believe this is going to create the kind of problem that the gentlemen are talking about. The LCB are the people charged with running the system. They have recommended this type of amendment to this legislation so that they can better be able to run the Liquor Control Board. I would suggest to my colleagues on both sides of the aisle to vote in favor of this amendment. Thank you.

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

The following roll call was recorded:

YEAS—42

Arty	Dawida	Kanuck	Salvatore
Belardi	Duffy	Lashinger	Serafini
Boyes	Emerson	Lehr	Seventy
Brown	Fleck	Lucyk	Shupnik
Burns	Freind	Micozzie	Spitz
Caltagirone	Gannon	Nahill	Swaim
Cappabianca	Gladeck	Perzel	Van Horne
Cawley	Grabowski	Reber	Wargo
Civera	Greenwood	Ritter	Weston
Clark	Hasay	Rocks	Wogan
Coslett	Itkin		

NAYS—154

Alden	Foster, Jr., A.	McIntyre	Rybak
Anderson	Frazier	McMonagle	Saurman
Armstrong	Fryer	McVerry	Showers
Barber	Gallagher	Mackowski	Sieminski
Belfanti	Gallen	Madigan	Sirianni
Beloff	Gamble	Maiale	Smith, B.
Berson	Geist	Manderino	Smith, E. H.
Bittle	Gray	Manmiller	Smith, L. E.
Blaum	Greenfield	Marmion	Snyder

Borski	Grieco	Merry	Spencer
Bowser	Gruitza	Michlovic	Stairs
Brandt	Gruppo	Miller	Steighner
Burd	Hagarty	Miscevich	Stevens
Cessar	Haluska	Moehlmann	Stewart
Cimini	Harper	Morris	Stuban
Clymer	Hayes	Mowery	Sweet
Cochran	Hoeffel	Mrkonic	Swift
Cohen	Honaman	Mullen	Taddonio
Colafella	Horgos	Murphy	Taylor, E. Z.
Cole	Hutchinson, A.	Noye	Taylor, F. E.
Cordisco	Hutchinson, W.	O'Donnell	Telek
Cornell	Irvis	Oliver	Tigue
Cowell	Jackson	Pendleton	Trello
Cunningham	Johnson	Peterson	Vroon
DeMedio	Kennedy	Petrarca	Wachob
DeVerter	Klingaman	Petrone	Wambach
DeWeese	Kolter	Phillips	Wass
Daikeler	Kowalyshyn	Piccola	Wenger
Davies	Kukovich	Pievsky	White
Dietz	Laughlin	Pistella	Wiggins
Dininni	Lescovitz	Pitts	Williams, H.
Dombrowski	Letterman	Pott	Wilson
Donatucci	Levi	Pratt	Wozniak
Dorr	Levin	Pucciarelli	Wright, D. R.
Durham	Lewis	Punt	Wright, J. L.
Evans	Livengood	Rappaport	Zwinkl
Fee	Lloyd	Rasco	
Fischer	McCall	Richardson	Ryan,
Foster, W. W.	McClatchy	Rieger	Speaker

NOT VOTING—1

Williams, J. D.

EXCUSED—4

Deal                      George                      Heiser                      Olasz

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

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

Mr. CALTAGIRONE offered the following amendments No. A2770:

- Amend Title, page 1, line 17, by inserting after "for" authorizing certain contests and for
- Amend Sec. 1, page 1, line 21, by inserting after "Clauses" (10),
- Amend Sec. 1 (Sec. 493), page 2, by inserting between lines 4 and 5

(10) Entertainment on Licensed Premises (Except Clubs); Permits; Fees. For any licensee, his servants, agents or employes, except club licensees, to permit in any licensed premises or in any place operated in connection therewith, dancing, theatricals or floor shows of any sort, or moving pictures other than television, or such as are exhibited through machines operated by patrons by the deposit of coins, which project pictures on a screen not exceeding in size twenty-four by thirty inches and which forms part of the machine, unless the licensee shall first have obtained from the board a special permit to provide such entertainment, or for any licensee, under any circumstances, to permit in any licensed premises any lewd, immoral or improper entertainment, regardless of whether a permit to provide entertainment has been obtained or not. The board shall have power to provide for the issue of such special permits, and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five dollars (\$25). All such fees shall be paid into the State Stores Fund. No such permit shall be issued in any municipality which, by ordinance, prohibits amusements in licensed places. Any violation of this clause shall, in addition to the penalty herein provided, subject the licensee to suspension or revocation

of his permit and his license. A licensee may conduct dart board, shuffle board and pool table tournaments and contests on the licensed premises.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, I am offering this amendment on behalf of Mr. Pratt. What this amendment would do is allow a licensee to conduct dart board, shuffle board, and pool table tournaments and/or contests on the licensed premises.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Lehr.

Mr. LEHR. In his amendment he has "A licensee may conduct dart board, shuffle board and pool table tournaments and contests...." Now, I do not know what he means by "contests." If that would include T-shirt competition, I would oppose this amendment. So if that would be deleted from the amendment, "and contests," those two words, I would agree with the amendment. As it is now with that, I would not agree with the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Mr. Speaker, there could be a division deleting that section. I am sure Mr. Pratt would not object to that.

Mr. Speaker, could I interrogate Mr. Lehr, please?

The SPEAKER pro tempore. The gentleman indicates he will submit to interrogation. The gentleman from Berks may proceed.

Mr. CALTAGIRONE. Mr. Speaker, could you indicate as to the exact portion of the amendment that you would like to see deleted?

Mr. LEHR. Yes, two words, "and contests," after the word "tournaments." It would read, "A licensee may conduct dart board, shuffle board and pool table tournaments on the licensed premises," deleting "and contests," those two words.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

**PARLIAMENTARY INQUIRY**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. I would like to pose a parliamentary question as to whether or not that division by extracting those two words could be made to that amendment.

The SPEAKER pro tempore. Will the gentleman be at ease for just a moment while I confer with the Parliamentarian?

I have been advised by the Parliamentarian that the deletion in your amendment of the words "and contests" is not within the rules of the House. You would have to redraft the amendment.

Mr. CALTAGIRONE. Could we pass over the amendment so we could have it redrafted, or the bill, temporarily?

The SPEAKER pro tempore. Just hold a moment until we check with the leadership.

**BILL RECOMMITTED**

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

Mr. HAYES. Mr. Speaker, I have discussed HB 874 with the prime sponsor, Representative Lehr, chairman of the Liquor Control Committee, and he thinks that it would be advisable to recommit this bill to the House Committee on Liquor Control, and I so move.

The SPEAKER pro tempore. The motion now is to recommit this bill to the Committee on Liquor Control.

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

**THE SPEAKER (MATTHEW J. RYAN)  
IN THE CHAIR**

The SPEAKER. The Chair thanks the gentleman from Tioga, Mr. Spencer, for presiding.

The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, let us return to page 8, SB 618, for the purpose of amendment.

**QUESTION OF PERSONAL PRIVILEGE**

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

Mr. McCALL. I guess it would be personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state his point of personal privilege.

Mr. McCALL. Mr. Speaker, I was here last night and we skipped dinner, and it is now 10 after 12, and I am just wondering if there is any plan to take a break so that sometime in these 2 days we can get something to eat.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

As soon as we have handled those amendments which are currently available for this House to take action on, as soon as we have completed our action on those amendments, we will take a recess for the purpose of taking lunch.

**BILLS ON THIRD  
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 618, PN 635**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for mandatory and optional membership and termination of annuities.

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

Mr. McCLATCHY offered the following amendments No. A2999:

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

To provide additional and supplemental appropriations from the Federal Augmentation Funds to the various departments of the Commonwealth for the fiscal period July 1, 1980 to June 30, 1981.

Amend Bill, page 1, lines 6 through 18; page 2, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal augmentation funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980.

To the Governor

(a) For the Pennsylvania Council on the Arts

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

- (1) "National Endowment for the Arts - Management" - To assist State arts agencies in the promotion of the arts throughout the State and Arts Management Program to improve the operating efficiency of art organizations..... \$495,000
- (2) "NEA - Professional Theatre Touring" - To provide one-third of the company fee for a 2-1/2 week tour by the Long Wharf Theatre..... 29,000
- (3) "NEA - Inter-arts Program" - To provide assistance in support of a three-day regional minority arts festival in Pittsburgh..... 15,000

(b) For the Governor's Energy Council

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

- (1) "Number 2 Fuel Oil Survey" - To conduct a biweekly survey of approximately 100 Number 2 heating oil dealers to obtain prices and inventories of Number 2 heating oil..... \$4,000
- (2) "DOE - Emergency Energy Conservation Act - Title II" - For a two phase program to develop a management plan to provide a frame work for developing State Emergency Conservation Act plans and implementation of these plans 29,000

(c) To the Pennsylvania Commission on Crime and Delinquency

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

- (1) "Community Corrections Information Project" -To increase public support of community corrections in target counties and to create a Statewide information center about alternatives to incarceration to private and public agencies in criminal justice..... \$25,000

(2) "Criminal Justice Statistics Analysis Center" - For an office to analyze criminal justice statistics for Pennsylvania..... 42,000

(d) To the Office of General Counsel

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for State Correctional Institutions:

(1) "Maintenance of Federal Inmates" - For maintenance of Federal inmates in State Correctional Institutions (including a carryover of approximately \$20,000)..... \$341,000

To the Department of Commerce

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

(1) "Minority Business Development Grant" - To assist in the development and operation of the State minority enterprise program..... \$126,000

(2) "ARC - State Technical Assistance" - To conduct analysis and feasibility of ARC projects prior to their inception..... 116,000

To the Department of Education

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

(1) "ESEA (I) Programs - Administration" - Administration of ESEA Title I programs (including a carryover of approximately \$591,000)..... \$2,010,000

(2) "Educational Innovations and Support - Title IV C" - To administer a program to encourage local educational agencies to compete for ESEA Title IV C competitive awards (including a carryover of approximately \$130,000)..... 389,000

(3) "HEA Title XII - Comprehensive Planning" - To provide Statewide planning for post-secondary education purposes. These funds are to be used only as directed by the duly constituted 1202 Commission (Pennsylvania Post-secondary Planning Commission) or such successor group as may be appointed in accordance with Title XII of the Higher Education Act of 1965, as amended (including a carryover of approximately \$65,000)..... 160,000

(4) "Common Core Data Survey" - To collect data for the National Center for Education Statistics..... 16,000

(5) "Adult Basic Education Evaluation Program" - To provide a data collection system and to develop related collection instruments to perform program evaluations as required by Federal law..... 70,000

(6) "NIE - Casual Analysis/Basic Skills Outcome" - To analyze Educational Quality Assessment data leading to the development of causal models to aid policymakers in the allocation of resources to improve educational outcomes..... 49,000

(7) "Transition Program for Refugee Children" - To administer a program to assist in providing special educational services to eligible refugee children..... 20,000

(8) "Educational Services for Cuban and Haitian Entrant Children" - To administer a program to provide special educational services to eligible Cuban and Haitian Entrant Children.. 10,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Scranton State School for the Deaf:

(1) "Deaf Adult Continuing Education - Scranton" - To support a demonstration project in continuing education for deaf adults..... \$4,600

To the Pennsylvania Emergency Management Agency

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

(1) "National Weather Service - Flash Flood Warning System" - To conduct communications feasibility study and prepare design plans for the installation of a microwave data collection system to be used in conjunction with the volunteer warning system..... \$50,000

To the Department of Environmental Resources

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

(1) "Coastal Zone Management Program" - To implement a program for the use of the land and water resources of the State's coastal zone... \$1,305,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the deep mine safety inspections:

(1) "Surface Mine Control and Reclamation - Deep Mine Safety" - To carry out a gas monitoring program at the Centralia Mine Fire, Centralia, Pennsylvania..... \$100,000

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

(1) "Forest Fire Protection and Control" - For prevention of forest fires in State and private forests in Pennsylvania and for control of wild-fires anywhere in the Commonwealth..... \$360,000

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

(1) "State Health Planning and Development Agency - Title XV" - To establish the health priorities of the Commonwealth through studies of existing and potential health facilities, manpower and services, and stimulate the development of Areawide Health Systems Agencies (including a carryover of approximately \$417,000)..... \$1,838,000

(2) "Survey and Follow Up - Venereal Disease" - For the carrying out of case-finding surveys and serologic follow-up services (including a carryover of approximately \$85,000) 680,000

(3) "Health Education/Risk Reduction" - To reduce the burden of chronic disease in the Commonwealth through comprehensive risk reduction health education efforts (including a carryover of approximately \$140,000)..... 636,000

(4) "Indochinese Refugee Program" - To serve the unmet public health needs associated with, and the general health needs of, the refugees..... 135,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Maternal and Child Health:

(1) "Maternal and Child Health - Improved Pregnancy Outcome" - To improve pregnancy outcome measures and assure parental care (including a carryover of approximately \$291,000)..... \$707,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for coal workers pneumoconiosis services:

(1) "Black Lung Clinic Program" - To expand State effort into the screening, diagnosis, treatment and rehabilitation of coal workers with respiratory diseases (including a carryover of approximately \$767,000)..... \$1,853,000

To the Historical and Museum Commission  
 The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "Community History Program" - To tape, record and preserve interviews with senior citizens in Monessen, Lebanon and Nanticoke communities and to use the recorded materials to present public meetings in each community..... \$15,000

To the Department of Labor and Industry  
 The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated

to supplement the sum appropriated from Commonwealth revenues for general government operations:

(1) "Statewide Program on Fire and Thermal Burn" - To plan, present face-to-face programs, and evaluate a Statewide program on fire and thermal burn..... \$2,500

To the Office of the Attorney General  
 The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for consumer protection:

(1) "Study of Odometer Tampering" - To study odometer rollbacks occurring between the time a vehicle is initially sold at one Pennsylvania auto auction and subsequently resold at another Pennsylvania auto auction..... \$65,000

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

(1) "Long-term Care Channeling Project" - To make efficient use of the entire spectrum of community supports and services that a client needing long-term care may require by developing and testing new methods of utilizing existing long-term care resources..... \$200,000

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

(1) "Child Support Enforcement (Title IV-D) - Administration" - To administer a program, enforce the support obligations owed by absent parents to their children, locate absent parents, establish paternity and obtain child support..... \$100,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for county administration:

(1) "Maintenance Assistance" - For administrative expenses for county administration in relation to provision of supplemental security income and cash and emergency assistance to eligible persons..... \$46,400,000

(2) "Medical Assistance - County Administration" - For administrative expenses incurred for county administration in relation to the provision of medical assistance services..... 28,347,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Program Accountability:

(1) "Medical Assistance - Program Accountability"..... \$847,000

(2) "Maintenance Assistance - Program Accountability"..... 1,241,000

(3) "Child Support Enforcement Program - Program Accountability" - For costs incurred by Program Accountability in support of the Child Support Enforcement Program..... 22,932,000

(4) "Food Stamp Program - Program Accountability" - For administrative expenses incurred by Program Accountability in support of the Food Stamp Program..... 866,000

(5) "Study of Court Systems" - For a study of court systems to improve the collection of court ordered support payments..... 45,000

The following federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sums appropriated from Commonwealth revenues for State mental hospitals:

(1) "Medicare Services - State Mental Hospitals" - For provision of medical services at State mental hospitals that are reimbursable under Medicare..... \$10,000,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for payment to counties for child welfare programs:

(1) "Child Welfare Services" - To establish, extend and strengthen services provided by local public welfare programs for development of services which will prevent the neglect, abuse, exploitation or delinquency of children..... \$5,906,000

(2) "Maintenance Assistance - Child Welfare" - For provision of foster care through child welfare programs to eligible persons..... 25,000,000

(3) "Refugees and Persons Seeking Asylum Program" - For provision of child welfare services to refugees and persons seeking asylum.. 1,798,000

To the Department of Transportation

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Intercity Rail and Rural Bus Transportation:

(1) "Title IV Rail Assistance - Subsidy" - For operating subsidies, lease payments and accelerated maintenance on rail lines to be abandoned..... \$5,335,000

Section 2. The Secretary of the Budget may create the following additional restricted receipt accounts for the purpose of administering Federal grants only for the purposes herein designated during the fiscal period July 1, 1980 through June 30, 1981.

Department of Education

(1) "Transition Program for Refugee Children" - To provide special educational services to eligible refugee children.

(2) "Educational Services for Cuban and Haitian Entrant Children" - To provide special educational services to eligible Cuban and Haitian entrant children.

Section 3. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated or allocated from the Federal Title XX Social Services Funds to the several hereinafter named agencies of the Executive Depart-

ments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Department of Public Welfare

The following Federal Title XX Social Services augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for day care:

(1) "Social Services (XX) Training - Day Care" - To train personnel in support of day care programs..... \$730,000

(2) "Social Services (XX) Transfer to Cheyney for Training" - To train day care center personnel..... 558,000

Section 4. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Comprehensive Employment and Training Act (CETA) Funds to the several hereinafter named agencies of the Executive Department of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Governor's Office

For the Pennsylvania Commission for Women

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

(1) "CETA - Work Training Program" - For the first phase of a three-year project for the commission to promote and expand the involvement of women in the CETA work/training programs (including a carryover of approximately \$50,000)..... \$176,000

To the Department of Commerce

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

(1) "CETA - Technical Assistance" - To provide technical assistance regarding the use and benefits of the CETA program to grant recipients who have received Commerce Department Grants..... \$47,000

To the Department of Education

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

(1) "CETA - Improvement of Education Linkage" - To obtain basic information from the current 32 prime sponsors to evaluate the present educational linkages..... \$25,000

- (2) "CETA - Model for Awarding Academic Credit" - To develop a comprehensive model for awarding academic credits to CETA participants..... 63,000
- (3) "CETA - Summer Youth Program" - To demonstrate the feasibility and test the efficacy of granting Summer Youth program moneys to postsecondary institutions to involve economically disadvantaged youth in an integrated program of career development, basic skills development and vocational training..... 12,000

To the Department of Military Affairs

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

- (1) "CETA - Services to Veterans" - To provide Pennsylvania veterans, on an area basis, guidance and necessary assistance in applying for available veterans' benefits..... \$95,000

Section 5. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal Law Enforcement Assistance Administration Funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Office of General Counsel

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Juvenile Court Judges Commission:

- (1) "LEAA - Juvenile Crime Victim Study" - To conduct a study of the problems of victims in Juvenile Court..... \$24,000
- (2) "LEAA - Juvenile Judicial Review" - To assist counties in the implementation of the Juvenile Court Judges' Commission standards governing the judicial review of delinquent and dependent children in placement..... 56,000
- (3) "LEAA - Juvenile Probation Services" - For training of county juvenile probation officers in service delivery..... 120,000
- (4) "LEAA - Juvenile Probation Internship Program" - To provide an intern program for college students in county juvenile probation offices..... 80,000

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the State Correctional Institutions:

- (1) "LEAA - Community Service Center for Women Offenders" - To provide funds for the continuation of the Community Service Center for Women of Erie, Pennsylvania (including a carryover of approximately \$11,000) \$24,000

- (2) "LEAA - Community Service Center for Men" - To expand the community treatment program in order to accommodate the increasing population in the Bureau of Correction..... 360,000
- (3) "LEAA - Transfer of Inmates to Trailer Housing" - To provide trailer housing for inmates in order to provide additional housing necessary to meet population needs..... 25,000

To the Department of Education

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

- (1) "LEAA - Justice Education for Elementary Students" - To adapt the Teaching Individual Protective Strategies to Pennsylvania's Justice Education and Community Action Program and develop a system to implement it in elementary school curriculum (including a carryover of approximately \$52,000)..... \$84,000
- (2) "Youth Aftercare Program" - To provide after-care educational services for adjudicated delinquents (including a carryover of approximately \$26,000)..... 40,000
- (3) "School Climate Improvement Project" - For a program to attempt to modify the structures, procedures, rules, attitudes and relationships within the school community to reduce discipline problems, vandalism and violence..... 106,000

To the Pennsylvania Crime Commission

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Pennsylvania Crime Commission:

- (1) "LEAA - Leviticus Program" - For a multistate investigation of organized professional criminals in the Appalachian coal fields.... \$251,000

Section 6. It is the intent of the General Assembly that any appropriation under the provisions of this act which are the same or similar to an appropriation under the act of July 3, 1980 (P.L.1445, No.23A) entitled, "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," shall replace such appropriation.

Section 7. (a) The following itemized appropriations under the specified sections of the act of July 3, 1980 (P.L.1445, No.23A), entitled "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," are repealed.

(1) Section 3:

(i) Item (12) under the category of general government operations in the Department of Health;

(ii) Item (4) under the category of operations of the State Laboratory in the Department of Health;

(iii) Item (1) under the category of State Correctional Institutions in the Department of Justice.

(2) Section 7, subsection (a):

(i) Item (1) under the LEAA category of State Correctional Institutions in the Department of Justice.

(b) The act of July 3, 1980 (P.L.1445, No.23A), entitled "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," is repealed insofar as inconsistent with this act.

Section 8. Federal funds appropriated herein shall be encumbered or spent only to the extent that such funds are estimated as being available prior to June 30, 1982.

Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

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

Mr. McCLATCHY. Mr. Speaker, on a previous bill, SB 725, we amended all of the contents of SB 618 into that bill. Now what we are doing is stripping SB 618 and inserting into it all of the Federal augmentation items that appeared in the Conference Committee Report on HB 1290 only—and I repeat, only Federal augmentation money.

After many deliberations last night, there is strong opinion that unless we act with a clean bill going with only Federal augmentation, there is a danger we would lose this money by waiting until September 21. The Federal Government has other uses for it. Other states have a right to claim it if we do not appropriate it. There are some significant programs contained in it - \$3 million for education that the school districts might be hurt without this summer, Department of Health money, Military and Veterans Affairs money, and a number of other items.

Again, if we wait until September, there is strong opinion that the other states will go to the Federal Government and recapture almost all of this money and we will have none of it. The Federal year ends October 1, so if we come back September 21, the year is almost over, and again by that time I am afraid other states will use up this money. If I could use a comparison for our own state back home, we do this with our counties. If we have programs where money is directed to our counties and they do not use it somewhere toward the end of the fiscal year, other counties will then come in and try to recapture it and we will redistribute it, and that happens. Maybe it is not fair, but that is what happens, and this is what will happen with this Federal augmentation money. So this is strictly the Federal augmentation money. I can go over the list carefully. It has not been changed one iota, and I would appreciate a positive vote on the amendment.

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise to concur in Representative McClatchy's remarks on the Federal augmentation bill. We proofread this bill, and it is exactly the way it passed this House. There are no additions, no deletions, and there is a definite—let me repeat, Mr. Speaker—a definite urgency that we pass this bill today before we adjourn for the summer recess. As Mr. McClatchy stated, if we wait until we return in the fall, \$23 million—\$23 million, Mr. Speaker—will be grabbed up by the other states, and you know and I know that we cannot afford to lose \$23 million in today's climate with the scarcity of funds the way it is.

Also, Mr. Speaker, the Department of Military Affairs is depending upon this legislation to meet some payrolls. There are other payrolls in this legislation, and I urge that we adopt this amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

Alden	Fee	Lloyd	Salvatore
Anderson	Fischer	Lucyk	Saurman
Armstrong	Fleck	McCall	Serafini
Arty	Foster, W. W.	McClatchy	Seventy
Barber	Foster, Jr., A.	McIntyre	Showers
Belardi	Frazier	McMonagle	Shupnik
Belfanti	Freind	McVerry	Sieminski
Beloff	Fryer	Mackowski	Sirianni
Berson	Gallagher	Madigan	Smith, B.
Bittle	Gamble	Maiale	Smith, E. H.
Blaum	Gannon	Manderino	Smith, L. E.
Borski	Geist	Manmiller	Spencer
Bowser	Gladeck	Marmion	Spitz
Boyes	Grabowski	Merry	Stairs
Brandt	Gray	Michlovic	Steighner
Brown	Greenfield	Micozzie	Stevens
Burd	Greenwood	Miller	Stewart
Burns	Grieco	Miscevich	Stuban
Caltagirone	Gruitza	Morris	Swaim
Cappabianca	Gruppo	Mrkonic	Sweet
Cawley	Hagarty	Mullen	Swift
Cessar	Haluska	Murphy	Taddonio
Cimini	Harper	Nahill	Taylor, E. Z.
Civera	Hasay	Noye	Taylor, F. E.
Clymer	Hayes	O'Donnell	Telek
Cochran	Hoeffel	Oliver	Tigue
Cohen	Honaman	Pendleton	Trello
Colafella	Hutchinson, A.	Perzel	Van Horne
Cole	Hutchinson, W.	Peterson	Vroon
Cordisico	Irvic	Petrarca	Wachob
Cornell	Itkin	Petrone	Wambach
Coslett	Jackson	Phillips	Wargo
Cowell	Johnson	Piccola	Wass
Cunningham	Kanuck	Pievsky	Wenger
DeMedio	Kennedy	Pistella	Weston
DeVerter	Klingaman	Pitts	White
DeWeese	Kolter	Pott	Wiggins
Daikeler	Kowalshyn	Pratt	Williams, H.
Davies	Kukovich	Pucciarelli	Williams, J. D.
Dawida	Lashingier	Punt	Wilson
Dietz	Laughlin	Rappaport	Wogan
Dininni	Lehr	Rasco	Wozniak
Dombrowski	Lescovitz	Reber	Wright, D. R.
Donatucci	Letterman	Richardson	Wright, J. L.
Dorr	Levi	Rieger	Zwilk
Duffy	Levin	Ritter	
Durham	Lewis	Rocks	Ryan,



Emerson      Livengood      Rybak      Speaker  
Evans

NAYS—5

Clark      Horgos      Moehlmann      Snyder  
Gallen

NOT VOTING—1

Mowery

EXCUSED—4

Deal      George      Heiser      Olasz

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

On the question,

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

### BILL TABLED

The SPEAKER. Without objection, SB 618 will be laid upon the table. The Chair hears none.

### REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

Those persons who have had their amendments drafted would like to take a moment to see that their amendments are in the exact form that they intended them to be, and rather than have the House delayed, I would move that we recess this House for the purpose of taking lunch and not return until 1:30 p.m.

### SENATE MESSAGE

#### SENATE CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 83**.

### SENATE MESSAGE

#### HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 132, PN 1068**, and has appointed Messrs. CORMAN, SHAFFER and LLOYD a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

#### MOTION INSISTING UPON AMENDMENTS

Mr. A. C. FOSTER moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 132, PN 1068**, and that a committee of conference on the part of the House be appointed.

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

### APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **SB 132, PN 1068**: Messrs. A. C. FOSTER, LEVI and FRYER.  
Ordered, That the clerk inform the Senate accordingly.

### REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. A. C. FOSTER presented the Report of the Committee of Conference on **SB 132, PN 1170**.

### SENATE MESSAGE

#### HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 356, PN 1111**, and has appointed Senators O'CONNELL, MANBECK and LINCOLN a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

#### MOTION INSISTING UPON AMENDMENTS

Mr. DININNI moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 356, PN 1111**, and that a committee of conference on the part of the House be appointed.

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

### APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **SB 356, PN 1111**: Messrs. DININNI, HAYES and KOLTER.  
Ordered, That the clerk inform the Senate accordingly.

### COMMUNICATION FROM GOVERNOR

#### BILL SIGNED BY GOVERNOR

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

APPROVAL OF HB No. 143.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

June 30, 1981

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 143, Printer's No. 1521, entitled "An act authorizing the creation of agricultural areas."

DICK THORNBURGH  
GOVERNOR

### REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. DININNI presented the Report of the Committee of Conference on **SB 356, PN 1169**.

### BILLS SIGNED BY SPEAKER

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

#### HB 229, PN 1778

An Act creating the Public Employee Retirement Study Commission to make a continuing study of all public employee retirement and pension systems; and making an appropriation.

#### HB 243, PN 1989

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, extending exceptions to prohibition on interception and disclosure of communications to the Pennsylvania Emergency Management Agency and to certain personnel of public utilities.

#### HB 793, PN 1857

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for public school employees and State employees.

### RECESS

The SPEAKER. Without objection, the House will stand in recess until 1:30. The Chair hears none.

### AFTER RECESS

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

### PRESENTATION BY MR. LEVIN

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Levin, for an important presentation. The gentleman may proceed.

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

Sometimes in the course of the debates up here on various bills, members express in anguish their concern, and during the course of the residency battle which occurred, Mr. Davies, who was an eminently qualified teacher from the Reading area before he came here, expressed some grave concerns about his inability, after the residency bill passed, to teach in a city of Philadelphia school, particularly the school that I attended, Overbrook High School. As a result, on behalf of

myself and Representative Barber, who also attended Overbrook High School, we requested that Overbrook High School make Mr. Davies an honorable member of their faculty, and in order to do that we would like to present Mr. Davies with a T-shirt from Overbrook High School which celebrates the rather remarkable achievement of having won the track and field championship in the city of Philadelphia for the 10th straight year.

So, John, I hope it fits with your dress code. Would you please accept, on behalf of Overbrook High School, a very beautiful T-shirt from the faculty and the members to you.

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

Mr. DAVIES. Mr. Speaker, I am almost overwhelmed beyond words, but I do have a few words. This is probably one of the greatest achievements that I have ever obtained here in the House.

I certainly accept this. I would wear it and I will wear it with pride and honor, but I know better than to put it on in the House, because I have been thrown out for lesser abuses of the rules of garb by the Speaker. Thank you, Mr. Speaker.

### CALENDAR RESUMED

#### DECISION OF CHAIR REVERSED

The SPEAKER. The Chair reverses its decision that **HB 1268, PN 1407**, was passed over.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1268, PN 1407**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for countywide transfers of licenses and adding definitions.

On the question,

Will the House agree to the bill on third consideration?

### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that **HB 1268, PN 1407**, be recommitted to the Committee on Liquor Control.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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

Mr. LETTERMAN. To ask the reasoning for recommmitting this bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. The prime sponsor asked that the bill be recommitted over the summer.

Mr. LETTERMAN. Mr. Speaker, I would request that this bill be run today if at all possible.

Mr. HAYES. This bill will not run today. Let me state why, Mr. Speaker.

Another member has placed a hold on the bill. There is no way to reconcile the differences and reasons why, and, therefore, the prime sponsor has suggested that the bill go back to committee for over the summer months.

Mr. LETTERMAN. Mr. Speaker, I cannot believe there is anything that difficult with this piece of legislation that it has to be run over. In my district alone, I have one club that absolutely is going under if they cannot move, and I am sure there are other people in this Commonwealth in the same situation. I understand there are at least 11 clubs in this kind of a predicament, and I think that we should deal with this problem and try to get it out. Three months is just too long to wait, and we are going to see a lot of these clubs go down the drain in that 3-month period.

Is there any way that I can make an appeal to Mr. Anderson or anybody else to do something with this?

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

Mr. ANDERSON. There has been a hold put on this bill by one of the other members. There is no way that the bill can possibly pass before the break. The wisest thing we can do is to recommit it, bring it up again when we come back in September, try to settle the differences, and move the bill at that time. There is no possible way we can vote on this bill today and expect it to go through the Senate, which will be adjourning very shortly, as I am told, so I move that the bill be recommitted to the Committee on Liquor Control.

The SPEAKER. The Chair advises the gentleman from York, Mr. Anderson, that the bill had been recommitted prior to his remarks.

\* \* \*

The House proceeded to third consideration of **HB 1386, PN 1967**, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242, No. 428), further providing for maintenance of State highways by municipalities.

On the question,

Will the House agree to the bill on third consideration?

Mr. DAVIES offered the following amendments No. A2904:

Amend Sec. 1 (Sec. 401), page 2, line 9, by striking out "entered into pursuant to this act"

Amend Sec. 1 (Sec. 401), page 2, line 11, by striking out "be" and inserting

lie

Amend Sec. 1 (Sec. 401), page 2, line 12, by removing the comma after "located" and inserting a period

Amend Sec. 1 (Sec. 401), page 2, lines 12 through 15, by striking out "nor shall the municipality, or any officer" in line 12, all of lines 13 through 15

On the question,

Will the House agree to the amendments?

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

Mr. DAVIES. Thank you, Mr. Speaker.

This amendment is almost identical and speaks to the same thing that Mr. Levin's amendment 2903 spoke to this morning to HB 1385, and it is my understanding that in cooperation with that gentleman and the maker of the bill, this amendment has been agreed to. Thank you, Mr. Speaker.

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

Mr. PITTS. Mr. Speaker, this is the companion bill to the one we passed earlier. The amendment is agreed to. I urge support of the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Alden	Fleck	McCall	Saurman
Anderson	Foster, W. W.	McClatchy	Serafini
Armstrong	Foster, Jr., A.	McMonagle	Seventy
Arty	Frazier	McVerry	Showers
Belardi	Freind	Mackowski	Shupnik
Belfanti	Fryer	Madigan	Sieminski
Beloff	Gallagher	Maiale	Sirianni
Berson	Gallen	Manderino	Smith, B.
Bittle	Gamble	Manmiller	Smith, E. H.
Blaum	Gannon	Marmion	Smith, L. E.
Borski	Geist	Merry	Snyder
Bowser	Gladeck	Michlovic	Spencer
Boyes	Grabowski	Micozzie	Spitz
Brandt	Gray	Miller	Stairs
Brown	Greenfield	Miscevich	Steighner
Burd	Greenwood	Moehlmann	Stevens
Burns	Gruitza	Morris	Stewart
Caltagirone	Gruppo	Mowery	Stuban
Cappabianca	Hagarty	Mrkonic	Swaim
Cessar	Haluska	Mullen	Sweet
Civera	Harper	Murphy	Swift
Clark	Hasay	Nahill	Taddonio
Clymer	Hayes	Noye	Taylor, E. Z.
Cochran	Honaman	O'Donnell	Taylor, F. E.
Cohen	Horgos	Oliver	Telek
Colafella	Hutchinson, A.	Pendleton	Tigue
Cole	Hutchinson, W.	Perzel	Trello
Cordisco	Irvic	Peterson	Van Horne
Cornell	Itkin	Petrarca	Vroon
Coslett	Jackson	Petrone	Wachob
Cowell	Johnson	Phillips	Wambach
Cunningham	Kanuck	Piccola	Wargo
DeMedio	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Wenger
DeWeese	Kolter	Pitts	Weston
Daikeler	Kowalshyn	Pott	White
Davies	Kukovich	Pratt	Williams, H.
Dawida	Lashinger	Pucciarelli	Williams, J. D.
Dietz	Laughlin	Punt	Wilson
Dininni	Lehr	Rappaport	Wogan
Dombrowski	Lescovitz	Rasco	Wozniak
Donatucci	Letterman	Reber	Wright, D. R.
Duffy	Levi	Richardson	Wright, J. L.
Durham	Levin	Rieger	Zwinkl
Emerson	Lewis	Ritter	
Evans	Livengood	Rocks	Ryan,
Fec	Lloyd	Rybak	Speaker
Fischer	Lucyk	Salvatore	

NAYS—2

Cawley

Dorr

NOT VOTING—6

Barber	Grieco	McIntyre	Wiggins
Cimini	Hoeffel		

EXCUSED—4

Deal	George	Heiser	Olasz
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. STEIGHNER offered the following amendments No. A2756:

Amend Title, page 1, line 5, by inserting after "thereto," providing for negotiations during betterment projects for voluntary turn backs and

Amend Bill, page 1, lines 9 and 10, by striking out all of said lines and inserting

Section 1. The act of June 1, 1945 (P.L.1242, No.428), known as the "State Highway Law," is amended by adding a section to read:

Section 222. Negotiations for Voluntary Turn Back on Certain Highways.—During the development of, but prior to the actual construction work, of any betterment project or road surface treatment project for any Class VI State highway, the Department of Transportation shall contact the governing officials of the municipality wherein the project is located to determine the possibility of entering into negotiations for the voluntary turn back of such highway and the procedures related thereto the municipality.

Section 2. Section 401 of the act is amended to read:

Amend Sec. 2, page 2, line 16, by striking out "2." and inserting

3.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment sets forth a policy within the Department of Transportation that during the development or the preparation of a road betterment or a surface treatment project, the department is required to contact the local municipal officials wherein that project itself is located to make the attempt to find out if there is a possibility to negotiate a possible road turnback proposal. This would strictly be a voluntary road turnback proposal.

It is my understanding that this amendment has been agreed to by the majority and minority chairmen of the Transportation Committee, as well as the department, and also the prime sponsor of the bill. I would appreciate the consideration of the House. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

Alden	Fee	Lloyd	Saurman
Anderson	Fischer	Lucyk	Serafini
Armstrong	Fleck	McCall	Seventy
Arty	Foster, W. W.	McClatchy	Showers

Barber	Foster, Jr., A.	McMonagle	Shupnik
Belardi	Frazier	McVerry	Sieminski
Belfanti	Freind	Mackowski	Sirianni
Beloff	Fryer	Madigan	Smith, B.
Berson	Gallagher	Maiale	Smith, E. H.
Bittle	Gallen	Manderino	Smith, L. E.
Blaum	Gamble	Manmiller	Snyder
Borski	Gannon	Marmion	Spencer
Bowser	Geist	Merry	Spitz
Boyes	Gladeck	Michlovic	Stairs
Brandt	Grabowski	Micozzie	Steighner
Brown	Gray	Miller	Stevens
Burd	Greenfield	Miscevich	Stewart
Burns	Greenwood	Moehlmann	Stuban
Caltagirone	Gruitza	Morris	Swaim
Cappabianca	Gruppo	Mowery	Sweet
Cawley	Hagarty	Mrkonic	Swift
Cessar	Haluska	Mullen	Taddonio
Civera	Harper	Murphy	Taylor, E. Z.
Clark	Hasay	Nahill	Taylor, F. E.
Clymer	Hayes	Noye	Telek
Cochran	Hoeffel	O'Donnell	Tigue
Cohen	Honaman	Oliver	Trello
Colafella	Horgos	Pendleton	Van Horne
Cole	Hutchinson, A.	Perzel	Vroon
Cordisco	Hutchinson, W.	Peterson	Wachob
Cornell	Irvic	Petrarca	Wambach
Coslett	Itkin	Petrone	Wargo
Cowell	Jackson	Phillips	Wass
Cunningham	Johnson	Piccola	Wenger
DeMedio	Kanuck	Pievsky	Weston
DeVerter	Kennedy	Pistella	White
DeWeese	Klingaman	Pitts	Wiggins
Daikeler	Kolter	Pott	Williams, H.
Davies	Kowalshyn	Pratt	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Dietz	Lashingier	Punt	Wogan
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lehr	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Dorr	Letterman	Ritter	Zwilk
Duffy	Levi	Rocks	
Durham	Levin	Rybak	Ryan,
Emerson	Lewis	Salvatore	Speaker
Evans	Livengood		

NAYS—0

NOT VOTING—5

Cimini	McIntyre	Richardson	Rieger
Grieco			

EXCUSED—4

Deal	George	Heiser	Olasz
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The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

Alden	Fee	Livengood	Rybak
Anderson	Fischer	Lloyd	Salvatore
Armstrong	Fleck	Lucyk	Saurman
Arty	Foster, W. W.	McCall	Serafini
Barber	Foster, Jr., A.	McClatchy	Seventy

Belardi	Frazier	McIntyre	Showers
Belfanti	Freind	McMonagle	Shupnik
Beloff	Fryer	McVerry	Sieminski
Berson	Gallagher	Mackowski	Sirianni
Bittle	Gallen	Madigan	Smith, B.
Blaum	Gamble	Maiale	Smith, E. H.
Borski	Gannon	Manderino	Smith, L. E.
Bowser	Geist	Manmiller	Snyder
Boyes	Gladeck	Marmion	Spencer
Brandt	Grabowski	Merry	Spitz
Brown	Gray	Michlovic	Stairs
Burd	Greenfield	Micozzie	Steighner
Burns	Greenwood	Miller	Stevens
Caltagirone	Grieco	Miscevich	Stewart
Cappabianca	Gruitza	Moehlmann	Stuban
Cawley	Gruppo	Morris	Swaim
Cessar	Hagarty	Mowery	Sweet
Cimini	Haluska	Mrkonic	Swift
Civera	Harper	Mullen	Taddonio
Clark	Hasay	Murphy	Taylor, E. Z.
Clymer	Hayes	Nahill	Taylor, F. E.
Cochran	Hoeffel	Noye	Telek
Cohen	Honaman	O'Donnell	Tigue
Colafella	Horgos	Oliver	Trello
Cole	Hutchinson, A.	Pendleton	Van Horne
Cordisco	Hutchinson, W.	Perzel	Vroon
Cornell	Irvis	Peterson	Wambach
Coslett	Itkin	Petrarca	Wargo
Cowell	Jackson	Petrone	Wass
Cunningham	Johnson	Phillips	Wenger
DeMedio	Kanuck	Piccola	Weston
DeVerter	Kennedy	Pievsky	White
DeWeese	Klingaman	Pistella	Wiggins
Daikeler	Kolter	Pitts	Williams, H.
Davies	Kowalshyn	Pott	Williams, J. D.
Dawida	Kukovich	Pratt	Wilson
Dietz	Lashingier	Pucciarelli	Wogan
Dininni	Laughlin	Punt	Wozniak
Dombrowski	Lehr	Rappaport	Wright, D. R.
Donatucci	Lescovitz	Rasco	Wright, J. L.
Dorr	Letterman	Reber	Zwikl
Duffy	Levi	Rieger	
Durham	Levin	Ritter	Ryan,
Emerson	Lewis	Rocks	Speaker
Evans			

NAYS—0

NOT VOTING—2

Richardson Wachob

EXCUSED—4

Deal George Heiser Olasz

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

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

CONSIDERATION OF SB 618 RESUMED

BILL REMOVED FROM TABLE

The SPEAKER. Without objection, SB 618 will be removed from the table. The Chair hears none.

On the question recurring,

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

Mr. A. C. FOSTER offered the following amendments No. A3004:

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

To further provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1981 to June 30, 1982, and to provide additional and supplemental appropriations from the Federal Augmentation funds to the various departments of the Commonwealth for the fiscal period July 1, 1980 to June 30, 1981.

Amend Bill, page 1, lines 6 through 18; page 2, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive and Legislative Departments of the Commonwealth for the payment of salaries, wages or other compensation and travel expenses of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

I. EXECUTIVE DEPARTMENT

To the Department of Public Welfare

For family planning..... \$300,000

No funds from this appropriation shall be used to provide for or to promote an abortion.

II. FEDERAL AUGMENTATION SUPPLEMENTAL APPROPRIATIONS

Section 2. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal augmentation funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980.

To the Governor

(a) For the Pennsylvania Council on the Arts

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

(1) "National Endowment for the Arts - Management" - To assist State arts agencies in the promotion of the arts throughout the State and Arts Management Program to improve the operating efficiency of art organizations..... \$495,000

(2) "NEA - Professional Theatre Touring" - To provide one-third of the company fee for a 2-1/2 week tour by the Long Wharf Theatre..... 29,000

(3) "NEA - Inter-arts Program" - To provide assistance in support of a three-day regional minority arts festival in Pittsburgh..... 15,000

(b) For the Governor's Energy Council

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

- (1) "Number 2 Fuel Oil Survey" - To conduct a biweekly survey of approximately 100 Number 2 heating oil dealers to obtain prices and inventories of Number 2 heating oil..... \$4,000
- (2) "DOE - Emergency Energy Conservation Act - Title II" - For a two phase program to develop a management plan to provide a frame work for developing State Emergency Conservation Act plans and implementation of these plans 29,000
- (c) To the Pennsylvania Commission on Crime and Delinquency

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

- (1) "Community Corrections Information Project" - To increase public support of community corrections in target counties and to create a Statewide information center about alternatives to incarceration to private and public agencies in criminal justice..... \$25,000
- (2) "Criminal Justice Statistics Analysis Center" - For an office to analyze criminal justice statistics for Pennsylvania..... 42,000

(d) To the Office of General Counsel

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for State Correctional Institutions:

- (1) "Maintenance of Federal Inmates" - For maintenance of Federal inmates in State Correctional Institutions (including a carryover of approximately \$20,000)..... \$341,000

To the Department of Commerce

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

- (1) "Minority Business Development Grant" - To assist in the development and operation of the State minority enterprise program..... \$126,000
- (2) "ARC - State Technical Assistance" - To conduct analysis and feasibility of ARC projects prior to their inception..... 116,000

To the Department of Education

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

- (1) "ESEA (I) Programs - Administration" - Administration of ESEA Title I programs (including a carryover of approximately \$591,000)..... \$2,010,000
- (2) "Educational Innovations and Support - Title IV C" - To administer a program to encourage local educational agencies to compete for ESEA Title IV C competitive awards

(including a carryover of approximately \$130,000)..... 389,000

(3) "HEA Title XII - Comprehensive Planning" - To provide Statewide planning for post-secondary education purposes. These funds are to be used only as directed by the duly constituted 1202 Commission (Pennsylvania Post-secondary Planning Commission) or such successor group as may be appointed in accordance with Title XII of the Higher Education Act of 1965, as amended (including a carryover of approximately \$65,000)..... 160,000

(4) "Common Core Data Survey" - To collect data for the National Center for Education Statistics..... 16,000

(5) "Adult Basic Education Evaluation Program" - To provide a data collection system and to develop related collection instruments to perform program evaluations as required by Federal law..... 70,000

(6) "NIE - Casual Analysis/Basic Skills Outcome" - To analyze Educational Quality Assessment data leading to the development of causal models to aid policymakers in the allocation of resources to improve educational outcomes..... 49,000

(7) "Transition Program for Refugee Children" - To administer a program to assist in providing special educational services to eligible refugee children..... 20,000

(8) "Educational Services for Cuban and Haitian Entrant Children" - To administer a program to provide special educational services to eligible Cuban and Haitian Entrant Children.. 10,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Scranton State School for the Deaf:

- (1) "Deaf Adult Continuing Education - Scranton" - To support a demonstration project in continuing education for deaf adults..... \$4,600

To the Pennsylvania Emergency Management Agency

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

- (1) "National Weather Service - Flash Flood Warning System" - To conduct communications feasibility study and prepare design plans for the installation of a microwave data collection system to be used in conjunction with the volunteer warning system..... \$50,000

To the Department of Environmental Resources

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

(1) "Coastal Zone Management Program" - To implement a program for the use of the land and water resources of the State's coastal zone... \$1,305,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the deep mine safety inspections:

(1) "Surface Mine Control and Reclamation - Deep Mine Safety" - To carry out a gas monitoring program at the Centralia Mine Fire, Centralia, Pennsylvania..... \$100,000

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

(1) "Forest Fire Protection and Control" - For prevention of forest fires in State and private forests in Pennsylvania and for control of wild-fires anywhere in the Commonwealth..... \$360,000

To the Department of Health

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

(1) "State Health Planning and Development Agency - Title XV" - To establish the health priorities of the Commonwealth through studies of existing and potential health facilities, manpower and services, and stimulate the development of Areawide Health Systems Agencies (including a carryover of approximately \$417,000)..... \$1,838,000

(2) "Survey and Follow Up - Venereal Disease" - For the carrying out of case-finding surveys and serologic follow-up services (including a carryover of approximately \$85,000) 680,000

(3) "Health Education/Risk Reduction" - To reduce the burden of chronic disease in the Commonwealth through comprehensive risk reduction health education efforts (including a carryover of approximately \$140,000)..... 636,000

(4) "Indochinese Refugee Program" - To serve the unmet public health needs associated with, and the general health needs of, the refugees..... 135,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Maternal and Child Health:

(1) "Maternal and Child Health - Improved Pregnancy Outcome" - To improve pregnancy outcome measures and assure parental care (including a carryover of approximately \$291,000)..... \$707,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for coal workers pneumoconiosis services:

(1) "Black Lung Clinic Program" - To expand State effort into the screening, diagnosis, treatment and rehabilitation of coal workers with respiratory diseases (including a carryover of approximately \$767,000)..... \$1,853,000

To the Historical and Museum Commission

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

(1) "Community History Program" - To tape, record and preserve interviews with senior citizens in Monessen, Lebanon and Nanticoke communities and to use the recorded materials to present public meetings in each community..... \$15,000

To the Department of Labor and Industry

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

(1) "Statewide Program on Fire and Thermal Burn" - To plan, present face-to-face programs, and evaluate a Statewide program on fire and thermal burn..... \$2,500

To the Office of the Attorney General

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for consumer protection:

(1) "Study of Odometer Tampering" - To study odometer rollbacks occurring between the time a vehicle is initially sold at one Pennsylvania auto auction and subsequently resold at another Pennsylvania auto auction..... \$65,000

To the Department of Public Welfare

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

(1) "Long-term Care Channeling Project" - To make efficient use of the entire spectrum of community supports and services that a client needing long-term care may require by developing and testing new methods of utilizing existing long-term care resources..... \$200,000

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

(1) "Child Support Enforcement (Title IV-D) - Administration" - To administer a program, enforce the support obligations owed by absent parents to their children, locate absent parents, establish paternity and obtain child support..... \$100,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for county administration:

(1) "Maintenance Assistance" - For administrative expenses for county administration in relation to provision of supplemental security income and cash and emergency assistance to eligible persons..... \$46,400,000

(2) "Medical Assistance - County Administration" - For administrative expenses incurred for county administration in relation to the provision of medical assistance services..... 28,347,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Program Accountability:

(1) "Medical Assistance - Program Accountability" ..... \$847,000

(2) "Maintenance Assistance - Program Accountability" ..... 1,241,000

(3) "Child Support Enforcement Program - Program Accountability" - For costs incurred by Program Accountability in support of the Child Support Enforcement Program..... 22,932,000

(4) "Food Stamp Program - Program Accountability" - For administrative expenses incurred by Program Accountability in support of the Food Stamp Program..... 866,000

(5) "Study of Court Systems" - For a study of court systems to improve the collection of court ordered support payments..... 45,000

The following federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sums appropriated from Commonwealth revenues for State mental hospitals:

(1) "Medicare Services - State Mental Hospitals" - For provision of medical services at State mental hospitals that are reimbursable under Medicare..... \$10,000,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for payment to counties for child welfare programs:

(1) "Child Welfare Services" - To establish, extend and strengthen services provided by local public welfare programs for development of services which will prevent the neglect, abuse, exploitation or delinquency of children..... \$5,906,000

(2) "Maintenance Assistance - Child Welfare" - For provision of foster care through child welfare programs to eligible persons..... 25,000,000

(3) "Refugees and Persons Seeking Asylum Program" - For provision of child welfare services to refugees and persons seeking asylum.. 1,798,000

To the Department of Transportation

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Intercity Rail and Rural Bus Transportation:

(1) "Title IV Rail Assistance - Subsidy" - For operating subsidies, lease payments and accelerated maintenance on rail lines to be abandoned..... \$5,335,000

Section 3. The Secretary of the Budget may create the following additional restricted receipt accounts for the purpose of administering Federal grants only for the purposes herein designated during the fiscal period July 1, 1980 through June 30, 1981.

Department of Education

(1) "Transition Program for Refugee Children" - To provide special educational services to eligible refugee children.

(2) "Educational Services for Cuban and Haitian Entrant Children" - To provide special educational services to eligible Cuban and Haitian entrant children.

Section 4. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated or allocated from the Federal Title XX Social Services Funds to the several hereinafter named agencies of the Executive Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Department of Public Welfare

The following Federal Title XX Social Services augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for day care:

(1) "Social Services (XX) Training - Day Care" - To train personnel in support of day care programs ..... \$730,000

(2) "Social Services (XX) Transfer to Cheyney for Training" - To train day care center personnel..... 558,000

Section 5. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Comprehensive Employment and Training Act (CETA) Funds to the several hereinafter named agencies of the Executive Department of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Governor's Office

For the Pennsylvania Commission for Women

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

(1) "CETA - Work Training Program" - For the first phase of a three-year project for the commission to promote and expand the involvement of women in the CETA work/training programs (including a carryover of approximately \$50,000)..... \$176,000



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

(1) "CETA - Technical Assistance" - To provide technical assistance regarding the use and benefits of the CETA program to grant recipients who have received Commerce Department Grants..... \$47,000

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

(1) "CETA - Improvement of Education Linkage" - To obtain basic information from the current 32 prime sponsors to evaluate the present educational linkages..... \$25,000

(2) "CETA - Model for Awarding Academic Credit" - To develop a comprehensive model for awarding academic credits to CETA participants..... 63,000

(3) "CETA - Summer Youth Program" - To demonstrate the feasibility and test the efficacy of granting Summer Youth program moneys to postsecondary institutions to involve economically disadvantaged youth in an integrated program of career development, basic skills development and vocational training..... 12,000

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

(1) "CETA - Services to Veterans" - To provide Pennsylvania veterans, on an area basis, guidance and necessary assistance in applying for available veterans' benefits..... \$95,000

Section 6. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal Law Enforcement Assistance Administration Funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Office of General Counsel  
 The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Juvenile Court Judges Commission:

(1) "LEAA - Juvenile Crime Victim Study" - To conduct a study of the problems of victims in Juvenile Court..... \$24,000

(2) "LEAA - Juvenile Judicial Review" - To assist counties in the implementation of the Juvenile Court Judges' Commission standards governing the judicial review of delinquent and dependent children in placement..... 56,000

(3) "LEAA - Juvenile Probation Services" - For training of county juvenile probation officers in service delivery..... 120,000

(4) "LEAA - Juvenile Probation Internship Program" - To provide an intern program for college students in county juvenile probation offices..... 80,000

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the State Correctional Institutions:

(1) "LEAA - Community Service Center for Women Offenders" - To provide funds for the continuation of the Community Service Center for Women of Erie, Pennsylvania (including a carryover of approximately \$11,000)..... \$24,000

(2) "LEAA - Community Service Center for Men" - To expand the community treatment program in order to accommodate the increasing population in the Bureau of Correction..... 360,000

(3) "LEAA - Transfer of Inmates to Trailer Housing" - To provide trailer housing for inmates in order to provide additional housing necessary to meet population needs..... 25,000

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

(1) "LEAA - Justice Education for Elementary Students" - To adapt the Teaching Individual Protective Strategies to Pennsylvania's Justice Education and Community Action Program and develop a system to implement it in elementary school curriculum (including a carryover of approximately \$52,000)..... \$84,000

(2) "Youth Aftercare Program" - To provide after-care educational services for adjudicated delinquents (including a carryover of approximately \$26,000)..... 40,000

(3) "School Climate Improvement Project" - For a program to attempt to modify the structures, procedures, rules, attitudes and relationships within the school community to reduce discipline problems, vandalism and violence..... 106,000

To the Pennsylvania Crime Commission  
 The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Pennsylvania Crime Commission:

(1) "LEAA - Leviticus Program" - For a multistate investigation of organized professional criminals in the Appalachian coal fields.... \$251,000

Section 7. It is the intent of the General Assembly that any appropriation under the provisions of sections 2, 3, 4, 5 and 6 of this act which is the same or similar to an appropriation under the act of July 3, 1980 (P.L.1445, No.23A) entitled, "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," shall replace such appropriation.

Section 8. (a) The following itemized appropriations under the specified sections of the act of July 3, 1980 (P.L.1445, No.23A), entitled "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," are repealed.

(1) Section 3:

- (i) Item (12) under the category of general government operations in the Department of Health;
- (ii) Item (4) under the category of operations of the State Laboratory in the Department of Health;
- (iii) Item (1) under the category of State Correctional Institutions in the Department of Justice.

(2) Section 7, subsection (a):

- (i) Item (1) under the LEAA category of State Correctional Institutions in the Department of Justice.

(b) The act of July 3, 1980 (P.L.1445, No.23A), entitled "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," is repealed insofar as inconsistent with this act.

Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. For the benefit of the members, the Foster amendment as it appears on your desks bears the name of Mr. Hoeffel. This is the same amendment.

#### AMENDMENTS DIVIDED

The SPEAKER. If the gentleman will look at the amendments he is submitting, and I ask the members to do the same, the Chair is suggesting that the question be divided on these amendments so that the vote will be taken on page 2 of the amendment under the heading "Executive Department," down to but excluding "To the Governor." The reason for this is the McClatchy amendment which was earlier agreed to contained all of the other language in the Foster amendment. Does the gentleman understand the position of the Chair?

Mr. A. C. FOSTER. I do, Mr. Speaker. It is a formal division because of the drafting.

The SPEAKER. The gentleman, Mr. Foster, moves that the question be divided on the amendment so that the vote before the House is on that portion of the amendment found on page

2, beginning with the words "Executive Department," down to but excluding the words "To the Governor."

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

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

The amendment that I am offering seeks to restore—

The SPEAKER. Will the gentleman yield?

The Chair was in error, Mr. Foster, in setting forth that area that would be part of the divided question. The question before the House should be "Executive Department, To the Department of Public Welfare, For family planning.....\$300,000," with the following sentence: "No funds from this appropriation shall be used to provide for or to promote an abortion."

On that question, the Chair recognizes the gentleman, Mr. Foster.

Mr. A. C. FOSTER. I move that the amendment be so divided, Mr. Speaker.

The SPEAKER. The amendment is divided.

The Chair recognizes the gentleman on the divided question.

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

The amendment that I offer seeks to restore to this bill the \$300,000 that was not included for family planning. The matter was quite well debated last night, and I think most of the members are aware of what we are doing and why we are doing it. I think we are all fairly well aware of the philosophical implications of the amendment, although I must confess it is a mystery to me as to how there happens to be a difference of opinion on the matter of this being an abortion vote. I think anyone who has served here will recognize that I have always been an outspoken and vehement foe of abortion, and I will always be, as long as I am a member of this legislature.

What I am saying today is that we have before us a chance to vote against abortion by voting affirmatively on this amendment, and I think the logic is almost inescapable in what I am about to say. Without being facetious, I might say that the leading cause of abortion is pregnancy, and I do not mean that as a facetious remark. Obviously, if you have family planning, if you have services which will prevent pregnancies, will minimize the number of pregnancies, obviously you are eliminating the need for abortion. I cannot think of anything which is more of a prolife amendment, frankly, and I am somewhat mystified as to how we got into a philosophical debate on this. To me, family planning is a prolife position and always has been.

I would ask for an affirmative vote on this amendment. The language contained therein says very specifically, "No funds from this appropriation shall be used to provide for or to promote an abortion." I am glad the language is in there. The language really was not necessary. We are talking about tax dollars. Both under Pennsylvania law and under Federal law, tax dollars cannot be used to subsidize abortion. What we are talking about here is the prevention of unwanted pregnancies that lead to abortion. I would ask that you cast an anti-abortion, prolife vote and vote in the affirmative on this amendment.

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

Mr. MULLEN. Mr. Speaker, I hate to reiterate some of the statements that I made last night, but I think it is important to view this situation that is before us today in light of what it really means. I think I can talk a little more than I did last night.

If you will recall, I did put a memorandum in each of your mail boxes setting forth what I consider family planning services and the abortion connection. The reason I had that brochure prepared, I wanted to tie up the question of family planning with abortion. Now our good friend, Mr. Foster, has taken the position that if you do participate in family planning, then if everything goes all right, you can prevent abortions. Theoretically that makes sense. Back in the 1970's—and I was a member of the House at that time—that theory was advanced right here on the floor of the House of Representatives. They then stated, those people who supported that plan, that if we provided money for family planning services, the results would be reduced pregnancies and an elimination or certainly a great reduction in venereal disease. In theory that sounds good, but let us see what happened since we adopted that plan which we are talking about here today. It did not work out. What happened was, as a result of providing these services, to teenagers especially, we have aroused the curiosity of many teenagers. Now, in the community what happens is they gather on the corner and they say, now, all you have to do is go around to the family planning clinic, and they will give you pills or any other contraceptive devices that you may need. Now, what they have done has aroused a tremendous curiosity among young people that might otherwise never have happened unless this information was made available to them.

Now really, we as members of the House of Representatives have no real justification in saying that we do not want any family clinics opened, and we are not trying to do that. But the problem involved here is the question of using state moneys, state and Federal moneys, to fund these programs to disseminate information to many of our young people, which arouses a curiosity that normally might not be aroused except when you reach marriage stage. Most young teenagers, especially boys, at that age are usually on the ballfield, but if they get an opportunity through these family clinics to get the information they need and the contraceptive devices, their curiosity is aroused to a point where they may commit sexual offenses, and many of these sexual offenses, even using family planning devices, turn out to be ineffective.

I do not think the original purpose in 1970 when we adopted the first plan really worked out, and I do not think it is going to work out now. But basically, to try to tie in family services with abortion, here is the way it works: If we appropriate the \$300,000—originally it was \$350,000, but it is now, in Mr. Foster's amendment, \$300,000—this generates approximately \$3 million in Federal funds. Now, this money is disseminated to the family planning clinics. Now, one of the devices in the family planning clinics for family planning is, of course, if a person is pregnant, abortion. Now, many of the

family clinics do not in fact perform the abortions themselves. They subcontract this money to various agencies like Planned Parenthood. Planned Parenthood in turn receives this money basically for family planning, but how are you going to distinguish between family planning and abortion if the family planning and the abortion are performed in the same clinic?

Now, in my brochure I pointed out that one of the biggest abortion clinics in the state was in Pittsburgh, where they performed 10,000 abortions in 1978. Now, they have a family planning council in western Pennsylvania located at 625 Stanwix Street. Now, we found out how they are funded. The breakdown of the funding is, 41.4 percent of their money comes under title X; 23.1 percent comes under title XX; only 12 percent comes from patient funds; 5 percent, title XIX; 3 percent, title XXXVI. All of that money comes in as a result, if we appropriate \$350,000, the Federal money comes in and this money is disseminated.

Now, when you look at title X, what title X provides for is rent on units, purchase or rent of office equipment, furnishings, utilities. Title XX would provide salaries. Now, if we subcontract from the family planning to the Planned Parenthood group, or any other group that is performing abortions, this money, where are they going to get the money to buy all the stuff I am talking about and to pay the salaries? They are getting it from us. So really, they may be operating a family clinic in that they are giving out contraceptive devices and information like that, but they are also performing abortions, and it is pretty tough not to say that they are not intermingled. But besides that, the basic issue is, are we going to in fact provide state money to perform this type of operation? I do not think we should. Many of our citizens object to using their tax money to perform this type of function.

Now, many people have raised the question, does this affect people on public assistance or on medical assistance under the welfare program? It does not. We are not in a position now to prohibit those people who qualify for medical assistance under the Federal program and under the state program from getting this service, because basically we are mandated by Federal law to do that; we cannot stop that. There is a conflict between the Federal mandate in which the Federal people say that you cannot fund abortions except to save the life of the mother. The state law says that we have rape and incest in addition to the life of the mother, so there is conflict there. But I do not think that under any circumstances we should provide state money to assist these people to do something which I think is basically against the general policy of Pennsylvania as expressed by this General Assembly on many occasions in the past. So all I can do, as I did last night, is ask the members to vote against it and solve this problem once and for all. Thank you.

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

Mr. PENDLETON. Thank you, Mr. Speaker.

Mr. Speaker, I am a new member of this General Assembly, and I count it a privilege to be here. In the course of my campaign, I ran on an antiabortion plank. I also ran on a prolife plank. I also ran on a plank that made allowances for family planning and birth control.

This amendment is consistent with those who believe in prolife. It is possible to support a family planning, birth-control concept and still be prolife. I support the amendment, and I urge my colleagues, senior and junior, to also support the amendment. Thank you, Mr. Speaker.

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

Mr. FREIND. Thank you, Mr. Speaker.

I very much regret that I have to get up to oppose an amendment sponsored by my good friend and colleague, "Peck" Foster. I thought the amendment was going to be offered by another member of the House.

I also think it is a shame we have to address this issue today. I thought we had resolved this problem last night. And as you probably noted in newspaper accounts, certain leaders of the Senate said, there is no way we will accept any of the Federal augmentation unless you accept the family planning. What I think is interesting and what I think you should know is that an individual bill was introduced in the Senate by the President pro tempore only with the family planning money, and that bill did not even get out of the Senate. It was defeated by the membership of the Senate. And I find it somewhat inconsistent, therefore—

The SPEAKER. The gentleman will yield. The question before the House is the adoption of the Foster amendment in the House.

Mr. FREIND. Yes. I stand admonished, Mr. Speaker.

The SPEAKER. That is a change.

Mr. FREIND. Yes. I get admonished at home a lot.

A couple of issues here. Number one, regardless of how you care about family planning, this money is a duplication of services. Presently contraceptive counseling and birth control counseling and planning are available through the medicaid system for those who qualify economically. And as a matter of fact, in talking to my colleagues who oppose this amendment, there would be no objection with the appropriate vehicle to add an additional \$350,000 in medicaid to further this, getting your 2-to-1 Federal match. So, one, it is a duplication.

Secondly, the language of the amendment says that this \$300,000 cannot be used to perform or foster abortions. That is nice language, but, unfortunately, Mr. Speaker, it does not work for a number of reasons. First, it does not control the matching \$2.7 million which we cannot control, which can and will be used to foster and perform abortions. Secondly, we cannot even control the \$300,000 of state money, because bet the ranch, if this passes, those groups that are getting the money will do what they have done in the past, go into the Federal district court in eastern Pennsylvania in front of Judge Bechtle and you know what the result will be - that language will be struck and they will be given the opportunity to use that money any way they want.

It is not an opinion; it is a fact that family planning service money right now is being used to foster, counsel, and perform abortions, and that will not change unless we defeat this amendment.

Do not confuse contraception with birth control. I do not think anyone here would oppose an amendment that provided money just for contraception. It does not do that. It is birth control, and right in one of Planned Parenthood's brochures they list about 12 methods of birth control, and one of the methods they list is abortion. And I guess you cannot argue about it, abortion is a means of birth control, Mr. Speaker. So let us not confuse the issue. We are trying to play straight with our membership. This money will be used for the performance of abortions. The point I would like to make again is it will be used to go to organizations which have demonstrated the fact that they will take the money, turn around, sue this legislature, and then go into Federal court to get a Federal court order to make this legislature pay their attorney fees at the tune last time of \$148 an hour and \$137 an hour. That is a fact.

The final point is, the money will also be used to counsel minors without parental consent for contraception, birth control, and abortion. And even though the Supreme Court of the United States says that is legal, there is no mandate that we have to fund that with taxpayers' dollars. We do not need the money, and I hate to stress this, but the abortion issue is here, and if we pass this, we are going to be giving to those groups which perform abortions \$3 million to further that cost. For those reasons I sincerely hope the membership will do what they did last night and defeat this amendment. Thank you, Mr. Speaker.

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

Mrs. HARPER. Thank you, Mr. Speaker.

You know, I am sort of— I guess I should not say anything because I just hate so much phoniness and upside-the-wall talk.

I just read an article in the Inquirer where this man stated that his daughter was raped and he saw to it that she had an abortion. She was raped by another race, and I defy practically anyone in here if their daughter was raped by another race or a man that looked like a gorilla, that they would not have their daughter abort it. That is just a natural feeling. It is something that you will go to your private doctor and have done. I know it.

So far as family planning, we need family planning. We have so much of this free sex and free love. We need family planning in the schools. We need family planning everywhere. We have so many unwed mothers today, and I firmly believe if these young mothers knew what it meant to have a baby and try to raise that child alone, I think they would have second thoughts about it. A lot of young girls just do not realize what it means. In fact, I have talked to some of them and they said they did not stop to think that they would have to raise this child alone, that they would have to have someone to babysit for them when they wanted to go out. In fact, some of them are leaving the children at home alone and going out. So we need family planning so that we will not have so many abortions and so that we will not have so many unwed mothers. I firmly believe that. That is why I am supporting the Foster amendment. Thank you.

### FILMING PERMISSION GRANTED

The SPEAKER. Last week the Chair gave permission to the Colonial Instructional Television crew from central Montgomery County to take silent filming on the floor, which they did. When they returned to get their car the next day, they found that all of their film had been stolen—not from the Capitol. So the Chair once again gives permission to the cable television group who is doing an instructional film to take silent film on the floor for a period of 10 minutes, which may be extended for an additional period of 10 minutes.

Mr. McCLATCHY. Mr. Speaker, just one comment.

I would hope the Speaker assures the House that it was nobody from Montgomery County who stole that film.

The SPEAKER. Will the gentleman from Montgomery, Mr. Gladeck, stand for interrogation? The gentleman refuses to be interrogated. The film crew may proceed.

### CONSIDERATION OF SB 618 CONTINUED

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

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

I assure you no one from Philadelphia County stole the film either.

Mr. Speaker, I would like to ask consent to interrogate the gentleman, Mr. Mullen.

The SPEAKER. The gentleman, Mr. Mullen, indicates he will stand for interrogation. The gentleman, Mr. Hardy Williams, may proceed.

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, from your remarks I basically understand that your present objection to this funding is basically based on the idea that the money would generally go to promote the general activities of the groups in question and some of those activities you are opposed to. Would that generally be correct?

Mr. MULLEN. Well, I object to it for many reasons. That is just one.

Mr. H. WILLIAMS. Okay.

Mr. MULLEN. I object to it because we are using taxpayers' money to fund the family planning clinics and this money is also being used for abortion purposes.

Mr. H. WILLIAMS. Okay.

Mr. Speaker, I am clear that previously, if I recollect correctly, about 1970, you were in support of or did not have any objection to funding the same organization. Is that basically accurate?

Mr. MULLEN. Basically I did not object then because the concept sounded good, but as I explained to you a minute ago in my speech, I think it has been a total failure. Instead of reducing the pregnancies, instead of reducing the venereal disease, it has made it worse. And the conditions that have resulted by disseminating this information to young people who otherwise might not bother about it is worse than what it was before, and it was not bad before, but it sure got worse when we got into this business.

Mr. H. WILLIAMS. So, Mr. Speaker, you changed your support because it is your belief that the groups actually fostered the objections that were intended to be corrected in the first place. Is that correct?

Mr. MULLEN. Yes.

What has happened here, these people who are in this business, they are in the business to sell. For example, the Planned Parenthood group—and I think Steve Freind made that clear yesterday—the objective of the Planned Parenthood group is to make this service available by 1983 to, I think it was 2 million people or something like that. I do not think the state should encourage these people to encourage young people to engage in sex outside of marriage. It is bad public policy, and that is one of my major objections.

Mr. H. WILLIAMS. Mr. Speaker, am I accurate that it is your position that these groups have fostered permissiveness in the sex area, promoted sex, that indeed things like venereal disease have been increased because of their activities and the like?

Mr. MULLEN. Basically that is what the record shows, that there has been an increase instead of a decrease. Certainly I think in 10 years we ought to have an opportunity to evaluate a program.

Mr. H. WILLIAMS. Mr. Speaker, could you tell us to what extent the sexual activity or permissiveness among younger people is attributed to the TV programs like the soap operas, "Dallas," "Mulberry Street," and all of those, the total proliferation of explicit sexual magazines, and all the electronic impact on the young people today with regard to sex and its permissiveness? Could you tell to what extent the increased activity in your mind is due to that as apart from what part you think is due to these groups?

Mr. MULLEN. Mr. Speaker, I certainly agree with you. It plays a very significant part.

### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Rocks, rise?

Mr. ROCKS. Point of order, Mr. Speaker.

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

Mr. ROCKS. Mr. Speaker, I am interested, along with, I am sure, others, in the interrogation that is before us, but I am having a great deal of difficulty understanding what that has to do with the amendment that is in front of this House.

Mr. H. WILLIAMS. Mr. Speaker, I would be glad to make an offer of relevant and logical proof.

The SPEAKER. That is not necessary, Mr. Williams. I am of the opinion that it is relevant.

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed within the limitations of our rules of relevancy.

Mr. H. WILLIAMS. Of course. Mr. Speaker, I was merely trying to respond to the basic rationale of probably the strongest and most articulate opponent of the amendment, and he was about answering that when we got interrupted.

Mr. MULLEN. Yes, Mr. Speaker, I certainly agree with you that the adult book stores and the television and the other media that advertise this type of sexual activity play a very significant part in arousing the emotions of many young children. I certainly have no disagreement with that statement.

Mr. H. WILLIAMS. Could you then tell us to what degree you think that family planning-type groups are responsible for fostering permissiveness in sex and all that as compared to the commercial impact of TV and books and every other way that children and others are being bombarded? Do you understand my question?

Mr. MULLEN. Mr. Speaker, based upon my limited experience in my own neighborhood, what has happened is this: The young people become knowledgeable that there is a family clinic available that can provide this type of information, and the information is passed along on the street corners and schools, et cetera. As a matter of fact, the Planned Parenthood groups and many of these other groups actually go into the schools, and they actually disseminate this information to the children, and it becomes available to them, you know, practically for the asking. As a result of this information, they go to the clinics and get the information they need and the contraceptive devices, et cetera, and then they engage in sex. Sometimes they have no problems; sometimes it results in a pregnancy. I am not disputing that. But I honestly do not think, Mr. Speaker, and I do not think you do, that we as a civilized society should condone this type of activity in our community. I think it is wrong.

Mr. H. WILLIAMS. One final inquiry. Mr. Speaker, could you tell us what percentage of the increase in terms of sex among young people you would say is caused by the existence of groups like family planning?

Mr. MULLEN. Yes, Mr. Speaker. I am glad you raised that question. I have a statement of a 5-year plan, 1976 to 1980, for the Planned Parenthood Federation of America. Now this is what they say: "Planned Parenthood set a goal of one and a half million clients for contraception services per year by 1980 and a 89% increase in Planned Parenthood performed abortions from 45,000 in 1976 to 85,000 in 1980." Now, if these people do not go around drumming up business, they are never going to be able to meet their goals. This is a 5-year goal, and what they want to do is use our money to meet their 5-year goal, and this is objectionable to most taxpayers.

Mr. H. WILLIAMS. Mr. Speaker, I am sorry; I do have one additional and final question, and I am going to call on your recollection. Do you recollect that at the time when we first funded these types of programs, we were offered statistics and information indicating to us the condition then in numbers, the projection in the serious problem among young people and others which would result in unserved and unattended pregnancies that would basically agree with the projection you have now? In other words, we were offered statistical information in 1970 as to how serious the problem was and as to how great in numerical numbers the problem was unmet and, in addition to that, as to how it would grow. My question is, do you remember us getting that information? And if you

do recollect it, is there anything out of order in the projections that you now recite to us as compared to what the prediction was then based on how serious the problem was and being unmet, if you understand my question?

Mr. MULLEN. Yes, Mr. Speaker. I will try to answer your question to the best of my ability.

First of all, we really had no statistics at the time, except that in 1970 there were 300,000 people who were then being reached by organized contraceptive programs, because the Planned Parenthood groups and these other groups that we are talking about were in the business before the state got in with them.

Now, when we project from 1971 up to 1975, it increased 400 percent, up to 1,200,000. Now, we have had increases in giving out contraceptive devices, et cetera, et cetera, but we have not solved the problem. We still have teenage pregnancies, and we have more venereal disease than we ever had before. I think it has been a total failure, and I do not think we ought to continue with the program.

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to speak on the amendment.

The SPEAKER. The gentleman may proceed.

Mr. H. WILLIAMS. The only thing I want to add to this debate, Mr. Speaker, is the whole rational discussion behind why we should not do this. I would like the speaker to know that herpes also has increased, probably more than 400 percent. Since 1970 the state budget, which we always talk about, has increased somewhere near 400 percent, and so the condition that we are talking about treating in these programs to be 400 percent more in no way, in my judgment, reflects a promotion of permissive sex.

The speaker basically indicated that his change of support for what he thought was a meritorious thing that the state should do from 1970 is now based on an observation—and I would suggest a suspicion—that those groups are promoting the climate of permissiveness and all of that. How utterly foolhardy to even comprehend how any groups of this nature could do that. Highly commercial society; we get it every night. The wives of you gentlemen who are home are sitting right now listening to "General Hospital," "All My Children," you name it, sex throughout it. It appalls even me. And your children are watching this, and the sponsors are making millions of dollars. And when you go home on a Thursday night, you will see a rerun of "Dallas," and for those of you who do not know "Dallas" and your kids watch that, they can tell you more about that, too. And for some of you who hear the radio and listen to the bebop and the music, you will hear the rapper, and the rapper will make sex as explicit as he can. And your children are smoking pot on the corner with no values, and I agree, sex is an incidental, operational thing. They have been programmed by the most obsessive device of our country, money and electronics, and you all know it. I would suggest, based on the rationale of Representative Mullen, because his rationale is the strongest, is the most central, that family planning takes our programmed children in a condition, and we say, so what? The question is not abortion. The question is, in that condi-

tion, is there anybody around to say you have some choices, who can talk to your children because you cannot? You do not know how many programs they see.

Mr. Freind says the question is what they are going to do with the money. It says right here they cannot do that. If this legislative body does not have the capacity to say, we said it and we will reinforce it, then what are we talking about anyway? What is wrong with us saying it and, if we are serious, enforcing it? I say the dialogue is misunderstood. I say the money will go exactly like we say, if we say so. I say we make a mistake in our thinking if we believe that these little penny-ante groups that have to depend on our money are responsible for the heads of our children. They may be one of the few groups who can help get some balance to the children who go, Mr. Speaker, and they do not go because they hear about it on the corner; they go because they have some trouble and someone steers them there for some counseling.

My comments are only input in the dialogue, because I think the dialogue is out of focus because we are overexcited about the priority of abortions. It is not the issue. We have to at some point register as much concern about the quality of our children's lives as we say we do about whether or not children yet unborn are born or not. Prolife has to mean that we adult people, detail by detail, have to pay attention to how we promote that life, even if we have to change an inch of what was a preconceived philosophy, and I know in 1970, when Mr. Mullen voted for that, he understood that. I understand now at a different time he suspects that they are responsible. I would just like to say that someone else is responsible and should not cause us, therefore, to be irresponsible. I thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Hagarty.

Mrs. HAGARTY. Thank you, Mr. Speaker.

I rise briefly to correct what I think are some basic misunderstandings in the information that has been stated on the floor today and to get back to the basic issue of this appropriation.

First of all, even before the language was inserted in the Foster amendment that specifically provided that none of this money may go to perform or promote abortions, it was perfectly clear that under both state and Federal law none of this money could be used to perform abortions. The matching money that will result from this appropriation that comes from the Federal Government cannot be used to perform abortions.

The Hyde amendment, which passed the Federal Government and which Mr. Freind and Mr. Cunningham argued that this Commonwealth should follow those words so that our funding would never go to perform abortions, was passed by the Federal Government. Title XX funds cannot be used to perform abortions.

This amendment was offered with the language in it specifically to enlarge not only the fact that this money can now not be used to perform abortions, but it cannot be used to even promote abortions because the purpose of this money is simply to go to the Commonwealth Family Planning Services

Council to be used for family planning. This is a coalition group which has certain contract rules, and when they pick the agencies which receive the money, they must abide by the contracts.

There has been a lot of information circulated. There have been comic books, brochures, which are purportedly given out by these agencies, which I think many of us would prefer certain agencies not to disseminate. I do not agree with everything I have heard that one particular family service agency does either. That is not the issue here. I think we are sending a message to the various agencies as to how this legislature feels about abortions. Certainly this amendment is going to send that message. The comments expressed on the floor of this House are going to reflect the concerns of many of the members as to pregnancy counseling or birth control counseling without parental consent.

The appropriation is significantly less than the original appropriation was. There is everything in this to show those groups that they have to behave responsibly and in a way that this legislature can agree with. However, by providing no funding is not going to help. That is going to take away the good work they do with the work that some members may not like. There will not be money for them to counsel teenagers. There will not be money for them to provide counseling, VD screening, other medical screening for poor women.

This is urgently needed. I, too, would like teenagers not to engage in premarital sex. I would also like, if they are going to do that, as a parent, for that teenager to talk to me. I certainly think it is preferable. However, if they are going to engage in premarital sex and they are not going to talk to their parents, I think that most of us would prefer that our daughters not become pregnant, and that is what this is all about. It is about preventing and helping people who do not want to become pregnant. It is not an abortion issue; abortion is after the fact. This money is used to help teenagers and to help poor women, other women who need counseling and need information so that they do not become pregnant and do not have to face that choice of whether or not to have an abortion.

I believe strongly that we should support this amendment offered by Representative Foster and restore to our Commonwealth family planning agencies money so that they may continue to work with these groups to prevent unwanted pregnancies. Thank you.

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

Mr. WHITE. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in support of the Foster amendment.

I would like to take this opportunity to just in some cases reiterate and in other cases to, for the first time, put into the minds of the members of this House what I think is some very pertinent information regarding this issue.

My colleague from Montgomery County, Mrs. Hagarty, is absolutely right when she has tried to refocus the attention of this House on the intent of this amendment and the usage of the \$300,000 that is to be appropriated.

It is important to point out, Mr. Speaker, that here in Pennsylvania the Department of Health, which receives money under title X and title XX, has in fact adopted a policy that there will be no reimbursement to any agency that engages actively in promoting abortions. I think it is also important to point out that if the focal point is abortion and if the focal point or the ire of this House is to be directed at an agency, that it was in fact directed at the Planned Parenthood Association. The bulk of the activity around Planned Parenthood is in the area of prevention; it is to provide information. It is mind boggling to me how this General Assembly today will now say that information being provided to young people about life, what in fact are the facts of life, is somehow dangerous to the overall growth and development of our society.

Mr. Speaker, we need to look a little further and find out who in fact is going to be impacted upon by these services if they are in fact denied or by the denial of these services. We also need to take a look at what other agencies are to be affected by our failure to act on this proposal in an affirmative manner other than the Planned Parenthood.

We understand that there are about six or seven agencies that are operated by the Catholic Church that are direct recipients of funds right through title XX through the Family Planning Services Council. For the information of the members of this House, a number of those sites include the Mercy Hospital in Wilkes-Barre, St. Joseph Hospital in Lancaster, Allegheny County Archdiocese of Pittsburgh and the CMBBT - Cervical Mucous Basal Body Temperature - Clinic, the Mercy Hospital in Pittsburgh, the Erie Natural Family Planning Council. In fact, the Archdiocese of Pittsburgh was one of the founding agencies, one of the founding agencies, for the Family Planning Council of Western Pennsylvania. So it is clear at least that there are some agencies that are meeting that mandate of providing information that we will punish because of our own individual prejudices.

Further, Mr. Speaker, there are several ironies that exist in this whole discussion. One seems to be this, that the area to be most severely impacted upon in the area of Federal cuts happens to be health, specifically neonatal, prenatal, and health services and health care provided to children and to youth in this Commonwealth. What we are doing is simply dovetailing on what is already going to be a negative experience on behalf of women who are pregnant or are about to be pregnant and young children. We are depriving young people as well as adults of an opportunity to learn more about themselves, more about their bodies, more about this society in general.

Representative Williams sits on a very valid point. I would submit to you that "Dallas" and some of the soap operas are far more dangerous to the psyche of our children than Planned Parenthood of Pennsylvania or the Family Services Planning Council. But there, at least, there is one thing that we can do about it, and that is to simply turn off the television. It is apparent that the majority of Pennsylvanians enjoy those programs or else their ratings would not be as high as they are in our network television stations here in this Commonwealth.

The other irony seems to be in the fact that while we will deprive young people of a free service with respect to life counseling, sexual counseling, and sexual information, at the same time we turn around and say that we are not interested in providing adequate funds in public education where that kind of information can be transmitted without the threat of the abortion issue. I think that this House would do very well to think seriously about the overall impact of us depriving agencies and people who seek the services of these agencies of this \$300,000 contained in this amendment.

Further, Mr. Speaker, I would say this, that I just do not believe that this House of Representatives would choose to embark on what is a dangerous intrusion into the private lives of the citizens of this Commonwealth. Whether one decides to seek this information, to have this information, whether one decides to have an abortion, is certainly not a matter that any one of us as individuals should be acting upon. It is an individual right, and it is a right that ought to be respected. I would daresay, Mr. Speaker, that any of us in this room who would be in need of those services or who would have family members who would be in need of those services would further appreciate the value of those services once we have had an opportunity to take advantage of them.

I would hope that we would not take the narrow perspective, that we would not simply view this as an antiabortion issue, because that is not what it is about. It is about providing information in clarity to people who seek that information, and I would also further add that, as Mrs. Hagarty stated, those agencies affected by this clearly understand where this legislature would like for them to be on this whole question of family planning and counseling.

I would hope that the members of this House would in fact support the Foster amendment so that we can get on with the other business of this House. Thank you, Mr. Speaker.

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

Mr. J. WILLIAMS. Mr. Speaker, would the gentleman from Philadelphia, Mr. Mullen, stand for interrogation?

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

Mr. J. WILLIAMS. Mr. Speaker, so I can clarify something, are you totally against family planning?

Mr. MULLEN. Mr. Speaker, the only issue that we are discussing here today is Mr. Foster's amendment, and I think that is all we ought to discuss, because if we get into my philosophy and yours, we will be here all night, so let us stick to the issue.

Mr. J. WILLIAMS. Mr. Speaker, will the rejection of this amendment have any devastating economic effects on low-income and poor people?

Mr. MULLEN. Mr. Speaker, in my opinion, it would not, because poor people are not really affected by this. Anyone who is really in the category of being poor would be protected by the medical assistance program under the Welfare Department's program which is in existence today.

Mr. J. WILLIAMS. Mr. Speaker, those persons who are not on welfare programs, would they be affected? Those poor



people who are not on welfare programs, would they be affected by the rejection of this amendment, the working poor, not the welfare poor, the working poor?

Mr. MULLEN. Well, all I can tell you is, anyone who qualifies for medical assistance—and you do not have to be on public assistance to qualify for medical assistance—would not be affected by this bill at all.

Mr. J. WILLIAMS. Mr. Speaker, is it not true that under title XX, Federal funds cannot be used for abortion?

Mr. MULLEN. Under title XX the state and the Federal Government are bound by the Hyde amendment. The Hyde amendment says that abortions can only be performed—the existing Hyde amendment—in the case of the necessity of saving the life of the mother. That is the only reason under the present Hyde amendment.

Mr. J. WILLIAMS. Mr. Speaker, I rise in support of the Foster amendment. I have sat on this floor, Mr. Speaker, for the last 6 months and watched it being demonstrated time after time again a fight against poor people. It seems to me, Mr. Speaker, some members of this House are definitely concerned about abortion. However, Mr. Speaker, what bothers me is that once a person is born, it seems to me that, particularly if they are poor, we forget them. I come from a district in southwest Philadelphia, and I say to you, Mr. Speaker, that I have watched this House time and time again do just the opposite of helping poor people. When it comes to welfare for poor people, it seems as though we do not have a concern, but yet we are promoting life. When it comes to education for poor people, the Philadelphia school system, with its 220,000 children, almost is ready to close. We are not concerned.

I say to you, Mr. Speaker, that if we are going to raise our banner for prolife, then we should also raise our banners after these children are born. It seems to me that some people in this House are not interested after a child is born whether they suffer, whether the parents are able to take care of them, and I say to you that since the \$300,000 that has been appropriated for Planned Parenthood has been stipulated that none of these funds can provide or promote abortions, and that once this amendment is approved, Federal matching funds of \$3 million will be given and these funds also cannot be used for abortions, that we support this amendment.

It is my understanding that if we fail to support this amendment, the results would be the closing of 50 clinics throughout this Commonwealth and that 50,000 people will suffer. It seems to me that the only concern, Mr. Speaker, that rests with this prolife campaign is whether or not our children, our young people, are exposed to it. I say it goes beyond that, Mr. Speaker, and I urge each member to join me in support of the Foster amendment. Thank you.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in the years that I have been in the legislature, there have been dozens of times in which middle-class parents, who have never been on welfare before, have come to me as their state legislator and said that my teenage daughter is preg-

nant; we do not want to have an abortion; we want to have the child; what are the procedures under which we can go on welfare, because my daughter cannot support herself, she is in 9th grade or 10th grade or 11th grade, she has no means of support; how can we go on welfare so this child can be supported?

It just strikes me as incomprehensible to believe that the reason teenage girls get pregnant is because Planned Parenthood has convinced them to do so. Sexual desires did not begin with Planned Parenthood, and they are not going to end with the collapse of Planned Parenthood. Sexual desires have always existed in society and always will exist in society. What is different about the past 10 or 15 years is not that Planned Parenthood has gotten a small amount of money or not that other agencies promoting birth control have gotten a small amount of money, but over the past 10 or 20 years, as Mr. Williams and others have said, there has been a massive barrage in this society in which sex is being merchandised to a greater extent than ever before, because it is prosperous to do so.

I remember when I was a kid, not all that long ago, vacations were sold on the grounds that husbands and wives should go on vacation, and the ads on the radios, television, newspapers were, take your wife or husband on vacation with you. You do not see those ads anymore. The ads now say for the two of you to go on vacation. There is no mention in any ad I have seen in the last 5 or 6 years that vacations are for married couples.

It used to be shocking for there to be any reference to sex on television. I have occasionally seen episodes of "Dallas," and I have occasionally seen the soap operas, and I assure you that there are far more than casual references to sex on them.

Money for birth control information is not programming our children; it is counterprogramming them from the general ethic that sex is good, that sex has no consequences, that sex is enjoyable. It is for sexual responsibility that we support the Foster amendment.

Now, it is argued that the reason we have sexual intercourse is because we are spending this money for family planning. Under the same line of reasoning it can be argued that we have had an increase in crime over the last 10 or 20 years because we have had an increase in police and, therefore, the way to fight crime is to reduce police spending. I do not believe that. I do not think anybody else would believe that either.

We are not dealing, I think, with a rational, logical position here; we are dealing with an emotional issue. I believe that we have to face the facts and we have to support the Foster amendment.

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

Mr. McCLATCHY. Mr. Speaker, last night I argued in favor of the family planning money, and today I rise to ask for a negative vote on this amendment.

We have before us a bill that we have amended that has the Federal augmentation money in it. We would like to send this bill to the Senate with no other amendments, no other amendments. I think in all fairness if the family planning money goes in, there are other amendments that should be offered.

We had a budget that was cut in some areas rather severely. Other people are hurting just as badly as family planning. The Department of Health, community colleges, MH/MR - mental health/mental retardation - the Human Relations Commission, the grants to the arts organizations, the Auditor General, and the State Treasurer would like more money, and justifiably so. We have had additional requests of \$3 million for the drug and alcohol grants. We cut PIDA - Pennsylvania Industrial Development Authority - by \$2 million. We cut PHEAA - Pennsylvania Higher Education Assistance Agency - by \$2 million. The housing redevelopment assistance program had been cut badly. The list, Mr. Speaker, can go on and on.

Again, there are several amendments, and I do not think we will go through all these because we do not have the money, but there are several amendments that possibly could be offered if this goes in. What I am arguing for here today is a clean bill with no amendments, and, therefore, I would oppose this amendment. Thank you, Mr. Speaker.

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

Mr. DeVERTTER. Thank you, Mr. Speaker.

Mr. Speaker, I do not wish to belabor the House on this issue, but I have sat quietly by over a period of years while this issue has been debated.

In my district I am considered prolife and antiabortion, and indeed I am. I will remain that way. However, I think there is a time and a place for everything.

I was amused a little by Mr. Mullen's remarks relative to curiosity among teenagers. Mr. Mullen would like to thwart the teenagers' ability apparently to have curiosity about sex education in whatever form. I might project that into saying, do we also then try to thwart that curiosity in the direction of learning about his government, his church, his educational system, or whatever? And I say to you I do not think that is what we want to do.

I do not believe that in any sense of the word we will ever do away with a young person's curiosity. I think we even as grown adults have never had someone try to thwart our curiosity as it pertains to learning about this legislative process. I ask you the question, should we attempt to thwart a person's or an individual's curiosity about something? I think not.

I think the thing that I find most objectionable about much of the debate that we have had is that we are attempting to do something in contradiction to the Constitution of this great Commonwealth, and I read in part from Article I, section 3, which says, "...no human authority can, in any case whatever, control or interfere with the rights of conscience..." And I am afraid that is a move and a mood, if you will, that has tended to permeate this country of late when it comes to governmental bodies, and that frightens me. It frightens me because I am afraid it is going to erode individual rights and freedoms which are guaranteed not only under our Constitution in the Commonwealth but the United States as well.

You would think in the debate that we are having here today that by withholding \$300,000, which amounts to a lot more when the Federal augmentation money is plugged into

it, that we are going to do away with family planning, that we are going to do away with pregnancy, that we are going to do away with abortion, and whatever. I think all of us, if we look at it realistically, will have to acknowledge that is just not going to happen.

I would ask each of you in your own mind and in your own conscience to think this through. Think it through in terms that we would not be here today discussing this if in fact our homes, which we as parents control, our churches, our educational institutions were doing what we all would hope they would do. And they have apparently failed miserably, at least in the view of some. I do not happen to believe they have failed totally or miserably in all aspects of our society, but to listen to some you would think that were the case.

I would ask you, if family planning is bad, then what else is next in our society that is bad? Nothing is ever perfect, nothing, not even, I daresay, this legislative body. But I must say that if we do not have an organization such as this to help provide the direction and whether we agree or disagree with some of the things they do, it at least attempts to provide some direction, because, as I say, according to many others, our other institutions have failed.

I think if you think down deep in your heart, that even with all the problems, family planning or whatever other organizations offer some kind of hope for our young people and for families in general, and we ought not to just arbitrarily strip away funding. I think perhaps we would be better if we worked with those organizations to move them in a direction that will bring about what all of us want, that is, a life full of happiness, a life that we can pursue without government interference, and if we move towards that goal, I think we will have achieved greatly. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, I would like to interrogate briefly two individuals. First Mr. Foster.

The SPEAKER. The gentleman, Mr. Foster, consents to interrogation. The gentleman may proceed.

Mr. BELFANTI. Thank you, Mr. Speaker.

First of all, a brief comment. Yesterday I voted against SB 618 because of unclear language regarding funds used either directly or indirectly for the purpose of abortion.

My question to Mr. Foster is, in your opinion, will this amendment provide this body with the authority to cut off this money if we find that the understanding of this House has been violated and that some of the money will be used either directly or indirectly for the purposes of abortion?

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

The conference committee report upon which we voted yesterday was the Conference Committee Report on HB 1290 containing essentially the same position. However, the amendment that has been added today does go beyond what was included in the conference committee report by the insertion of the language "No funds from this appropriation shall be used to provide for or to promote an abortion."

Number one, the language I do not feel is necessary, and even the gentleman from Philadelphia, Mr. Mullen, has

agreed in interrogation that title XX moneys cannot be used for abortions.

Secondly, by the insertion of the language, it is the clear intent of this body that no funds should be used to perform or promote abortions. If we see that that is being done by any organization, I would be the first to sponsor a piece of legislation which would cut off the remainder of their funding for the fiscal year because of their violation of the provisions of this amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

At this time I would like Representative Freind to stand for brief interrogation.

The SPEAKER. The gentleman, Mr. Freind, consents to interrogation. The gentleman may proceed.

Mr. BELFANTI. Mr. Speaker, I would like to ask if abortion is the only issue that we are debating now and if in fact some of the individuals or opponents of this amendment are against the use of, let us say, contraceptives.

Mr. FREIND. I do not understand the question.

As far as my standpoint, what I have said, the issue here is abortion, and the problem is we are being fooled by a cute accounting trick—okay?—because the issue is whether or not the funds can be used directly or indirectly. You know how hard it is to segregate funds. If they raise a certain amount of funds from the private sector, they can use those for the abortions and then use the Federal money and the state money they are getting to do the other things. It gives them the leeway to perform the abortions.

Mr. Speaker, we considered yesterday as to whether or not to oppose HB 1290 or to put in this kind of language saying that the funds cannot be used to perform or promote abortions. We talked to our legal people; we talked to staff people. It was the unanimous feeling that the language would be, number one, worthless, that we could not enforce it; that those groups with our money would take us into court, as they have done in the past, would defeat us, would make us pay their legal fees, and in fact would have the best of both worlds, would be using those funds in fact for abortions, directly or indirectly. If that were not the case, I would not be up here today opposing this amendment, but there is no doubt in my mind whatsoever that that money, \$3 million, will be used, A, to perform and foster abortions, and B, to turn around and sue us in Federal court as they have done in the past.

Mr. BELFANTI. Mr. Speaker, is it not true that, as Mr. Foster just indicated, we could in fact take some action by passing a bill on this floor to cut off the remaining funds if we find that indiscretions are being used by family planning?

Mr. FREIND. Well, number one, the funds would have already been appropriated; and number two, they would do what they have done to us time and again. If you look at the history of this type of legislation, they have always taken us into court with taxpayer dollars. All too frequently, unfortunately, they found sympathetic judges and they have been successful, and then to make the sin mortal, they have turned around and tried to make us pay their legal fees, an issue which is still pending right now. They will do it. They will get

an injunction; they will get a stay; and they will have the money. There is no doubt in my mind whatsoever, and I do not think we should be fooled by any arguments that bring in an accounting trick. The money is going to be used for abortions. Look at Planned Parenthood's literature. The money is going to Planned Parenthood. They brag in their literature that they specialize—their words—specialize in early abortions. They brag for that. Planned Parenthood, who had the goal in 1975 of increasing abortions in 5 years by 89 percent, we are sending our taxpayer money to that organization. I have to oppose that, Mr. Speaker.

Mr. BELFANTI. Mr. Speaker, do you feel that if family planning is eliminated, unwanted pregnancies or venereal disease will decrease in this Commonwealth?

Mr. FREIND. No, I do not, Mr. Speaker. As I have indicated before, all of those services with respect to venereal disease, family planning, contraception, are presently available right now under the medicaid program. We have made a decision, the Federal and the state government, that there would be economic guidelines under which we would assist people to receive medical assistance, including these services. Those above that would pay for those services. We are duplicating an existing program. And again I reiterate, I have no objection to taking the \$350,000 and dumping that into medicaid to give us the 2-to-1 Federal match, but it is there already.

Mr. BELFANTI. Thank you, Mr. Speaker.

I would like to make a brief comment.

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

Mr. BELFANTI. Thank you.

Mr. Speaker, I, too, like Mr. Foster, am opposed to abortion, and like Mr. Foster I am active in the prolife movement in my district.

Ideally, if all children learned about sex from their parents and not in the cafeteria or on the street corner, I believe there would be no need for this service, family planning. Ideally, if any young person 17 or 18 years old who feels that they may have venereal disease could go to their parents and tell their father or mother and ask that they go to their family doctor to have it diagnosed, I feel we would have no need for family planning, but that is not the case. I fear that the people who economically do not warrant treatment through medicaid, if they have no place such as this to go for treatment, they will not go to their parents. They will be afraid to go to their parents. They will therefore go untreated, and they will continue to spread this disease around this Commonwealth and this country. As we know, venereal disease has now reached epidemic proportions and is on the rise, and the individual I interrogated a moment ago admitted that if family planning is closed, venereal disease will not in fact decrease.

I, too, like Mr. Foster, do not agree with some of the positions taken by Planned Parenthood or family planning. However, yesterday we gave a message to them that we will not allow taxpayer money to be used either directly or indirectly for abortions or even in the promotion of abortions, and I would be the first to offer to cosponsor a bill to cut off the remaining funds with Mr. Foster.

Mr. Speaker, I do not agree with them on many things that they do, but I disagree with many things that we do here in this chamber, and I disagree with many things that we do in Washington in the United States Congress, yet I do not refuse to pay my state or Federal income tax.

Mr. Speaker, I oppose abortion, but I am for reducing unwanted pregnancies. I am for eliminating venereal disease. I am for prenatal care. I am for the life of the unborn. Therefore, Mr. Speaker, I am for the Foster amendment, which prohibits these funds for the use of abortions. With the Foster amendment, Mr. Speaker, I can support this bill. Without the Foster amendment I cannot.

Mr. McClatchy earlier stated that the Senate wants this bill to be clean going over. Mr. McClatchy, I feel, should have gotten the word yesterday that he will get no bill. He will not get a clean bill. Without the Foster amendment this bill will be defeated, because I will vote against it and many other members here will vote against it. With the Foster amendment I feel we can pass this bill, and I feel that Planned Parenthood and family planning will get the message that we will not tolerate any of this state money being used for the purposes of abortion. I urge adoption of the Foster amendment. Thank you.

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

Mr. MURPHY. Would Representative Freind stand for interrogation, please?

The SPEAKER. The gentleman indicates he will. The gentleman may proceed.

Mr. MURPHY. Mr. Speaker, in your last exchange I was somewhat confused by your answers. Could you answer very clearly yes or no, is it clearly prohibited in title XX Federal funds and regulations now that the funds cannot be used to promote or perform abortions?

Mr. FREIND. No, it is not.

Mr. MURPHY. It is not clearly written?

Mr. FREIND. Medicaid funds cannot be used to perform abortions except to save the life of the mother. Incidentally, we are more liberal in Pennsylvania. We have rape and incest. There is no prohibition against abortion planning and counseling, and moneys right now are being used for abortion counseling and planning.

Mr. MURPHY. Mr. Speaker, could you please repeat that, because I am not sure that you are correct. You are saying that there is no prohibition in either title X or title XX regulations prohibiting abortions?

Mr. FREIND. No; I did not say that. I said the only abortions that are permitted to be performed under that money are those to save the life of the mother.

Mr. MURPHY. Okay.

Mr. FREIND. There is no prohibition, however, in any way against abortion counseling and against the furthering of abortion, and in fact, money is being used right now for abortion counseling, money which will come to us.

Mr. MURPHY. Thank you, Mr. Speaker.

The second question: The language we have in this amendment would clearly specify that state funds could not be used to perform or promote abortions. Do you agree with that?

Mr. FREIND. I agree with it, but it is not worth the paper it is written on. It is totally unenforceable and it does no good.

Mr. MURPHY. Thank you, Mr. Speaker.

The next question: You made a statement that this is a duplication of services and that medicaid funds could pick up the very services that we are talking about here right now. Could you tell me how they would be provided?

Mr. FREIND. An individual who wanted contraceptive counseling, family planning counseling, wanted a prescription, for instance, for an IUD - intrauterine device - would go to a physician who was in the medicaid program and receive those services - a specialized family planning physician; individuals of this nature. They would be provided the service, and the government would pay for it. They would pay nothing, existing right now.

Mr. MURPHY. They would go to a physician, and the physician would be reimbursed through medicaid for the service?

Mr. FREIND. That is correct.

Mr. MURPHY. Mr. Speaker, I am not sure where you live, but there are many areas in this state, both rural and urban, that do not have family physicians available to the clientele. Are you aware of that, that there are many underserved areas in this state?

Mr. FREIND. No, I am not aware that there are many. I am aware there are some areas where physicians have refused to handle medicaid because of the slow manner in which they are repaid, and I think we have to address that problem.

Mr. MURPHY. Not only to handle medicaid, Mr. Speaker, but the fact that there are just simply no family physicians available.

Mr. FREIND. I am totally unaware of that. As a matter of fact, for the last 15 years our medical schools in Pennsylvania have had special programs to remedy that problem. I am completely unaware that there is an absolute dearth of family physicians.

Mr. MURPHY. Thank you, Mr. Speaker.

I would like to make a few comments.

The SPEAKER. The gentleman will yield.

### FILMING PERMISSION GRANTED

The SPEAKER. Prior to the gentleman making his statement, the Chair has given permission to KYW-TV to do 10 minutes of silent filming—KYW-TV, 10 minutes of silent filming.

### CONSIDERATION OF SB 618 CONTINUED

The SPEAKER. The gentleman may proceed.

Mr. MURPHY. Mr. Speaker, in fact, the language we have in our legislation today from Representative Foster is the very language that is in title X regulations from the Federal Government governing family planning moneys, so we are dealing with duplicate language there, both Federal and state language.

Secondly, Mr. Speaker, the former speaker might not be aware of this, but the state's Health Planning Bureau has

identified a number of areas in this state, including, in part, my district, that are underserved by family physicians. In fact, the family physician is not available to an individual in these areas without substantial difficulty in getting to one, primarily in suburban areas, so they must use clinics. And in fact, the clinic in my area that they use is in Allegheny General Hospital, which receives Family Planning Council money.

Now let us talk about the facts. I do not think we are talking about abortion in this issue; I think we are talking about getting an organization that some people in this legislature happen not to like. Well, let us look at the facts. Of the \$300,000 that we are dealing with today, 8 percent of that money goes to Planned Parenthood in this state, 8 percent. The other 92 percent of that money goes to organizations like Allegheny General Hospital in Allegheny County and Montefiore Hospital and other hospitals around this state, and the Pittsburgh Free Clinic that provides medical services. So we are talking about a very small percentage of the money going to Planned Parenthood. We have spent a lot of time talking about Planned Parenthood today. We are not dealing just with Planned Parenthood; we are dealing with a lot of hospitals and clinics in this state that are serving people who have no other access to medical care of any sort like this. To suggest that that service is available from physicians just ignores the situation, and this argument that we have had today ignores the reality in favor of the ideal. People have said that before. Certainly it is in the ideal if parents would take responsibility for their children's actions. That is not happening. Certainly it would be in the ideal if people had access to physicians in this state as family doctors. That just is not the fact of what is happening here. We need this kind of service to help people to deal with the issue of family planning, and to ignore the facts in this, to vote for the emotion and to vote politically on this issue is ignoring your job and what it should be here, so I urge your support of this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, on the question of the adoption of the Foster amendment.

Mr. RICHARDSON. Mr. Speaker, I rise to support the Foster amendment. I do so for several reasons.

I would like to first point out the fact that last night and on this issue we have tried to keep silent in dealing with it, because we felt that perhaps more wisdom and understanding and then even sympathy to those who are less fortunate would prevail. However, we are faced again today with the same situation that we have been faced with for a long time. Even after pointing out very clearly that there are individual persons who wind up in a situation of being less fortunate - and this being young children; teenage, pregnant children - none of us seem to think that that is important enough for us to at least put aside our political motivations and say, let us deal with that. We have talked about Planned Parenthood only because we have a personal vendetta as opposed to dealing with the substance of the issue, and today we are caught up again with not the heart of the problem but because some political motivation has sparked a lot of individuals to speak on this particular issue.

I raise the question: How many of you have children who are girls who may become pregnant and wind up in a situation where they may have to go to a clinic or a private doctor or have to seek some type of assistance or aid in terms of making sure that they get the proper guidance? Family planning for those who are capable of paying it would not fall into this category, which means that you as a legislator would not fall into this category. So a Representative who has already spoken on this issue, who thinks that it is a joke, does not have any problem in this area because they have the money to put out. But what about those who do not have the money to put out, those who really seek and need the attention, like in Philadelphia County where we have a number of high schools, where we have black and white and Hispanic youth who go to those schools who do not get an opportunity to have rich fathers who can give them guidance and direction, or rich mothers to give them guidance and direction, because they are legislators? We are holding this as a banner over them because they do not have rich fathers or those who are well-to-do to take advantage of a situation like this.

The Foster amendment speaks directly to saying that we will take out the language that so many of those yesterday were worried about in saying that no funds from this appropriation shall be used to provide for or to promote an abortion, but yet and still we hear contradictory remarks. We hear the chairman of the Appropriations Committee today saying that last night he was in favor of voting for HB 1290, but today he does not see the need to do that. We talk about the cuts that affect the ills of those poor people in the Commonwealth of Pennsylvania. Whether it is in Welfare; whether it is in Education; whether it is in Human Relations; whether it is in Drug and Alcohol Abuse; whether it is in any other social service program that we mentioned, we do not care about that. We are saying we want to cut out completely, totally, in its entirety, family planning, and we do not care whether or not any of these young people get any of the services or the families get the services that they need. And all of it is directed because somebody has a pet peeve against Planned Parenthood.

I raise this question: There have been some appeals made by those who have tried to go at the heart of a number of members by saying that maybe humbly if we grace ourselves upon the members, maybe they might listen. I do not think so. I think that the problem is either going to be centered around us deciding whether or not we have a historical problem that is going to continue to last century after century after century and generation after generation after generation, or it is part of really a confusion about those who really represent certain legislative districts that really do not understand what the problems are, because you may come from an affluent community or you may come from an area where some people have used the abortion issue to try to say that this is an abortion issue. This was not made an abortion issue until it was raised by certain members on this floor to make it that. They had all day yesterday to go around and piggyback all day and corral certain individuals and put certain individuals in a corner by suggesting that this was an abortion bill, but yet and

still it had moneys in it for every area from the Department of Welfare to Military and Veterans Affairs to moneys dealing specifically with prison reform, all of these areas. It did not talk at all solely about abortion, but it was made to make you think that, so a number of individuals got caught up in that direction.

I ask, when do we concern ourselves with those who are less fortunate? When do we concern ourselves as members about those who cannot help themselves? In Philadelphia alone—and I am not just talking about Philadelphia and Pittsburgh—but just in Philadelphia and Pittsburgh alone in the urban cities, in the urban communities, black and white and Hispanic youth and people and parents are going to be forced out onto the streets to have what they used to call back-alley abortions. They are going to have them. It was already admitted by Representative Freind that they will have abortions; it will not stop it. But at the same point, you still wind up in a situation where there is no prevention of a particular problem.

It seems to me that if we are to try to curtail some of the problems we are faced with, we will try to zero-in on a problem by giving some prevention. And here we have an organization that is a part of dealing with that, and we are saying that we need to nix that organization altogether. It does not make good sense to me. It seems to me that logic and reasoning and understanding will never ever take place on this floor when it comes to basic fundamental issues that go to the heart of one's own personal interest. When it is your own personal selfish interest, then it is a different focus that is applied to a particular bill or an issue like this in dealing with Planned Parenthood, dealing with family planning, and dealing with another issue that we have not yet dealt with at all in terms of community legal services. We have a problem, and that basic problem is that no one will want to deal with discrimination against those who are less fortunate. You keep saying you are above that; you keep saying it is not about that, but every point indicates that all you are doing is discriminating against those who are less fortunate, and you do not care whom you hurt. It does not matter whether we stand on this floor and give you the rationale and the reasoning and can cite to you that we are not dealing with abortions at all; it does not make a difference.

I would hope this in conclusion, that perhaps maybe one day while we can cast aspersions on others about what some of their social problems are, maybe we had better dig ourselves. Maybe we should search our souls and look at each and every individual who is here representing his, supposedly, legislative district and say that if you make one mistake in your life, are you supposed to be punished and put away for the rest of your life because you have made that mistake, or do you get an opportunity to say, at least, I have made a mistake; I recognize that mistake, but give me an opportunity to move forward so that I do not make that mistake again? But we are not even given that much courtesy on this floor. We have begged; we have come humbly; we have hollered; we have whispered; we have remained silent, and still we cannot get the courtesy of the members to think that for one moment

maybe their daughter, maybe their mother, maybe their wife, will be in the same situation that may spark them to have to go to a clinic somewhere and get an abortion against all of the morals and against all of the religions and against all of those things that have been set forth. And even though we have set up all these grandiose programs in this Commonwealth, it has not stopped crime. We make laws day in and day out that we break every day and change at our will, and we do it because it is politically expedient for whomever it may fit. But what about our children? What about those who cannot defend themselves? As one member from the 201st legislative district, I am here to defend the rights of those youngsters in this Commonwealth who cannot defend themselves, and I will rumble to the death until maybe somebody in this House of Representatives hears our plea for trying to maintain peace and dignity, to bring back the Foster amendment to save family planning for those children and those families, those 50,000 or more families that are going to be hurt by you cutting them off. I hope you will be able to face them when the time comes after the money is gone and say to them, tough, tough, tough.

The SPEAKER. There presently are seven members listed yet to debate this amendment. I call to the attention of the members that it is the stated intention of the legislature to attempt to adjourn today. This bill when amended, or as amended, must be reprinted before the Senate will consider it. If the bill arrives late and the Senate has adjourned, the Federal augmentation bill, as well as any amendments that are added, of course, will not be treated until the fall. I simply say this as a word of caution to those of you who would speak at great length.

On that note, the Chair recognizes the lady from Delaware, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

I came on the floor this afternoon to vote in favor of this amendment. However, my colleague, Gib Armstrong, kept saying to me, you know, you really should read some of the material that is available at the family planning clinic. Then I heard Marty Mullen refer to some of the material. So I said to Gib Armstrong, well, who here on the floor has any material that I could review? And courtesy of Joe Pitts, he gave to me a pamphlet which he obtained at the Harrisburg family planning clinic, and the title is "Ten Heavy Facts About Sex." If you review the magazine, there are several sections which personally bother me. I know it has been said, I do not know what obscenity is but I know it when I see it, and today I know it when I see it.

I would like to go into detail and read several of the sections, but due to the fact that there are young children here, I will not do that. There is a section on perversion; there is a section on pornography; and there is a section on abortion, which greatly disturbed me. I am not saying that this magazine should not be published, because in the United States we do have freedom of the press and anything may be printed. I have a problem though when I have to go home and say to my taxpayers, the people who work for family planning do not use, in my judgment, discretion in the materials that

they hand out to our young people who are very impressionable. I think that that is a problem. I am pro-life and I am pro-family planning. However, I am not pro-family planning when this is the type of material that they have decided they will disseminate to the youth of America.

It is my suggestion that we defeat this amendment and when we return in the fall we address a bill which will adequately define exactly what the general consensus of this General Assembly is for family planning, and that is that they do give an alternative, and that alternative is contraception and not abortion. Thank you.

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, I do not intend to take a lot of time, because as far as I am concerned, what we have done today is to provide a platform for those people who wish to speak on the very emotional questions of pro-life and abortion. I personally think we have been all over the lot. We have talked about contraception; we have talked about venereal disease. Those who are pro-this have had their say; those who are pro-that have had their say, and I say to you, Mr. Speaker, that the bottom line in this whole question is the use of taxpayers' dollars. That is the only reason that this kind of thing should be discussed in the House of Representatives, not because it is a moral issue, not because it is someone's religious belief, but because we are spending other people's dollars, and we want to make sure that the way that those dollars are spent is in the best interest of those whom we represent.

I have had no calls from anyone who has been served by family planning. I have received no calls from those who have been helped. I have received no calls from the families who have been helped.

If you look into the history of most of these organizations, you will find that they were based first in the private sector; they were manned by volunteers strongly committed to those ideals that they wanted to see put forth. And so I say, Mr. Speaker, that the bottom line when you vote this question is really not the emotional question, but it is how you are going to spend somebody else's dollar. Thank you very much.

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

Mr. SIEMINSKI. Thank you, Mr. Speaker.

My distinguished colleagues, Mrs. Durham and Mrs. Taylor, are a difficult act to follow, and I will be very, very brief.

Mr. Speaker, the foundation of our society is the family. As I review the subject today, I feel that we have a very imperfect piece of legislation. We have come away with some modification as to how the funds can be spent, but, Mr. Speaker, I find it undercutting the foundation of our family life when 50 percent of our youngsters go to family planning clinics unknown to their parents, and I cannot support any kind of legislation that is going to continue that policy. I think the issue therefore must be tabled. We must move on, as Mr. McClatchy has suggested, with a clean bill and come back in the fall and address this very, very critical issue on a separate basis.

I would point out, too, that a couple of days ago we had a very serious discussion about whether or not the military should be permitted to contact our youngsters; that is, to send them a brochure about the facts of military life. There were those who stood there on the floor and said they wanted to protect the privacy of their children, yet the same people are unconcerned about what kind of comic books they are going to receive from family planning.

So, Mr. Speaker, to cut it short, I would suggest that we move the previous question and defeat this amendment. Thank you.

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

Mr. CUNNINGHAM. Mr. Speaker, I have to grudgingly congratulate the family planning councils. They have done a very clever job at misleading me. I have to admit that I was misled until about 2 days ago when I began to make telephone calls to the officials who run the family planning councils, the family planning organizations. After spending many hours on the telephone with these individuals, it became increasingly clear to me that I had been hasty in my judgment of the kind of an operation they were running.

I believed that they were genuinely involved with contraceptive kinds of services and with strictly reproductive health care kinds of services in regards to the way they were spending our money. Then one of them admitted to me, one of the people who runs the organization, that they were spending money on abortion counseling and abortion referrals, and they said this very quickly and they said it very matter-of-factly. What they did not point out to me and what I did not find out until later on is that what abortion counseling means, when the counselor is somebody who derives their income from the profits being made from the abortions being performed in that clinic, is that it means persuasion. It does not mean merely counseling; it means persuasion.

What abortion referral means is not merely a kind of a bland handing-over of a list of facilities that are available to be used, but a situation in which Planned Parenthood has collocated their operation with the operation of an abortion clinic, and they physically walk the person down the hall in the same building, or down to the next floor in the same building, and see that they are taken right where they need to be taken to have the abortion performed.

But the most revealing remark that was made to me by any of the people who run the family planning organization came when I asked them if there was any room for compromise on this issue. I said, is there any restrictive language that you would accept attached to your appropriation that would address the concerns that we have—and I shared those concerns with that person—and still provide this money? I was laughed at, Mr. Speaker, and I was laughed at very derisively. And the person said to me, in effect, we will take your money and then we will go into Federal court and we will strip out that language and we will have the money and we will be free of the restrictive language. Now, I know that that is true; they know that that is true; and I urge you to recognize the fact that it is true.

This Sunday, as I was looking through the Washington Post, I came across a full-page article in the Washington Post. I then ran across three other full-page articles in the New York Times sponsored by Planned Parenthood advocating abortion. I would urge you, Mr. Speaker, that we not be tricked, misled, and deceived by accounting arguments that have been very, very cleverly crafted, and that we not allow ourselves to be misled by contracting arguments that have been very carefully put together to obscure the fact that these entities are taking our money, they are taking the Federal tax dollar, they are combining them and they are using them to do abortions, not in the sense that the money is going to pay for the actual killing of the baby but in the sense that every single service that leads up to that and makes that possible is being funded out of our money. Legitimate services are available through the medicaid system. No legitimate service will be denied any poor Pennsylvanian as a result of our negative vote on this amendment, and I encourage that. Thank you, Mr. Speaker.

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

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

It has been a long and difficult afternoon. I would ask you to bear with me for just a couple of moments.

Number one, it has been agreed that title XX moneys cannot be used for abortions. Number two, we have language in the bill which states that these funds may not be used to even promote abortions. One other point has been raised: Why do we not just give up on this for today and come back and address it next fall? Unfortunately, we do not have that option because the Federal augmentation funds are not going to be available next fall.

For my friends in the prolife movement, I would just ask you to keep your sights trained on the real enemy in the whole debate - abortion. I am a vehement foe of it, as I told you; I always will be. But remember the one target here, and do not be misled; do not get off on peripheral issues.

The gentleman from Philadelphia, Mr. Mullen, talked about young men on baseball diamonds. I indeed spent many hours on those diamonds, and I will relate a short story of how on one occasion when I was pitching—and I had a fairly decent fastball in those days—in attempting to pitch a man tight, I hit him squarely on the elbow with the pitch and he goes to first base. Two outs later he is around at third base. A ball gets away from the catcher and the man tries to score. I as a pitcher do my duty and block the plate. I see that the throw is going to be nowhere near in time. I step back away from the plate, and as this runner whom I had hit previously comes thundering down the third-base line, you could see written all over his face, I am going to get that no-good pitcher who hit me. And in trying to do so, he lurched out of the baseline and he inadvertently missed home plate. I took the late throw and tagged him out, and he lost his chance to score the tying run because he was too intent on getting me.

The moral of the story is, let us make sure who the real enemy is. Let us not lose sight of the fact that we are fighting abortion and that support of this amendment today is a prolife vote. I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—71

Anderson	Evans	Lloyd	Ritter
Barber	Foster, Jr., A.	Madigan	Saurman
Belfanti	Fryer	Michlovic	Showers
Beloff	Geist	Miller	Smith, B.
Berson	Greenfield	Moehlmann	Smith, L. E.
Brandt	Greenwood	Murphy	Spencer
Brown	Hagarty	Nahill	Steighner
Burd	Harper	O'Donnell	Sweet
Cohen	Hoeffel	Oliver	Van Horne
Cole	Honaman	Pendleton	Wachob
Cornell	Irvis	Phillips	Wass
DeVerter	Itkin	Piccola	White
DeWeese	Jackson	Pievsky	Wiggins
Daikeler	Kukovich	Pistella	Williams, H.
Davies	Lashingier	Rappaport	Williams, J. D.
Dawida	Lehr	Rasco	Wright, D. R.
Dorr	Levin	Reber	Zwikel
Emerson	Livengood	Richardson	

NAYS—125

Alden	Fleck	McCall	Seventy
Armstrong	Foster, W. W.	McClatchy	Shupnik
Arty	Frazier	McIntyre	Sieminski
Belardi	Freind	McMonagle	Sirianni
Bittle	Gallagher	McVerry	Smith, E. H.
Blaum	Gallen	Mackowski	Snyder
Borski	Gamble	Maiale	Spitz
Bowser	Gannon	Manderino	Stairs
Boyes	Gladeck	Manmiller	Stevens
Burns	Grabowski	Marmion	Stewart
Caltagirone	Gray	Merry	Stuban
Cappabianca	Grieco	Micozzie	Swaim
Cawley	Gruitza	Miscevich	Swift
Cessar	Gruppo	Morris	Taddonio
Cimini	Haluska	Mowery	Taylor, E. Z.
Civera	Hasay	Mrkonic	Taylor, F. E.
Clymer	Hayes	Mullen	Telek
Cochran	Horgos	Noye	Tigue
Colafella	Hutchinson, A.	Perzel	Trello
Cordisco	Hutchinson, W.	Peterson	Vroon
Coslett	Johnson	Petrarca	Wambach
Cowell	Kanuck	Petrone	Wargo
Cunningham	Kennedy	Pitts	Wenger
DeMedio	Klingaman	Pott	Weston
Dietz	Kolter	Pratt	Wilson
Dininni	Kowalyszyn	Pucciarelli	Wogan
Dombrowski	Laughlin	Punt	Wozniak
Donatucci	Lescovitz	Rieger	Wright, J. L.
Duffy	Letterman	Rocks	
Durham	Levi	Rybak	Ryan,
Fee	Lewis	Salvatore	Speaker
Fischer	Lucyk	Serafini	

NOT VOTING—1

Clark

EXCUSED—4

Deal                      George                      Heiser                      Olasz

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

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

Mr. KUKOVICH offered the following amendments No. A3003:



Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

To further provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1981 to June 30, 1982, and to provide additional and supplemental appropriations from the Federal Augmentation funds to the various departments of the Commonwealth for the fiscal period July 1, 1980 to June 30, 1981.

Amend Bill, page 1, lines 6 through 18; page 2, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive and Legislative Departments of the Commonwealth for the payment of salaries, wages or other compensation and travel expenses of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

I. EXECUTIVE DEPARTMENT

To the Department of Public Welfare

For legal services..... \$2,223,000

Provided that any award of attorney's fees from any Commonwealth agency or official to a legal service provider supported in whole or in part directly or by contract under this appropriation shall be paid exclusively from this appropriation.

II. FEDERAL AUGMENTATION SUPPLEMENTAL APPROPRIATIONS

Section 2. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal augmentation funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980.

To the Governor

(a) For the Pennsylvania Council on the Arts

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

(1) "National Endowment for the Arts - Management" - To assist State arts agencies in the promotion of the arts throughout the State and Arts Management Program to improve the operating efficiency of art organizations..... \$495,000

(2) "NEA - Professional Theatre Touring" - To provide one-third of the company fee for a 2-1/2 week tour by the Long Wharf Theatre..... 29,000

(3) "NEA - Inter-arts Program" - To provide assistance in support of a three-day regional minority arts festival in Pittsburgh..... 15,000

(b) For the Governor's Energy Council

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

(1) "Number 2 Fuel Oil Survey" - To conduct a biweekly survey of approximately 100 Number 2 heating oil dealers to obtain prices and inventories of Number 2 heating oil..... \$4,000

(2) "DOE - Emergency Energy Conservation Act -" Title II" - For a two phase program to develop a management plan to provide a frame work for developing State Emergency Conservation Act plans and implementation of these plans..... 29,000

(c) To the Pennsylvania Commission on Crime and Delinquency

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

(1) "Community Corrections Information Project" - To increase public support of community corrections in target counties and to create a Statewide information center about alternatives to incarceration to private and public agencies in criminal justice..... \$25,000

(2) "Criminal Justice Statistics Analysis Center" - For an office to analyze criminal justice statistics for Pennsylvania..... 42,000

(d) To the Office of General Counsel

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for State Correctional Institutions:

(1) "Maintenance of Federal Inmates" - For maintenance of Federal inmates in State Correctional Institutions (including a carryover of approximately \$20,000)..... \$341,000

To the Department of Commerce

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

(1) "Minority Business Development Grant" - To assist in the development and operation of the State minority enterprise program..... \$126,000

(2) "ARC - State Technical Assistance" - To conduct analysis and feasibility of ARC projects prior to their inception..... 116,000

To the Department of Education

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

(1) "ESEA (I) Programs - Administration" - Administration of ESEA Title I programs

(including a carryover of approximately \$591,000).....	\$2,010,000
(2) "Educational Innovations and Support - Title IV C" - To administer a program to encourage local educational agencies to compete for ESEA Title IV C competitive awards (including a carryover of approximately \$130,000).....	389,000
(3) "HEA Title XII - Comprehensive Planning" - To provide Statewide planning for post-secondary education purposes. These funds are to be used only as directed by the duly constituted 1202 Commission (Pennsylvania Post-secondary Planning Commission) or such successor group as may be appointed in accordance with Title XII of the Higher Education Act of 1965, as amended (including a carryover of approximately \$65,000).....	160,000
(4) "Common Core Data Survey" - To collect data for the National Center for Education Statistics.....	16,000
(5) "Adult Basic Education Evaluation Program" - To provide a data collection system and to develop related collection instruments to perform program evaluations as required by Federal law.....	70,000
(6) "NIE - Casual Analysis/Basic Skills Outcome" - To analyze Educational Quality Assessment data leading to the development of causal models to aid policymakers in the allocation of resources to improve educational outcomes.....	49,000
(7) "Transition Program for Refugee Children" - To administer a program to assist in providing special educational services to eligible refugee children.....	20,000
(8) "Educational Services for Cuban and Haitian Entrant Children" - To administer a program to provide special educational services to eligible Cuban and Haitian Entrant Children..	10,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Scranton State School for the Deaf:	
(1) "Deaf Adult Continuing Education - Scranton" - To support a demonstration project in continuing education for deaf adults.....	\$4,600
To the Pennsylvania Emergency Management Agency	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:	
(1) "National Weather Service - Flash Flood Warning System" - To conduct communications feasibility study and prepare design plans for the installation of a microwave data collection system to be used in conjunction with the volunteer warning system.....	\$50,000

To the Department of Environmental Resources	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Office of Resources Management:	
(1) "Coastal Zone Management Program" - To implement a program for the use of the land and water resources of the State's coastal zone...	\$1,305,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the deep mine safety inspections:	
(1) "Surface Mine Control and Reclamation - Deep Mine Safety" - To carry out a gas monitoring program at the Centralia Mine Fire, Centralia, Pennsylvania.....	\$100,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for forestry operations:	
(1) "Forest Fire Protection and Control" - For prevention of forest fires in State and private forests in Pennsylvania and for control of wild-fires anywhere in the Commonwealth.....	\$360,000
To the Department of Health	
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for general government operations:	
(1) "State Health Planning and Development Agency - Title XV" - To establish the health priorities of the Commonwealth through studies of existing and potential health facilities, manpower and services, and stimulate the development of Areawide Health Systems Agencies (including a carryover of approximately \$417,000).....	\$1,838,000
(2) "Survey and Follow Up - Venereal Disease" - For the carrying out of case-finding surveys and serologic follow-up services (including a carryover of approximately \$85,000)	680,000
(3) "Health Education/Risk Reduction" - To reduce the burden of chronic disease in the Commonwealth through comprehensive risk reduction health education efforts (including a carryover of approximately \$140,000).....	636,000
(4) "Indochinese Refugee Program" - To serve the unmet public health needs associated with, and the general health needs of, the refugees.....	135,000
The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Maternal and Child Health:	
(1) "Maternal and Child Health - Improved Pregnancy Outcome" - To improve pregnancy outcome measures and assure parental care	

(including a carryover of approximately \$291,000)..... \$707,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for coal workers pneumoconiosis services:

(1) "Black Lung Clinic Program" - To expand State effort into the screening, diagnosis, treatment and rehabilitation of coal workers with respiratory diseases (including a carryover of approximately \$767,000)..... \$1,853,000

To the Historical and Museum Commission

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

(1) "Community History Program" - To tape, record and preserve interviews with senior citizens in Monessen, Lebanon and Nanticoke communities and to use the recorded materials to present public meetings in each community..... \$15,000

To the Department of Labor and Industry

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

(1) "Statewide Program on Fire and Thermal Burn" - To plan, present face-to-face programs, and evaluate a Statewide program on fire and thermal burn..... \$2,500

To the Office of the Attorney General

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for consumer protection:

(1) "Study of Odometer Tampering" - To study odometer rollbacks occurring between the time a vehicle is initially sold at one Pennsylvania auto auction and subsequently resold at another Pennsylvania auto auction..... \$65,000

To the Department of Public Welfare

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

(1) "Long-term Care Channeling Project" - To make efficient use of the entire spectrum of community supports and services that a client needing long-term care may require by developing and testing new methods of utilizing existing long-term care resources..... \$200,000

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

(1) "Child Support Enforcement (Title IV-D) - Administration" - To administer a program,

enforce the support obligations owed by absent parents to their children, locate absent parents, establish paternity and obtain child support..... \$100,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for county administration:

(1) "Maintenance Assistance" - For administrative expenses for county administration in relation to provision of supplemental security income and cash and emergency assistance to eligible persons..... \$46,400,000

(2) "Medical Assistance - County Administration" - For administrative expenses incurred for county administration in relation to the provision of medical assistance services..... 28,347,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Program Accountability:

(1) "Medical Assistance - Program Accountability"..... \$847,000

(2) "Maintenance Assistance - Program Accountability"..... 1,241,000

(3) "Child Support Enforcement Program - Program Accountability" - For costs incurred by Program Accountability in support of the Child Support Enforcement Program..... 22,932,000

(4) "Food Stamp Program - Program Accountability" - For administrative expenses incurred by Program Accountability in support of the Food Stamp Program..... 866,000

(5) "Study of Court Systems" - For a study of court systems to improve the collection of court ordered support payments..... 45,000

The following federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sums appropriated from Commonwealth revenues for State mental hospitals:

(1) "Medicare Services - State Mental Hospitals" - For provision of medical services at State mental hospitals that are reimbursable under Medicare..... \$10,000,000

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for payment to counties for child welfare programs:

(1) "Child Welfare Services" - To establish, extend and strengthen services provided by local public welfare programs for development of services which will prevent the neglect, abuse, exploitation or delinquency of children..... \$5,906,000

(2) "Maintenance Assistance - Child Welfare" - For provision of foster care through child welfare programs to eligible persons..... 25,000,000

(3) "Refugees and Persons Seeking Asylum Program" - For provision of child welfare services to refugees and persons seeking asylum.. 1,798,000

To the Department of Transportation

The following Federal augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for Intercity Rail and Rural Bus Transportation:

- (1) "Title IV Rail Assistance - Subsidy" - For operating subsidies, lease payments and accelerated maintenance on rail lines to be abandoned..... \$5,335,000

Section 3. The Secretary of the Budget may create the following additional restricted receipt accounts for the purpose of administering Federal grants only for the purposes herein designated during the fiscal period July 1, 1980 through June 30, 1981.

Department of Education

- (1) "Transition Program for Refugee Children" - To provide special educational services to eligible refugee children.
- (2) "Educational Services for Cuban and Haitian Entrant Children" - To provide special educational services to eligible Cuban and Haitian entrant children.

Section 4. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated or allocated from the Federal Title XX Social Services Funds to the several hereinafter named agencies of the Executive Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Department of Public Welfare

The following Federal Title XX Social Services augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for day care:

- (1) "Social Services (XX) Training - Day Care" - To train personnel in support of day care programs..... \$730,000
- (2) "Social Services (XX) Transfer to Cheyney for Training" - To train day care center personnel..... 558,000

Section 5. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Comprehensive Employment and Training Act (CETA) Funds to the several hereinafter named agencies of the Executive Department of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Governor's Office

For the Pennsylvania Commission for Women

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

- (1) "CETA - Work Training Program" - For the first phase of a three-year project for the commission to promote and expand the involve-

ment of women in the CETA work/training programs (including a carryover of approximately \$50,000)..... \$176,000

To the Department of Commerce

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

- (1) "CETA - Technical Assistance" - To provide technical assistance regarding the use and benefits of the CETA program to grant recipients who have received Commerce Department Grants..... \$47,000

To the Department of Education

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

- (1) "CETA - Improvement of Education Linkage" - To obtain basic information from the current 32 prime sponsors to evaluate the present educational linkages..... \$25,000
- (2) "CETA - Model for Awarding Academic Credit" - To develop a comprehensive model for awarding academic credits to CETA participants..... 63,000
- (3) "CETA - Summer Youth Program" - To demonstrate the feasibility and test the efficacy of granting Summer Youth program moneys to postsecondary institutions to involve economically disadvantaged youth in an integrated program of career development, basic skills development and vocational training..... 12,000

To the Department of Military Affairs

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

- (1) "CETA - Services to Veterans" - To provide Pennsylvania veterans, on an area basis, guidance and necessary assistance in applying for available veterans' benefits..... \$95,000

Section 6. The following additional sums, or as much thereof as may be necessary, are hereby specifically appropriated from the Federal Law Enforcement Assistance Administration Funds to the several hereinafter named agencies of the Executive and Judicial Departments of the Commonwealth for the payment of the expenses of implementing and carrying out the programs stated herein for the fiscal year beginning July 1, 1980 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981.

To the Office of General Counsel

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Juvenile Court Judges Commission:

- (1) "LEAA - Juvenile Crime Victim Study" - To conduct a study of the problems of victims in Juvenile Court..... \$24,000
- (2) "LEAA - Juvenile Judicial Review" - To assist counties in the implementation of the Juvenile Court Judges' Commission standards governing the judicial review of delinquent and dependent children in placement..... 56,000
- (3) "LEAA - Juvenile Probation Services" - For training of county juvenile probation officers in service delivery..... 120,000
- (4) "LEAA - Juvenile Probation Internship Program" - To provide an intern program for college students in county juvenile probation offices..... 80,000

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the State Correctional Institutions:

- (1) "LEAA - Community Service Center for Women Offenders" - To provide funds for the continuation of the Community Service Center for Women of Erie, Pennsylvania (including a carryover of approximately \$11,000) \$24,000
- (2) "LEAA - Community Service Center for Men" - To expand the community treatment program in order to accommodate the increasing population in the Bureau of Correction..... 360,000
- (3) "LEAA - Transfer of Inmates to Trailer Housing" - To provide trailer housing for inmates in order to provide additional housing necessary to meet population needs..... 25,000

To the Department of Education

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

- (1) "LEAA - Justice Education for Elementary Students" - To adapt the Teaching Individual Protective Strategies to Pennsylvania's Justice Education and Community Action Program and develop a system to implement it in elementary school curriculum (including a carryover of approximately \$52,000)..... \$84,000
- (2) "Youth Aftercare Program" - To provide after-care educational services for adjudicated delinquents (including a carryover of approximately \$26,000)..... 40,000
- (3) "School Climate Improvement Project" - For a program to attempt to modify the structures, procedures, rules, attitudes and relationships within the school community to reduce discipline problems, vandalism and violence..... 106,000

To the Pennsylvania Crime Commission

The following Federal LEAA augmentation amounts, or as much thereof as may be necessary, are hereby specifically appropriated to supplement the sum appropriated from Commonwealth revenues for the Pennsylvania Crime Commission:

- (1) "LEAA - Leviticus Program" - For a multistate investigation of organized professional criminals in the Appalachian coal fields.... \$251,000

Section 7. It is the intent of the General Assembly that any appropriation under the provisions of sections 2, 3, 4, 5 and 6 of this act which is the same or similar to an appropriation under the act of July 3, 1980 (P.L.1445, No.23A) entitled, "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," shall replace such appropriation.

Section 8. (a) The appropriation to the Department of Public Welfare for legal services in section 201, act of (No. ), known as the "General Appropriation Act of 1981," is repealed.

(b) The following itemized appropriations under the specified sections of the act of July 3, 1980 (P.L.1445, No.23A), entitled "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," are repealed.

(1) Section 3:

- (i) Item (12) under the category of general government operations in the Department of Health;
- (ii) Item (4) under the category of operations of the State Laboratory in the Department of Health;
- (iii) Item (1) under the category of State Correctional Institutions in the Department of Justice.

(2) Section 7, subsection (a):

- (i) Item (1) under the LEAA category of State Correctional Institutions in the Department of Justice.

(c) The act of July 3, 1980 (P.L.1445, No.23A), entitled "An act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980," is repealed insofar as inconsistent with this act.

Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

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

Mr. KUKOVICH. Mr. Speaker, I move that the amendments be divided.

The SPEAKER. The vote will be taken on section 1, at the top of page 2, down to but excluding Roman numeral II, Federal augmentation supplemental appropriations. The question is so divided.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I would respectfully request order, because I am going to try to be concise and I have some very specific points I think the members should hear on this issue.

The SPEAKER. The gentleman is absolutely correct.

The gentleman may proceed.

Mr. KUKOVICH. Thank you, Mr. Speaker.

To explain the amendment itself, it is quite simple. There are two important things you should keep in mind. The figure for legal services, which the amendment restores, puts in the amount of money for legal services which the Governor originally asked for in his appropriation budget. Now, that is not an increase over the previous year. The legal services in this state has been one of the few agencies which has not come in and asked for an increase continually year after year. As a matter of fact, in terms of real dollars, the figure that we are asking for in this amendment and the figure that the Governor asked for originally is a decrease.

Secondly—and I would like Mr. Freind in particular to pay attention to the language underneath that amendment, because that would prevent the problem that some people have been concerned about in the past where the court has awarded attorney's fees to legal services. We would not have to pay for that. This language would mandate that that money be covered from this specific appropriation, so I think those of you who are concerned about that matter happening in the future, this would clear that up, and it would not happen again.

Now, Mr. Speaker, I think there have been some misconceptions about what legal services does. In this state there are about 21 independently organized legal services agencies, incorporated to deal with each of our 67 counties. We have been hearing arguments about the kind of advocacy and the things that they do, and whenever Mr. Spitz and myself decided to put this amendment in, we were concerned about the 99 percent of the work, the regular, mundane jobs that legal services does that we do not normally hear about. Basically the kind of advice and counseling they give deals with negotiating administrative remedies on social security, SSI - Supplemental Security Income - family problems, consumer problems, housing, employment, and income problems. And, Mr. Speaker, even with the amount of money we are asking for, as I said earlier, which is a decrease in terms of real dollars, legal services in this state is not handling more than roughly 15 percent of those eligible. Without the money provided in this amendment, that will be even more drastically reduced.

Mr. Speaker, many people have come to my district office and asked for help, things that a legislator cannot help with, but legal services can. I am not going to run through a complete litany of that, but I would like you to listen to the types of problems that they handle. A family, for example, who has no heat or hot water because their landlord failed to pay the utility bills. They go to legal services. A middle-aged woman who is legally declared blind, who has uncontrolled diabetes and a kidney disorder and heart problems, but she is declared not eligible for SSI. She has nowhere to turn but

legal services. A family who is looking to find a house goes to some agency which charges them some flat fee like \$50, and they are given some vacant lots. Where do they go to recoup that money? Legal services. Someone who is ordered by their physician to quit their job for health reasons—the physician has ordered it—and still that person is declared ineligible for unemployment compensation while he is looking for another job. Where do they go to solve that unemployment compensation problem which they have been denied unfairly? Legal services.

Mr. Speaker, I can go on, but I will cut it short. Those are some examples of some inequities that only one agency in our state can deal with, and if we do not have this money, they will not be able to deal with it, and that is legal services.

Mr. Speaker, of the arguments that we have heard, the only valid argument, I think, we have heard against legal services deals with their advocacy. Mr. Speaker, I would suggest that that argument is no longer valid, and the reason I would do that is because of the changes that are being made in Pennsylvania and at the national level on restrictions of how legal services money can be used. I would like the members to listen to this language, because in late April and early May, the Federal House Judiciary Subcommittee on Courts and the Administration of Justice put amendments into the Legal Services Act, which will very likely go into effect by October 1. Listen to this language; it deals with legislative advocacy. The pertinent section is rewritten to read this way: To "insure that no funds will be made available to any recipients that, directly or indirectly attempt to influence any decision by a Federal, State or local agency, or undertake to influence, directly or indirectly, including through publicity...the passage, defeat or introduction of any legislation in the Congress of the United States, or in any state or local legislative body...."

Mr. Speaker, I think that will go to clearing up the problem that many of you have. And if that is not enough, just recently the legal services people themselves have drafted up some restrictions which will be going before the Legal Services Board for self-imposition of how they will file appeals, how they will file class actions, and reasons they can use to deny service to clients who might have spurious actions. I have that before me, but I will save you the time. I will not read through that. It is very restrictive. They are imposing this upon themselves. The likelihood of winning an appeal comes into play. Whether they would have to expend more money than is necessary comes into play. All those things would force them not to take any action further. Again, with the Federal imposition that will be coming down in the fall, with the self-imposition which they are bringing upon themselves, the advocacy is a very minor point and will have such severe curtailments and restrictions that it will no longer be an issue in our state.

Now, Mr. Speaker, we will probably hear from the chairman of the Appropriations Committee that we need a clean bill and we have to get it over to the Senate. I would remind you that the Senate put money back in for legal services, that the Senate conferees on the Conference Committee on HB 1290 were upset because that money was

not in there. Mr. Speaker, I would suggest also that there is a bill currently over in the Senate sponsored and cosponsored by the Republican and Democratic leaders, seven Republicans and two Democrats, that does the same thing that this amendment does. They are not going to be opposed to this amendment going into the bill. I would suggest to you that if we add this amendment and send it back over, we will have this bill concurred in very easily.

Mr. Speaker, I would say for those of us who truly believe in the concept of equal justice, that we would vote "yes" on this amendment, and I would hope that after this vote is taken and we come back in September and you stand here on the floor before session starts and you recite the Pledge of Allegiance, that you remember the last three words in that pledge, "justice for all." If you vote "no" on this amendment, I think you had better give those words extra thought. Mr. Speaker, I would appreciate an affirmative vote on this amendment.

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

Mr. SPITZ. Mr. Speaker, I think I have to be brief. I have one commitment on this side of the aisle for a vote as long as I am brief, and if we are picking them up, I will adhere to that.

I think that we have a responsibility up here that we are not facing, and I know that many individuals here, myself included, have had unfavorable experiences with legal services. I know that many individuals up here take offense at the advocacy role that legal services has interjected themselves into of late, and there are many individuals up here who feel that we have to in some fashion slap legal services' hand for this offense, and I am not sure that I totally disagree with that. However, we are in the posture where we are not slapping their hands and we are not drafting legislation to restrict them as the Federal Government has done—and I recognize that we have constitutional restraints on how far we can go—but we are in the posture where we are absolutely cutting out the funding for the legal services corporation as if we are doing something that we can do.

Mr. Speaker, if we leave the legal services corporation unfunded by Pennsylvania dollars, with the present problems that they have with the Federal Government, we are providing absolutely no system for legal services for the poor, and that is unacceptable. I think it is unacceptable to us. It is unacceptable to our Constitution. In our own Constitution, Article I, section 11, says, "All courts shall be open; and every man for an injury done..." shall have redress, access to the courts. I do not think that we can violate our own Constitution by not providing this.

Mr. Speaker, I believe that if this General Assembly wants to restructure the method in which we provide legal services to the poor, we should do that. If we want to propose legislation that sublets contracts, as some have indicated, and let the Bar Association set up nonprofit corporations, some fashion that these services are provided under our guidance, under Pennsylvania law, we should do that. But we have a responsibility to propose the statute and have the law in existence before we absolutely cut out the services to the poor. That is what our

Constitution says; that is what our sworn duty is; and I think that until we address whatever our concerns are legislatively, we cannot simply abdicate our responsibility. That is why I support this amendment. I think that we owe it to the poor.

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

Mr. ALDEN. Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates he will. The gentleman, Mr. Alden, may proceed.

Mr. ALDEN. Mr. Speaker, as you will remember, last year quite a few of the members of this body were concerned about the lobbying efforts of legal services. When the welfare reform bill was introduced and being debated in the House, I noted three or four different legal services representatives outside the chambers lobbying at various times. You have indicated that your amendment would stop that in its entirety?

Mr. KUKOVICH. No, Mr. Speaker, I did not say that this amendment would stop it. All this amendment does is provide the necessary money and also say if they are given an award of money by the court for some matter, we do not have to pay that. That would come out of this, so there would not be any extra money.

The argument I made as to why it is being stopped is because of Federal legislation that according to my sources should probably be going into effect in October. It has already passed the subcommittee. Apart from the Federal mandates coming down, I think legal services themselves are realizing their political problems with this body, and they have some self-imposed restrictions that they are putting on themselves.

To further respond to your argument, you mentioned seeing maybe three or four legal services attorneys over the welfare issue. I would submit to you that there are hundreds of legal services attorneys around this state who have never lobbied anybody, who do the kinds of jobs that I talked about earlier, the first time I spoke, who provide the kind of justice that those people would not have otherwise. I know back in my area and the five-county area surrounding Westmoreland County, those people have never really lobbied; they have simply done their job.

Mr. ALDEN. All right. Mr. Speaker, then you are not addressing that issue yourself in your amendment; only legal services' self-imposed guidelines will address that issue.

Mr. KUKOVICH. Yes, Mr. Speaker. That and Federal legislation.

Mr. ALDEN. Okay. And those self-imposed guidelines have not even been submitted to the Legal Services Board at this time. Is that correct?

Mr. KUKOVICH. It is going to be submitted to the Legal Services Board shortly.

Mr. ALDEN. This body, however, has no assurance that those guidelines will be accepted by legal services and in fact implemented.

Mr. KUKOVICH. That is true, Mr. Speaker. Even assuming the worst scenario, that the Federal legislation does

not pass, that the Legal Services Board is stupid enough not to even go and accept these, the worst that can happen is that a small percentage of this money we are talking about—a small percentage—might be used for advocacy. That is true. If you want to wipe all that out, all the 90-some percent that is going to go to help these people who will be helpless otherwise, who will not have their day in court, then I would suggest maybe you should vote “no.”

Mr. ALDEN. Well, Mr. Speaker, obviously we are talking about whether or not legal services is stupid enough. Did they not learn the lesson from last time when this body itself tried to indicate to them that we objected to them lobbying us for certain legislation in this House?

Mr. KUKOVICH. Mr. Speaker, I think that is exactly why in my debate I mentioned these self-imposed restrictions. It certainly shows their intentions, and it is the first time, to the best of my knowledge in this Commonwealth, that they had ever gone that far. I think that is a very good signal to us.

Mr. ALDEN. However, Mr. Speaker, again to reiterate, those guidelines are not even before the board, not accepted, and not implemented. It could be just a smoke screen and never even occur.

Mr. KUKOVICH. Again, I am willing to accept the worst possible scenario and again reiterate the argument that when you talk about advocacy, you are talking about such a nominal amount of money compared to the damage we can do if we do not have this amendment.

Mr. ALDEN. And the worst possible scenario, Mr. Speaker, that you will accept is the spending of taxpayers' money to lobby this body to spend taxpayers' money. Is that correct?

Mr. KUKOVICH. I am not sure I follow the question.

Mr. ALDEN. You will fund legal services to come up here and lobby us to spend taxpayers' money by the use of taxpayers' money.

Mr. KUKOVICH. Mr. Speaker, I am not sure I can follow the logic of that. You know, if you are worried about two or three attorneys coming up from Philadelphia and lobbying you, I am sorry if I cannot do anything about that.

Mr. ALDEN. No, Mr. Speaker. There are many more than two or three attorneys. They were the three that I saw out in the lobby of the chamber. There are others in and about the Capitol. But I think the speaker understands my question very well. Thank you.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper, on the question of the amendment.

Mrs. HARPER. Thank you, Mr. Speaker.

The SPEAKER. Will the lady yield?

For what purpose does the gentleman from Montgomery, Mr. McClatchy, seek recognition?

Mr. McCLATCHY. Mr. Speaker, I hate to say it, but with the debate going on as long as it is, we may talk ourselves out of \$23 million of Federal augmentation money. We do not want to cut off anybody, but I certainly wish that the debate would be cut short.

Mrs. HARPER. Thank you, Mr. Speaker. That is exactly what I wanted to say. I really wanted to ask for 3 minutes for each speaker. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I have apparently been given the same information about the Senate that the gentleman, Mr. McClatchy, has received. If our purpose is to get the Federal augmentation bill over so that the Commonwealth does not lose millions of dollars, we had better be about it; otherwise, the Senate will pull its usual job of adjourning and let us hold the bag. I suggest the bag be transferred on this occasion.

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

Mr. McClatchy is the last listed speaker.

Mr. McCLATCHY. Mr. Speaker, I have asked for a “no” vote on this amendment. Again, we are trying to send over to the Senate the Federal augmentation moneys by themselves, period, no other amendments. I am sure that everyone in the fall will get a chance at adding to legal services, deducting, or whatever. This argument will not end. There will be another day, another time.

I want to also remind the members that in the present budget that was signed by the Governor, there is \$1,250,000 of money for community legal services, so it is not that they do not have any money; they do have a substantial part of their budget. I ask for a “no” vote on the amendment.

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

The following roll call was recorded:

YEAS—92

Barber	Emerson	Lloyd	Rybak
Beloff	Evans	McCall	Seventy
Berson	Fee	McVerry	Showers
Blaum	Fryer	Maiale	Spencer
Borski	Grabowski	Manderino	Spitz
Brown	Greenfield	Michlovic	Steighner
Cappabianca	Greenwood	Micozzie	Stewart
Cawley	Gruitza	Miscevich	Swaim
Civera	Hagarty	Mullen	Sweet
Clark	Haluska	Murphy	Tigue
Cohen	Harper	Nahill	Trelio
Colafella	Hoefel	O'Donnell	Van Horne
Cole	Hutchinson, A.	Oliver	Wachob
Cordisco	Irvis	Pendleton	Wambach
Cornell	Itkin	Petrarca	Wargo
Cunningham	Jackson	Pievsky	Wass
DeMedio	Kolter	Pistella	White
DeWeese	Kowalshyn	Pratt	Wiggins
Daikeler	Kukovich	Pucciarelli	Williams, H.
Dawida	Lashinger	Rappaport	Williams, J. D.
Dombrowski	Lescovitz	Reber	Wozniak
Donatucci	Levin	Richardson	Wright, D. R.
Durham	Livengood	Ritter	Zwikl

NAYS—101

Alden	Fleck	Lucyk	Serafini
Anderson	Foster, W. W.	McClatchy	Shupnik
Armstrong	Foster, Jr., A.	McMonagle	Sieminski
Arty	Frazier	Mackowski	Sirianni
Belardi	Freind	Madigan	Smith, B.
Belfanti	Gallagher	Manmiller	Smith, E. H.
Bittle	Gallen	Marmion	Smith, L. E.
Bowser	Gamble	Merry	Snyder
Boyes	Gannon	Miller	Stairs
Brandt	Geist	Morris	Stevens
Burd	Gladeck	Mowery	Stuban



Burns	Gray	Mrkonic	Swift
Caltagirone	Grieco	Noye	Taddonio
Cessar	Gruppo	Perzel	Taylor, E. Z.
Cimini	Hasay	Peterson	Taylor, F. E.
Clymer	Hayes	Petrone	Telek
Cochran	Honaman	Phillips	Vroon
Coslett	Horgos	Piccola	Wenger
Cowell	Johnson	Pitts	Weston
DeVerter	Kanuck	Pott	Wilson
Davies	Kennedy	Punt	Wogan
Dietz	Klingaman	Rasco	Wright, J. L.
Dininni	Laughlin	Rieger	
Dorr	Lehr	Rocks	Ryan,
Duffy	Letterman	Salvatore	Speaker
Fischer	Levi	Saurman	

NOT VOTING—4

Hutchinson, W. Lewis	McIntyre	Moehlmann
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EXCUSED—4

Deal	George	Heiser	Olasz
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The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—175

Alden	Fee	Levin	Rybak
Anderson	Fischer	Lewis	Salvatore
Armstrong	Fleck	Lloyd	Saurman
Arty	Foster, W. W.	Lucyk	Serafini
Barber	Frazier	McCall	Seventy
Belardi	Freind	McClatchy	Showers
Belfanti	Fryer	McMonagle	Shupnik
Bittle	Gallagher	McVerry	Sieminski
Blaum	Gallen	Mackowski	Sirianni
Borski	Gamble	Madigan	Smith, B.
Bowser	Gannon	Maiale	Smith, E. H.
Boyes	Geist	Manderino	Smith, L. E.
Brandt	Gladeck	Manmiller	Snyder
Brown	Grabowski	Marmion	Spencer
Burd	Gray	Merry	Spitz
Burns	Greenfield	Michlovic	Stairs
Caltagirone	Greenwood	Micozzie	Steighner
Cappabianca	Grieco	Miller	Stevens
Cawley	Gruitza	Miscevich	Stewart
Cessar	Gruppo	Morris	Stuban
Cimini	Hagarty	Mowery	Swaim
Civera	Haluska	Mrkonic	Swift
Clark	Hasay	Mullen	Taddonio
Clymer	Hayes	Murphy	Taylor, E. Z.
Cochran	Hoeffel	Nahill	Taylor, F. E.
Cohen	Honaman	Noye	Telek
Colafella	Hutchinson, A.	O'Donnell	Tigue
Cole	Hutchinson, W.	Pendleton	Trello
Cordisco	Irvs	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wambach
Cowell	Johnson	Phillips	Wargo
Cunningham	Kanuck	Piccola	Wenger
DeMedio	Kennedy	Pievsky	Weston
DeVerter	Klingaman	Pistella	Wiggins
Daikeler	Kolter	Pitts	Williams, H.
Davies	Kowalshyn	Pott	Wilson
Dawida	Kukovich	Pratt	Wogan

Dietz	Lashinger	Pucciarelli	Wozniak
Dininni	Laughlin	Punt	Wright, J. L.
Dombrowski	Lehr	Reber	Zwikl
Donatucci	Lescovitz	Rieger	
Dorr	Letterman	Ritter	Ryan,
Duffy	Levi	Rocks	Speaker
Durham			

NAYS—20

Berson	Harper	Petrone	Wachob
DeWeese	Horgos	Rappaport	Wass
Emerson	Livengood	Rasco	White
Evans	Moehlmann	Richardson	Williams, J. D.
Foster, Jr., A.	Oliver	Sweet	Wright, D. R.

NOT VOTING—2

Beloff	McIntyre
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EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, may I have everyone's attention for one moment, please?

Before the day becomes too ragged and we just pursue housekeeping matters, I would like to take this moment to thank everybody in this House of Representatives for what I believe to have been a very productive and good legislative session. I thank the leadership on both sides of the aisle; I thank you, Mr. Speaker; and I thank every member of this House of Representatives for working together in a bipartisan way, as a legislative team to achieve good public purpose. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

REMARKS ON VOTE

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

Mr. LAUGHLIN. Mr. Speaker, would you kindly report me as having voted in the affirmative instead of the negative on the Kukovich amendment A3003 to SB 618.

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

I would urge the members not to leave the hall of the House. There are additional votes to be taken today.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

The majority leader anticipated some remarks that I intended to make, but I shall make them anyway.

I have served both as majority leader and as Speaker of this House, and I was honored to serve in both positions, so I know the difficulty of both jobs. I want to congratulate both the Speaker for his conduct of this House in this session and my special congratulations to Mr. Sam Hayes for doing a splendid job as majority leader.

The SPEAKER. The Chair thanks the gentleman, Mr. Irvis, and the members of the House.

**STATEMENT BY MR. MULLEN**

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

Mr. MULLEN. One minute. I have been here for 28 years, but I have never seen a man in a position of leadership that Sam Hayes has been in and the staff and our people over here do such a good job with so little. We do not always agree with him, but he did a heck of a job. We could have been tied up here for 17 months like we were in the past, but as a result of common sense and compromise, they accomplished a lot, not all in our favor, but I have never seen a job like they did. Thank you.

**SENATE MESSAGE**

**HOUSE-AMENDED SENATE  
BILL CONCURRED IN**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 406, PN 1115**.

**SENATE MESSAGE**

**HOUSE BILLS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 303, PN 309; HB 1593, PN 1859; HB 1594, PN 1860; HB 1596, PN 1862; HB 1598, PN 1864; HB 1612, PN 1878; HB 1644, PN 1923; and HB 1646, PN 1925**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

**AMENDED HOUSE BILL  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 103, PN 2048**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bill will appear on the calendar.

**BILLS SIGNED BY SPEAKER**

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

**HB 303, PN 309**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for certain remedies against individuals violating provisions relating to electronic surveillance and for certain defenses.

**HB 1593, PN 1859**

An Act making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies.

**HB 1594, PN 1860**

An Act making an appropriation to St. Francis Hospital, Pittsburgh.

**HB 1596, PN 1862**

An Act making an appropriation to the Trustees of the Jefferson Medical College and Hospital of Philadelphia for a comprehensive program relating to Tay-Sachs disease.

**HB 1598, PN 1864**

An Act making an appropriation to St. Christopher's Hospital of Philadelphia, Pennsylvania for treatment of Cerebral Palsy.

**HB 1612, PN 1878**

An Act making an appropriation to the Central Penn Oncology Group.

**HB 1644, PN 1923**

An Act making an appropriation to the Beacon Lodge Camp.

**HB 1646, PN 1925**

An Act making an appropriation to the Arsenal Family and Children's Center.

**SB 319, PN 974**

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to increase certain retirement benefits or pensions and further providing for the disposition of taxes on aviation fuel.

**SB 406, PN 1115**

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for reopening of district budgets; requiring the superintendent of every public school to make available, upon request, lists of graduating seniors to military recruiters; providing a penalty for the misuse of any such lists; providing for special aid to certain school districts; prescribing dress for professional employes and making an appropriation.

**COMMUNICATION FROM GOVERNOR**

**BILL, WITH EXCEPTION,  
SIGNED BY GOVERNOR**

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

**APPROVAL OF HB No. 686.**

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 686, Printer's No. 1785, entitled, "AN ACT To provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1981 to June 30, 1982, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981; itemizing appropriations of the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth, establishing restricted receipts accounts for the fiscal period July 1, 1981 to June 30, 1982 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981 and to provide additional and supplemental appropriations from the General Fund and the Motor License Fund to the various departments of the Commonwealth for the fiscal period July 1, 1980 to June 30, 1981." except as to the following:

PART II

General Fund Appropriations 1981-82

\* \* \*

I. EXECUTIVE DEPARTMENT

\* \* \*

To the Treasury Department

\* \* \*

For payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds issued and notes and bonds to be issued..... 131,775,000

This item is approved in the sum of \$116,775,000. I withhold my approval from the remaining amount. With the provisions of Senate Bill 425 regarding the payment of moneys from the sale of lands into the Capital Facilities Redemption Fund or other relevant special fund, less funds will be needed in this appropriation to meet the debt requirements. The sale of lands is expected to realize approximately \$15 million for the Capital Facilities Redemption Fund; therefore, I have reduced this item accordingly.

DICK THORNBURGH  
GOVERNOR

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. 106, 383, 523, 569, 571, 719, 753, 757, 1517 and 1615.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 106, Printer's No. 107, entitled "An act

amending the act of May 15, 1933 (P. L. 565, No. 111), entitled 'An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts,' further providing for the elimination of the Banking Board and the Building and Loan Board.'

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 383, Printer's No. 1977, entitled "AN ACT amending the act of August 5, 1941 (P. L. 752, No. 286), entitled 'An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof,' adding positions in the Vocational Education Management Information Systems to the classified service in the Department of Education."

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 523, Printer's No. 1757, entitled "An act amending the act of December 31, 1965 (P. L. 1257, No. 511), entitled 'An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class including independent school districts, to levy, assess, collect or to provide for the levying, assessment and collection of certain taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of

officers, agencies and employes to assess and collect such taxes; providing for joint collection of certain taxes, prescribing certain definitions and other provisions for taxes levied and assessed upon earned income, providing for annual audits and for collection of delinquent taxes, and permitting and requiring penalties to be imposed and enforced, including penalties for disclosure of confidential information, providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court, further restricting the power to levy real estate transfer taxes on certain transfers between former husbands and wives and prohibiting a tax on construction.”

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 569, Printer's No. 1787, entitled "AN ACT providing for adoption of additional capital projects to be financed from current revenues of the Boating Fund, Fish Fund and the Game Fund."

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 571, Printer's No. 599, entitled "AN ACT amending the act of July 11, 1980 (No. 28A), entitled 'An act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors, increasing an appropriation.'"

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 719, Printer's No. 1705, entitled "AN ACT amending the act of April 9, 1929 (P. L. 343, No. 176), entitled 'An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of money erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every depart-

ment, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth,' further providing FOR INVESTMENT OF FUNDS BY THE TREASURY DEPARTMENT AND for the deposit of securities.'"

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 753, Printer's No. 802, entitled "An act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled 'An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto,' permitting the use of certain body gripping traps for beavers in underwater sets.'"

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 757, Printer's No. 806, entitled "An Act designating a section of Route 18 (Legislative Route 115) in Washington County as the 'John L. Brunner Memorial By-pass'."

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 1517, Printer's No. 1768, entitled "AN ACT amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commis-

sions shall be determined,' restricting the powers of the Environmental Quality Board as to fees charged to the public relating to the use of State parks."

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 1, 1981

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 1615, Printer's No. 1894, entitled "AN ACT providing for the capital budget for the fiscal year 1981-1982."

DICK THORNBURGH  
GOVERNOR

### REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, I was not recorded on the Steighner amendment A2756 to HB 1386. I would like to be recorded in the affirmative. Thank you.

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

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

Mr. COSLETT. Mr. Speaker, on SB 618, amendment A3003, I was cast in the negative. I would like to be cast in the affirmative. Thank you, Mr. Speaker.

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

The Chair recognizes the lady from Montgomery, Mrs. Lewis.

Mrs. LEWIS. I was out of my seat for the Kukovich amendment A3003 to SB 618, and I would like to be recorded in the negative.

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

### CITATION PRESENTED

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

Mr. ANDERSON. I have a citation here to present to a member of this House, and I would like to read it and have him come up to receive it.

WHEREAS, The Fraternal Order of Eagles has appropriately chosen to bestow its David L. Lawrence Award on the Honorable Stanford I. Lehr of York County; and  
WHEREAS, This award is presented annually to public officials in appreciation for their efforts on behalf of the Fraternal Order of Eagles over many years.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Representative Lehr on being honored by the Fraternal Order of Eagles and commends him for his outstanding contributions and services to his fellow man; and further directs that a copy of this citation be delivered to the Honorable Stanford I. Lehr.

Richard J. Cessar  
John Hope Anderson

I think this citation is coming from an award set up by a former great Democrat to a present great Republican of York County, and I would like to have Mr. Lehr come up at this time to receive this award.

Mr. LEHR. Thank you, Mr. Speaker.

It is quite an honor to receive this award, and just last year my friend had the same privilege, Tom Fee, to receive this same award. So I want to thank you. It was a great privilege. Thank you so much.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, Stan Lehr and I have been friends for many years, but I will be thoroughly confused unless he explains to me how he, a rock-ribbed GOP - Grand Old Party - stand-back, laid-back Republican, managed to get the humanitarian award under the name of David Leo Lawrence. I would like to have a private explanation of that one, Stan. But I know you deserve it. And even though it was the Fraternal Order of Moose—oh, no, it was not the Moose, was it? I cannot get them off my mind.

I know the Fraternal Order of Eagles has made an extremely wise choice, and if David Leo Lawrence were here, he would repeat what he always said to most of us, and I am sure he said to you, too, that the only good politics is good government. You have stood for that, and I congratulate you.

Mr. LEHR. Thank you very much.

### SENATE MESSAGE

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 132, PN 1170**.

#### SUPPLEMENTAL CALENDAR A REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 132, PN 1170**, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," prohibiting architects and engineers from negotiating on public works and providing for applications for incorporation.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, I urge the House to adopt the report. There are two matters that were brought out on the

supplemental calendar today, neither of which have been caucused on and both of which are merely editorial changes. I do not think it is necessary to caucus, and I urge the House to adopt them.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—193

Alden	Evans	Livengood	Saurman
Anderson	Fee	Lloyd	Serafini
Armstrong	Fischer	Lucyk	Seventy
Arty	Fleck	McCall	Showers
Barber	Foster, W. W.	McClatchy	Shupnik
Belardi	Foster, Jr., A.	McIntyre	Sieminski
Belfanti	Frazier	McMonagle	Sirianni
Beloff	Freind	McVerry	Smith, B.
Berson	Fryer	Mackowski	Smith, E. H.
Bittle	Gallagher	Madigan	Smith, L. E.
Blaum	Gallen	Maiale	Snyder
Borski	Gamble	Manmiller	Spencer
Bowser	Gannon	Marmion	Spitz
Boyes	Geist	Merry	Stairs
Brandt	Gladeck	Michlovic	Steighner
Brown	Grabowski	Micozzie	Stevens
Burd	Gray	Miller	Stewart
Burns	Greenwood	Miscevich	Stuban
Caltagirone	Grieco	Moehlmann	Swaim
Cappabianca	Gruitza	Morris	Sweet
Cawley	Gruppo	Mowery	Swift
Cessar	Hagarty	Mrkonic	Taddonio
Cimini	Haluska	Mullen	Taylor, E. Z.
Civera	Harper	Murphy	Taylor, F. E.
Clark	Hasay	Nahill	Telek
Clymer	Hayes	Noye	Tigue
Cochran	Hoeffel	O'Donnell	Trello
Cohen	Honaman	Oliver	Van Horne
Colafella	Horgos	Pendleton	Vroon
Cole	Hutchinson, A.	Perzel	Wachob
Cordisco	Hutchinson, W.	Peterson	Wambach
Cornell	Irvis	Petrarca	Wargo
Coslett	Itkin	Petroné	Wass
Cowell	Jackson	Phillips	Wenger
Cunningham	Johnson	Piccola	Weston
DeMedio	Kanuck	Pievsky	White
DeVerter	Kennedy	Pistella	Wiggins
DeWeese	Klingaman	Pitts	Williams, H.
Daikeler	Kolter	Pott	Williams, J. D.
Davies	Kowalshyn	Pratt	Wilson
Dawida	Kukovich	Pucciarelli	Wogan
Dietz	Lashinger	Punt	Wozniak
Dininni	Laughlin	Reber	Wright, D. R.
Dombrowski	Lehr	Richardson	Wright, J. L.
Donatucci	Lescovitz	Rieger	Zwikl
Dorr	Letterman	Ritter	
Duffy	Levi	Rocks	Ryan,
Durham	Levin	Rybak	Speaker
Emerson	Lewis	Salvatore	

NAYS—0

NOT VOTING—4

Greenfield	Manderino	Rappaport	Rasco
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EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on SB 356, PN 1171.

SUPPLEMENTAL CALENDAR A  
REPORT OF COMMITTEE  
OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on SB 356, PN 1171, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding provisions relating to street rods, further providing for emergency vehicles and providing for the issuance of a prisoner of war registration plate.

On the question,

Will the House adopt the report of the committee of conference?

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

YEAS—187

Alden	Emerson	Lewis	Salvatore
Anderson	Evans	Livengood	Saurman
Armstrong	Fee	Lloyd	Serafini
Arty	Fischer	Lucyk	Seventy
Barber	Fleck	McCall	Showers
Belardi	Foster, W. W.	McClatchy	Shupnik
Belfanti	Frazier	McIntyre	Sieminski
Beloff	Freind	McMonagle	Sirianni
Berson	Fryer	McVerry	Smith, B.
Bittle	Gallagher	Mackowski	Smith, E. H.
Blaum	Gallen	Madigan	Smith, L. E.
Borski	Gamble	Maiale	Snyder
Bowser	Gannon	Manderino	Spencer
Boyes	Geist	Manmiller	Spitz
Brandt	Gladeck	Marmion	Steighner
Brown	Grabowski	Merry	Stevens
Burd	Gray	Michlovic	Stewart
Burns	Greenwood	Micozzie	Stuban
Caltagirone	Grieco	Miller	Swaim
Cappabianca	Gruitza	Miscevich	Sweet
Cawley	Gruppo	Moehlmann	Swift
Cessar	Hagarty	Morris	Taddonio
Cimini	Haluska	Mowery	Taylor, E. Z.
Civera	Harper	Mrkonic	Taylor, F. E.
Clark	Hasay	Mullen	Telek
Clymer	Hayes	Murphy	Tigue
Cochran	Hoeffel	Nahill	Trello
Cohen	Honaman	Noye	Van Horne
Colafella	Horgos	O'Donnell	Vroon
Cole	Hutchinson, A.	Oliver	Wachob
Cordisco	Hutchinson, W.	Pendleton	Wambach
Cornell	Irvis	Perzel	Wargo
Coslett	Itkin	Peterson	Wass
Cowell	Johnson	Petrarca	Wenger
Cunningham	Kanuck	Phillips	White
DeMedio	Kennedy	Piccola	Wiggins
DeVerter	Klingaman	Pievsky	Williams, H.
DeWeese	Kolter	Pistella	Williams, J. D.
Daikeler	Kowalshyn	Pitts	Wilson

Davies	Kukovich	Pott	Wogan
Dawida	Lashingier	Pratt	Wozniak
Dietz	Laughlin	Pucciarelli	Wright, D. R.
Dininni	Lehr	Rasco	Wright, J. L.
Dombrowski	Lescovitz	Reber	Zwinkl
Donatucci	Letterman	Rieger	
Dorr	Levi	Ritter	Ryan,
Duffy	Levin	Rybak	Speaker
Durham			

NAYS—0

NOT VOTING—10

Foster, Jr., A.	Petrone	Richardson	Stairs
Greenfield	Punt	Rocks	Weston
Jackson	Rappaport		

EXCUSED—4

Deal	George	Heiser	Olasz
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**SENATE MESSAGE**

**ADJOURNMENT RESOLUTION  
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, June 30, 1981

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 14, 1981 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, September 14, 1981 unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. In connection with the resolution that was just adopted, it is the intention of the Chair to call the House back into session for the sole purpose of swearing in the new member at such time as he is certified. It would not be the intention of the Chair or the majority leader to have any roll calls on that date. This has been discussed with the minority side, and there will be more information on it at a later date. Tentatively it would be set for July 21, a Tuesday.

The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I believe there are probably some questions as to the resolution we just adopted. It read September 14, and the members did not mishear the reading of that resolution. The question: Why did I send out a memo-

randum concerning September 21? It is my intention to have the leadership and committee chairmen receive reports of committees the week of September 14 so that we can advance bills on the calendar, make proper referrals to Appropriations for fiscal notes—those sorts of housekeeping items—so that the membership does not have to come here for 2 or 3 days that week just so leadership can move bills. We will take care of all those housekeeping chores that week. We will be in what is commonly referred to as token session. Leadership will be here; respective committee chairmen will be here; and when you come back on September 21, we can begin working again without any wasted motion. Thank you, Mr. Speaker.

**RULES SUSPENDED**

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

Mr. FREIND. Mr. Speaker, I request that the rules of the House be suspended so that a resolution may be immediately considered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—171

Alden	Fleck	Lloyd	Rybak
Anderson	Foster, W. W.	Lucy	Salvatore
Armstrong	Foster, Jr., A.	McCall	Saurman
Belardi	Frazier	McClatchy	Serafini
Belfanti	Freind	McMonagle	Seventy
Beloff	Fryer	McVerry	Showers
Bittle	Gallagher	Mackowski	Shupnik
Blaum	Gallen	Madigan	Sieminski
Borski	Gamble	Maiale	Sirianni
Bowser	Gannon	Manderino	Smith, B.
Boyes	Geist	Manmiller	Smith, E. H.
Brandt	Gladeck	Marmion	Smith, L. E.
Brown	Grabowski	Merry	Snyder
Burd	Greenwood	Michlovic	Spencer
Burns	Grieco	Micozzie	Spitz
Caltagirone	Gruitza	Miller	Stairs
Cappabianca	Gruppo	Morris	Steighner
Cawley	Hagarty	Mowery	Stevens
Cessar	Haluska	Mullen	Stewart
Cimini	Hasay	Murphy	Suban
Civera	Hays	Nahill	Swaim
Clark	Hoeffel	Noye	Swift
Clymer	Honaman	O'Donnell	Taddonio
Cochran	Hutchinson, A.	Pendleton	Taylor, E. Z.
Cohen	Hutchinson, W.	Perzel	Taylor, F. E.
Cole	Irvis	Peterson	Telek
Cordisco	Jackson	Petrarca	Tigue
Cornell	Johnson	Petrone	Trello
Coslett	Kanuck	Phillips	Van Horne
Cowell	Kennedy	Piccola	Wambach
DeMedio	Klingaman	Pievsky	Wargo
DeVerter	Kolter	Pistella	Wass
Daikeler	Kowalshyn	Pitts	Wenger
Davies	Kukovich	Pott	Weston
Dawida	Lashingier	Pratt	Williams, H.
Dietz	Laughlin	Pucciarelli	Wilson
Dininni	Lehr	Punt	Wogan
Dombrowski	Lescovitz	Rasco	Wozniak
Donatucci	Letterman	Reber	Wright, J. L.
Dorr	Levi	Richardson	Zwinkl
Duffy	Levin	Rieger	
Durham	Lewis	Ritter	
Fee	Livengood	Rocks	Ryan,
Fischer			Speaker

NAYS—6

Berson DeWeese Moehlmann Wright, D. R.  
Cunningham Harper

NOT VOTING—20

Arty Gray Miscevic Vroon  
Barber Greenfield Mrkonic Wachob  
Colafella Horgos Oliver White  
Emerson Itkin Rappaport Wiggins  
Evans McIntyre Sweet Williams, J. D.

EXCUSED—4

Deal George Heiser Olasz

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

RESOLUTION ADOPTED

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

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

The following resolution was read:

House Resolution No. 94

WHEREAS, The commuter rail system in southeastern Pennsylvania (SEPTA), which is operated by Conrail, provides vitally needed services to that region of the Commonwealth; and

WHEREAS, Conrail has indicated that it might be forced to discontinue its operations of said commuter rail system; and

WHEREAS, Amtrak has demonstrated its ability to provide safe and efficient rail service; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania urges Amtrak to consider the possibility of taking over the operation of said commuter rail system in southeastern Pennsylvania; and be it further

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania memorializes Congress to study the possibility of Amtrak taking over the operation of said commuter rail system in southeastern Pennsylvania and, if feasible, enact such legislation as is necessary to facilitate such takeover; and be it further

RESOLVED, That copies of this resolution be delivered to the directors of Amtrak and to the presiding officers of the Senate and the House of Representatives of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Stephen F. Freind  
Mario J. Civera, Jr.  
Nicholas A. Micozzie  
Thomas P. Gannon  
Mary Ann Arty  
Gerald J. Spitz  
John Alden  
Kathrynann W. Durham

On the question,  
Will the House adopt the resolution?

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

Mr. FREIND. Very briefly, Mr. Speaker, this is a resolution sponsored by the members of the Delaware County delegation. I assure you that it has absolutely nothing to do with

abortion. It recognizes the problem with the commuter rails right now in southeastern Pennsylvania and merely urges Congress to explore the possibility of having Amtrak take over the responsibility presently being handled by Conrail right now. I would appreciate your support.

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

The following roll call was recorded:

YEAS—165

Alden	Fee	Livengood	Rybak
Anderson	Fischer	Lloyd	Salvatore
Armstrong	Fleck	Lucyk	Saurman
Arty	Foster, W. W.	McCall	Serafini
Barber	Foster, Jr., A.	McClatchy	Seventy
Belardi	Frazier	McIntyre	Shupnik
Berson	Freind	McMonagle	Sieminski
Bittle	Fryer	McVerry	Sirianni
Blaum	Gallagher	Mackowski	Smith, B.
Borski	Gallen	Madigan	Smith, E. H.
Bowser	Gannon	Manderino	Smith, L. E.
Boyes	Geist	Manmiller	Snyder
Brandt	Gladeck	Marmion	Spencer
Brown	Grabowski	Merry	Spitz
Burd	Gray	Michlovic	Stairs
Burns	Greenfield	Micozzie	Steighner
Caltagirone	Greenwood	Miller	Stevens
Cappabianca	Grieco	Moehlmann	Stewart
Cawley	Gruitza	Morris	Suban
Cessar	Gruppo	Mowery	Swaim
Cimini	Hagarty	Mrkonic	Swift
Civera	Haluska	Mullen	Taddonio
Clark	Hasay	Noye	Taylor, E. Z.
Clymer	Hayes	Pendleton	Taylor, F. E.
Cochran	Honaman	Perzel	Telek
Colafella	Horgos	Peterson	Trello
Cordisco	Hutchinson, A.	Petrarca	Vroon
Cornell	Hutchinson, W.	Petrone	Wambach
Coslett	Irvis	Phillips	Wargo
Cowell	Jackson	Piccola	Wass
Cunningham	Johnson	Pievsy	Wenger
DeMedio	Kanuck	Pitts	Weston
DeVerter	Kennedy	Pott	Wiggins
Daikeler	Klingaman	Pucciarelli	Wilson
Davies	Kolter	Punt	Wogan
Dietz	Kowalyszyn	Rappaport	Wozniak
Dininni	Kukovich	Rasco	Wright, J. L.
Dombrowski	Lashingier	Reber	Zwikl
Donatucci	Laughlin	Richardson	
Dorr	Lescovitz	Rieger	Ryan,
Durham	Letterman	Ritter	Speaker
Evans	Levi	Rocks	

NAYS—20

Beloff	Harper	Murphy	Tigue
Cohen	Hoeffel	O'Donnell	Van Home
Cole	Itkin	Pistella	Wachob
DeWeese	Levin	Pratt	Williams, J. D.
Gamble	Maiale	Showers	Wright, D. R.

NOT VOTING—12

Belfanti	Emerson	Miscevic	Sweet
Dawida	Lehr	Nahill	White
Duffy	Lewis	Oliver	Williams, H.

EXCUSED—4

Deal George Heiser Olasz

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



**REMARKS ON VOTE**

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

Mr. DORR. Thank you, Mr. Speaker.

The record indicates that I was not voted on HB 1056, final passage. I would like the record to show that I voted in favor of the passage of the bill.

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

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO RULES COMMITTEE**

**HB 197, PN 198** By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for certain arrests.

JUDICIARY.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED**

**SB 276, PN 609** By Rep. SPENCER

An Act prohibiting political subdivisions or agencies of the Commonwealth from imposing certain quotas on the issuance of citations for certain offenses.

JUDICIARY.

**BILL REPORTED AND REREFERRED TO  
COMMITTEE ON LOCAL GOVERNMENT**

**HB 1441, PN 1644** By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the disposition of certain fines, etc. to municipal authorities.

JUDICIARY.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1725** By Representatives FREIND, CUNNINGHAM, MULLEN, PITTS, ROCKS, TRELLO, MRKONIC, HORGOS, BLAUM, CIMINI, TADDONIO, CLYMER, GRABOWSKI, WOGAN, BELARDI, SERAFINI, A. C. FOSTER, JR., VROON, FEE, KENNEDY, TELEK, MACKOWSKI and GRUPPO

An Act regulating abortions.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1726** By Representatives FREIND, CUNNINGHAM, MULLEN, PITTS, ROCKS, TRELLO, MRKONIC, HORGOS,

BLAUM, CIMINI, TADDONIO, TELEK, GRABOWSKI, WOGAN, BELARDI, SERAFINI, CLYMER, A. C. FOSTER, JR., VROON, FEE, KENNEDY, MACKOWSKI, TELEK and GRUPPO

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), adding definitions of "abortifacient" and "unborn child," changing the definition of "agent" and adding provisions relating to abortifacients, further providing for professional prescription, administration and dispensing, prohibited acts and conformity with Federal law.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1727** By Representatives FREIND, CUNNINGHAM, MULLEN, PITTS, ROCKS, TRELLO, MRKONIC, HORGOS, BLAUM, CIMINI, TELEK, GRABOWSKI, WOGAN, BELARDI, SERAFINI, CLYMER, TADDONIO, A. C. FOSTER, JR., VROON, FEE, KENNEDY, MACKOWSKI, TELEK and GRUPPO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for death actions and actions for wrongful birth and wrongful life.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1728** By Representatives FREIND, CUNNINGHAM, MULLEN, PITTS, ROCKS, TRELLO, MRKONIC, HORGOS, BLAUM, CIMINI, TADDONIO, TELEK, GRABOWSKI, WOGAN, BELARDI, SERAFINI, CLYMER, A. C. FOSTER, JR., VROON, FEE, KENNEDY, MACKOWSKI, TELEK and GRUPPO

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for powers and duties of the Advisory Health Board.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1729** By Representatives PICCOLA, MANMILLER, SAURMAN, LETTERMAN, FRAZIER, LEHR, GEIST, MERRY, POTT, BOYES, LESCOVITZ, WAMBACH, FREIND, CIMINI, PUNT, MARMION, HAGARTY, SALVATORE, WENGER, GLADECK, ALDEN, STEVENS and McCLATCHY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for maximum and minimum sentences.

Referred to Committee on JUDICIARY, July 1, 1981.

**No. 1730** By Representatives PICCOLA, MANMILLER, SAURMAN, LETTERMAN, FRAZIER, LEHR, GEIST, MERRY, POTT, BOYES, WAMBACH, NOYE, CIMINI, PUNT, GRIECO, HAGARTY, SALVATORE, FREIND, LESCOVITZ, WENGER, GLADECK, ALDEN, STEVENS and McINTYRE

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for parole and creating a revocation panel with power to return parole violators to prison.

Referred to Committee on STATE GOVERNMENT, July 1, 1981.

**No. 1731** By Representatives KOWALYSHYN, RYBAK, GALLAGHER, SIEMINSKI and GRUPPO

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for watchers.

Referred to Committee on STATE GOVERNMENT, July 1, 1981.

**No. 1732** By Representatives SIEMINSKI, A. K. HUTCHINSON, HONAMAN, BRANDT, FRYER, HEISER, KENNEDY, DAIKELER, SAURMAN, JACKSON, SNYDER, FLECK, MADIGAN, LEVI, SIRIANNI, FREIND, A. C. FOSTER, JR., GLADECK, VROON, CORNELL, NAHILL, RASCO, POTT, BOWSER, LEWIS, CESSAR, GRUPPO, CLYMER, WILSON, PITTS and E. Z. TAYLOR

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), permitting school districts to temporarily suspend certain State mandated programs.

Referred to Committee on EDUCATION, July 1, 1981.

**No. 1733** By Representatives GREENFIELD, RIEGER, RAPPAPORT, LETTERMAN, PETRARCA, PUCCIARELLI, PIEVSKY, McMONAGLE, COCHRAN and WACHOB

An Act amending "The C. P. A. Law," approved May 26, 1947 (P. L. 318, No. 140), further providing for continuing education for certain accountants.

Referred to Committee on PROFESSIONAL LICENSURE, July 1, 1981.

**No. 1734** By Representatives NAHILL, COCHRAN, LASHINGER, RASCO, MILLER, NOYE, JOHNSON, CAWLEY, McINTYRE, ARTY, MRKONIC, LETTERMAN, WOGAN, GEIST, MAIALE, SALVATORE, SAURMAN and BURD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, permitting the use and possession of blackjacks by peace officers.

Referred to Committee on JUDICIARY, July 1, 1981.

**No. 1735** By Representatives COHEN, MICHLOVIC, McVERRY, MANDERINO, J. L. WRIGHT, BROWN, GREENFIELD, MORRIS, WAMBACH, BORSKI, WACHOB, WOZNIAK, KUKOVICH, HOEFFEL, PISTELLA, ITKIN, SWAIM, LLOYD and MAIALE

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for the Office of Insurance Advocate, imposing powers and duties and making an appropriation.

Referred to Committee on STATE GOVERNMENT, July 1, 1981.

**No. 1736** By Representatives MURPHY, MANDERINO, LLOYD, ITKIN, PISTELLA and O'DONNELL

An Act amending the "Real Estate Licensing Act," approved February 19, 1980 (P. L. 15, No. 9), further providing for the promotion of land sales.

Referred to Committee on BUSINESS AND COMMERCE, July 1, 1981.

**No. 1737** By Representatives JOHNSON, ALDEN, PUNT and ANDERSON

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), increasing the amount that may be spent on burials.

Referred to Committee on LOCAL GOVERNMENT, July 1, 1981.

**No. 1738** By Representatives L. E. SMITH, BURD, DORR, F. E. TAYLOR and FLECK

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for membership on and the duties of the Board of Pennsylvania Science and Engineering Foundation.

Referred to Committee on STATE GOVERNMENT, July 1, 1981.

**No. 1739** By Representatives L. E. SMITH, RYAN, DORR and BURD

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for investment in fixed assets, purchase of acceptances, deposits in savings banks, \*\*\* placing restrictions against a trust company holding its own stock and permitting a restricted number of trustees of a savings bank to serve as directors of trust companies.

Referred to Committee on BUSINESS AND COMMERCE, July 1, 1981.

**No. 1740** By Representatives W. D. HUTCHINSON, KUKOVICH, KOWALYSHYN, NOYE, McVERRY, KLINGAMAN, GREENWOOD, FREIND, SAURMAN,

HORGOS, CIMINI, REBER, BOYES,  
SNYDER, DAVIES, MERRY, RASCO,  
ITKIN and VROON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for tampering with jurors.

Referred to Committee on JUDICIARY, July 1, 1981.

**No. 1741** By Representatives WILSON, STEIGHNER,  
DININNI and KOLTER

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for a Deputy Secretary for Aviation within the Department of Transportation and making editorial changes.

Referred to Committee on TRANSPORTATION, July 1, 1981.

**No. 1742** By Representatives MANDERINO,  
GREENFIELD, PIEVSKY, KUKOVICH,  
BELFANTI, COHEN, GRUITZA,  
PISTELLA, MICHLOVIC, STEWART,  
CLARK, WOZNIAK and WHITE

An act protecting employees from unjust dismissal, providing for mediation and arbitration proceedings and providing legal remedies.

Referred to Committee on LABOR RELATIONS, July 1, 1981.

**No. 1743** By Representatives POTT, BURD and  
MARMION

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for Senate approval of certain State labor contracts.

Referred to Committee on STATE GOVERNMENT,  
July 1, 1981.

**No. 1744** By Representative POTT

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69, No. 20), providing for the lock out of certain tenants.

Referred to Committee on BUSINESS AND  
COMMERCE, July 1, 1981.

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

**SB 323, PN 989**

Referred to Committee on Game and Fisheries, July 1, 1981.

**SB 384, PN 988**

Referred to Committee on Business and Commerce, July 1, 1981.

**SB 387, PN 1076**

Referred to Committee on State Government, July 1, 1981.

**SB 562, PN 574**

Referred to Committee on Local Government, July 1, 1981.

**SB 569, PN 1113**

Referred to Committee on State Government, July 1, 1981.

**SB 624, PN 641**

Referred to Committee on Local Government, July 1, 1981.

**SB 653, PN 671**

Referred to Committee on Local Government, July 1, 1981.

**SB 678, PN 705**

Referred to Committee on Local Government, July 1, 1981.

**SB 679, PN 706**

Referred to Committee on Local Government, July 1, 1981.

**SB 749, PN 789**

Referred to Committee on Judiciary, July 1, 1981.

**SB 775, PN 1027**

Referred to Committee on Local Government, July 1, 1981.

**SB 780, PN 820**

Referred to Committee on Local Government, July 1, 1981.

**SB 781, PN 1021**

Referred to Committee on Local Government, July 1, 1981.

**SB 814, PN 875**

Referred to Committee on Judiciary, July 1, 1981.

**SB 826, PN 888**

Referred to Committee on Finance, July 1, 1981.

### ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I submit for the record in accordance with our rules the additions and deletions of sponsors.

#### ADDITIONS:

HB 1160, Stevens; HB 1696, Klingaman; HB 1706, Reber.

#### DELETIONS:

HB 1713, Grabowski; HB 1732, Grieco.

### COMMUNICATION FROM BEAVER COUNTY MANPOWER SERVICES

The SPEAKER. The Chair acknowledges receipt of a communication from the Beaver County Manpower Services, dated June 19, 1981.

The following communication was read:

Beaver County Manpower Services  
699 Fifth Street  
Beaver, Pennsylvania 15009  
June 19, 1981

Rep. Matthew J. Ryan, Speaker  
House of Representatives  
House Post Office  
Main Capitol Building  
Harrisburg, PA 17120

Dear Rep. Ryan:

Per 20 CFR 676.12 of the Comprehensive Employment and Training Act (CETA) Amendments of 1978, this letter serves as notification of the availability for review of Beaver County's Fiscal Year 1982 draft Comprehensive Employment and Training Plan (CETP).

Copies of this draft plan will be made available to interested parties for their review and comment. Requests to review this draft plan should be directed to:

Ann B. Mizer, Administrator  
Beaver County Training and Employment Agency  
699 Fifth Street  
Beaver, PA 15009

Your comments and suggestions would be greatly appreciated before final submission of the CETP on September 1, 1981.

Very truly yours,  
Ann B. Mizer  
Administrator

ABM/AJB/tf

**SENATE MESSAGE**

**AMENDED HOUSE BILL  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 949, PN 1990**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE CONSIDERED**

The clerk of the Senate, being introduced, returned the following **HB 949, PN 1990**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 59 (Partnerships) of the Pennsylvania Consolidated Statutes, further providing for the government and regulation of certain partnerships and their relationships with third parties, adding provisions relating to foreign limited partnerships and making a conforming amendment to Title 42 as to foreign partnerships and other entities.

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

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

Mr. SPENCER. Thank you, Mr. Speaker.

These amendments in effect restore provisions similar to those that have previously been repealed in the Partnership Act. These provisions authorize a partnership, general or limited, to elect to adopt sufficient nonpartnership character-

istics so to render the partnership taxable in the same manner as a corporation for Federal income tax purposes. The amendment makes clear that an electing partnership would be taxable for state and local purposes as if it were a Pennsylvania business corporation. For those who are knowledgeable, it is kind of, in effect, a reverse subchapter S. Subchapter S allows corporations to be taxed as a partnership. This is vice versa. Thank you.

Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

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

Mr. BERSON. I also agree with Mr. Spencer, and I believe the House should concur in these amendments.

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—171**

Alden	Frazier	McMonagle	Saurman
Anderson	Freind	McVerry	Serafini
Armstrong	Fryer	Mackowski	Seventy
Arty	Gallagher	Madigan	Shupnik
Barber	Gallen	Manderino	Sieminski
Belardi	Gamble	Manmiller	Sirianni
Beloff	Geist	Marmion	Smith, B.
Berson	Gladeck	Merry	Smith, E. H.
Bittle	Grabowski	Michlovic	Smith, L. E.
Borski	Gray	Micozzie	Snyder
Bowser	Greenfield	Miller	Spencer
Boyes	Greenwood	Miscevich	Spitz
Brandt	Grieco	Moehlmann	Stairs
Brown	Gruitza	Morris	Steighner
Burd	Gruppo	Mowery	Stevens
Burns	Hagarty	Mrkonic	Stewart
Caltagirone	Haluska	Mullen	Stuban
Cessar	Hasay	Murphy	Swain
Cimini	Hayes	Nahill	Sweet
Civera	Honaman	Noye	Swift
Clymer	Horgos	O'Donnell	Taddonio
Cochran	Hutchinson, W.	Oliver	Taylor, E. Z.
Colafella	Irvis	Pendleton	Taylor, F. E.
Cole	Itkin	Perzel	Telek
Cordisco	Jackson	Peterson	Trello
Cornell	Kanuck	Petrone	Vroon
Coslett	Kennedy	Phillips	Wachob
Cunningham	Klingaman	Piccola	Wambach
DeMedio	Kolter	Pievsky	Wargo
DeVerter	Kowalyshyn	Pistella	Wass
Daikeler	Kukovich	Pitts	Wenger
Davies	Lashinger	Pott	Weston
Dininni	Laughlin	Pucciarelli	White
Donatucci	Lehr	Punt	Wiggins
Dorr	Lescovitz	Rappaport	Williams, J. D.
Duffy	Letterman	Rasco	Wilson
Durham	Levi	Reber	Wogan
Emerson	Levin	Richardson	Wozniak
Evans	Lewis	Rieger	Wright, D. R.
Fee	Lucyk	Ritter	Zwinkl
Fischer	McCall	Rocks	
Fleck	McClatchy	Rybak	
Foster, W. W.	McIntyre	Salvatore	
Foster, Jr., A.			Ryan, Speaker

**NAYS—7**

Blaum	DeWeese	Hoeffel	Tigue
Cawley	Harper	Lloyd	

**NOT VOTING—19**

Belfanti	Dawida	Johnson	Showers
Cappabianca	Dietz	Livengood	Van Horne
Clark	Dombrowski	Maiale	Williams, H.
Cohen	Gannon	Petrarca	Wright, J. L.
Cowell	Hutchinson, A.	Pratt	

**EXCUSED—4**

Deal	George	Heiser	Olasz
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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.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. There will be no further roll calls. The desk will be held open for the purpose of the Speaker signing communications to and receiving communications from the Senate.

**BILL SIGNED BY SPEAKER**

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

**HB 949, PN 1990**

An Act amending Title 59 (Partnerships) of the Pennsylvania Consolidated Statutes, further providing for the government and regulation of certain partnerships and their relationships with third parties, adding provisions relating to foreign limited partnerships and making a conforming amendment to Title 42 as to foreign partnerships and other entities.

**RECESS**

The SPEAKER. Without objection, this House stands in recess until 5:30 p.m. The Chair hears none.

**AFTER RECESS**

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

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1745** By Representatives CORDISCO, GALLAGHER and J. L. WRIGHT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), making sales of mobile homes and house trailers subject to the tax and providing for their recording.

Referred to Committee on FINANCE, July 1, 1981.

**No. 1746** By Representatives CORDISCO, GALLAGHER and J. L. WRIGHT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for exclusions from sales tax.

Referred to Committee on FINANCE, July 1, 1981.

**No. 1747** By Representatives SAURMAN, CESSAR, COWELL, LASHINGER, REBER, RASCO, KLINGAMAN, CLYMER, MORRIS, HORGOS, PETRONE, MICHLOVIC, COCHRAN, FRYER and ARTY

An Act amending "The Marriage Law," approved August 22, 1953 (P. L. 1344, No. 383), repealing a provision relating to the requirement for a serological test for syphilis prior to the issuance of a marriage license, adding a provision requiring a rubella test and making a repeal.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1748** By Representative PITTS

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

Referred to Committee on TRANSPORTATION, July 1, 1981.

**No. 1749** By Representatives TADDONIO, A. K. HUTCHINSON, MANDERINO, STAIRS, PETRARCA, KUKOVICH and VAN HORNE

An Act making an appropriation to the Westmoreland County Chapter of the Pennsylvania Association for Retarded Citizens.

Referred to Committee on APPROPRIATIONS, July 1, 1981.

**No. 1750** By Representatives ZWIKL, SIEMINSKI, RITTER, GRUPPO, RYBAK, KOWALYSHYN, KANUCK, SNYDER, ITKIN, KUKOVICH, WAMBACH, CALTAGIRONE, CAPPABIANCA, PRATT, PETRARCA, McINTYRE, OLASZ, ARTY, MULLEN, WHITE, MRKONIC, COCHRAN, SALVATORE, STUBAN, MICOZZIE, J. L. WRIGHT, TELEK, GAMBLE, TRELLO, MILLER, LETTERMAN and EVANS

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for the eligibility of State blind pension recipients for medical assistance.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1751** By Representatives RITTER, KANUCK, ZWIKL, SIEMINSKI, GRUPPO, RYBAK, KOWALYSHYN, SNYDER, ITKIN, KUKOVICH, WAMBACH, CALTAGIRONE, CAPPABIANCA, PRATT, PETRARCA, McINTYRE, OLASZ, ARTY, MULLEN, WHITE, MRKONIC, COCHRAN, SALVATORE, STUBAN, MICOZZIE, J. L. WRIGHT, TELEK, GAMBLE, TRELLO, LETTERMAN and EVANS

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for the State blind pension.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1752** By Representatives SIEMINSKI, GRUPPO, RYBAK, ZWIKL, KOWALYSHYN, KANUCK, RITTER, SNYDER, ITKIN, KUKOVICH, WAMBACH, CALTAGIRONE, CAPPABIANCA, PRATT, PETRARCA, McINTYRE, OLASZ, ARTY, MULLEN, WHITE, MRKONIC, COCHRAN, SALVATORE, STUBAN, MICOZZIE, J. L. WRIGHT, TELEK, GAMBLE, TRELLO, MILLER, LETTERMAN and EVANS

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for an increase in the categorical supplement payments to blind recipients of Supplemental Security Income.

Referred to Committee on HEALTH AND WELFARE, July 1, 1981.

**No. 1753** By Representative STEIGHNER

An Act authorizing the creation of agricultural areas.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, July 1, 1981.

**No. 1754** By Representatives ITKIN, IRVIS, COWELL, PISTELLA, DAWIDA and GRABOWSKI

An Act amending the act of June 20, 1947 (P. L. 733, No. 319), entitled as amended, "An act to provide a revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; \*\*\*, providing for compensation to certain officers and employes and imposing penalties," further providing for interest, tax liens and claims.

Referred to Committee on URBAN AFFAIRS, July 1, 1981.

**No. 1755** By Representatives ITKIN, IRVIS, COWELL, PISTELLA, DAWIDA and GRABOWSKI

An Act amending the act of June 20, 1947 (P. L. 745, No. 320), entitled "An act to provide revenue for school districts of the first class \*\*\* and imposing penalties," editorially revising the act and further providing for penalties on delinquent taxes.

Referred to Committee on URBAN AFFAIRS, July 1, 1981.

**No. 1756** By Representatives ITKIN, IRVIS, PISTELLA, DAWIDA and COWELL

An Act amending the act of August 24, 1961 (P. L. 1135, No. 508), entitled "An act imposing a tax for general public school purposes in school districts of the first class A on salaries, wages, commissions and other compensation earned by residents thereof, and on the net profits earned from businesses, professions or other activities conducted by residents thereof; \*\*\*,

further providing for the withholding by employers of taxes and increasing the interest and penalties assessed for late payments.

Referred to Committee on URBAN AFFAIRS, July 1, 1981.

**No. 1757** By Representative BURD

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), further providing for finance charges of mobile homes and requiring certain sales contracts to contain either a fixed or adjustable finance charge for the purchase of certain classes of vehicles.

Referred to Committee on TRANSPORTATION, July 1, 1981.

**No. 1758** By Representatives GRABOWSKI and GAMBLE

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), prohibiting the commission from requiring the use of steel shot anywhere in the Commonwealth.

Referred to Committee on GAME AND FISHERIES, July 1, 1981.

**No. 1759** By Representatives L. E. SMITH, SPITZ, McCALL, McVERRY, PISTELLA, BITTLE, GRABOWSKI and GEIST

An Act amending the act of April 25, 1929 (P. L. 723, No. 315), entitled "An act regulating the investment of funds by administrative departments, boards, commissions and officers of the State Government," increasing the investment powers of State administrative departments, boards, commissions or officers.

Referred to Committee on STATE GOVERNMENT, July 1, 1981.

**No. 1760** By Representatives STAIRS, TADDONIO and A. K. HUTCHINSON

An Act making an appropriation to the Westmoreland Home Health Care Agency of Greensburg, Westmoreland County.

Referred to Committee on APPROPRIATIONS, July 1, 1981.

**No. 1761** By Representatives CORDISCO, STEVENS, GALLAGHER, CAWLEY, COLAFELLA, McCALL, KOLTER, WACHOB, WHITE, BLAUM, MRKONIC, LEHR, DEAL, PUCCIARELLI, McVERRY, GREENFIELD, BROWN, PETRARCA, PRATT, HARPER, RASCO, WOZNIAK, CAPPABIANCA, LETTERMAN, KUKOVICH, KOWALYSHYN, REBER, FEE, FISCHER and McINTYRE

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing a simple procedure for absentee voting by senior citizens sixty-two and over.

Referred to Committee on STATE GOVERNMENT, July 1, 1981.

**No. 1762** By Representatives HASAY and PETRARCA

An Act relating to reports concerning veterans who may have been exposed to certain chemical defoliants or herbicides or other caustic agents, including Agent Orange and to assist those veterans.

Referred to Committee on FEDERAL-STATE RELATIONS, July 1, 1981.

**No. 1763** By Representatives HASAY and PETRARCA

An Act authorizing and mandating the Office of the Attorney General to file a class action lawsuit with respect to certain veterans.

Referred to Committee on FEDERAL-STATE RELATIONS, July 1, 1981.

**No. 1764** By Representatives DOMBROWSKI, BOWSER, CAPPABIANCA, BOYES, MERRY, LEVI, GALLAGHER, BURNS and MANDERINO

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing for credit for former employes of school districts.

Referred to Committee on LOCAL GOVERNMENT, July 1, 1981.

**No. 1765** By Representatives DOMBROWSKI, BOWSER, CAPPABIANCA, BOYES, MERRY, LEVI, GALLAGHER, BURNS and MANDERINO

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for the transfer of employer contributions to certain other public pension systems.

Referred to Committee on EDUCATION, July 1, 1981.

**No. 1766** By Representatives LEVIN, KOLTER, PETRARCA, BORSKI, SWAIM, DONATUCCI and McMONAGLE

An Act requiring retail motor vehicle service stations to have air pumps for the public and providing penalties and civil remedies.

Referred to Committee on TRANSPORTATION, July 1, 1981.

**No. 1767** By Representatives POTT, BURD and L. E. SMITH

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), clarifying the recognition of the valuation portion of the loan loss reserve in assessing the value of capital stock for the bank shares tax.

Referred to Committee on FINANCE, July 1, 1981.

### SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

**SB 348, PN 1071**

Referred to Committee on Health and Welfare, July 1, 1981.

**SB 577, PN 1139**

Referred to Committee on Health and Welfare, July 1, 1981.

**SB 592, PN 1026**

Referred to Committee on Transportation, July 1, 1981.

**SB 742, PN 1132**

Referred to Committee on Judiciary, July 1, 1981.

**SB 758, PN 1133**

Referred to Committee on Local Government, July 1, 1981.

**SB 784, PN 1141**

Referred to Committee on Insurance, July 1, 1981.

**SB 805, PN 1140**

Referred to Committee on State Government, July 1, 1981.

**SB 827, PN 1134**

Referred to Committee on Appropriations, July 1, 1981.

**SB 913, PN 1137**

Referred to Committee on Consumer Affairs, July 1, 1981.

**SB 921, PN 1032**

Referred to Committee on Judiciary, July 1, 1981.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 93** By Representatives SPENCER, BERSON, WHITE and McVERRY

Joint State Government Commission conduct a study of Commonwealth's procurement laws.

Referred to Committee on RULES, July 1, 1981.

### SENATE MESSAGE

#### HOUSE-AMENDED SENATE BILLS CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 7, PN 1114; SB 589, PN 1118; SB 601, PN 1130; SB 724, PN 1128; and SB 797, PN 1136.**

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1057, PN 1171, and HB 1485, PN 1725**, with information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

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

**HB 1057, PN 1171**

An Act authorizing the Township of Sewickley, Westmoreland County to convey a portion of Project 70 land located in the Village of Rillton for a private roadway.

**HB 1485, PN 1725**

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), referred to as the Pennsylvania Higher Education Assistance Agency Act, clarifying the term "resident" and providing for loan guarantees to parents of postsecondary students.

**SB 7, PN 1114**

An Act amending the act of January 10, 1968 (1967 P. L. 925, No. 417), entitled "Legislative Officers and Employes Law," eliminating the office of Senate Librarian, providing for the adoption of job classification and pay plans, creating a Senate Committee on Management Operations, providing for the transfer of certain appropriations within the Senate and making repeals.

**SB 132, PN 1170**

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," prohibiting architects and engineers from negotiating on public works and providing for applications for incorporation.

**SB 356, PN 1171**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding provisions relating to street rods, further providing for emergency vehicles and providing for the issuance of a prisoner of war registration plate.

**SB 589, PN 1118**

An Act amending the act of December 18, 1980 (P. L. 1252, No. 228), entitled "A supplement to the act of October 6, 1980 (P. L. 784, No. 145), entitled 'An act providing for the capital budget for the fiscal year 1980-1981,' itemizing public improvement and furniture and equipment projects, to be constructed by the Department of General Services and transportation assistance projects to be acquired or constructed by the Pennsylvania Department of Transportation together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed by the Department of General Services or Department of Transportation, stating the estimated useful life of the projects; providing for the adoption of capital projects to be financed from current revenues of the Boating Fund and the Fish Fund and making an appropriation," further providing for projects within the Department of Education and the Department of General Services.

**SB 601, PN 1130**

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," further providing for the filing of reports by candidates and political committees in special elections.

**SB 724, PN 1128**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for illuminated signs on tops of trucks and truck tractors and further providing for penalties for individuals evading turnpike tolls.

**SB 797, PN 1136**

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further defining "project"; further providing for investment of Authority moneys and further providing for general purposes.

**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 none.

**WELCOMES**

The SPEAKER. The Chair has the pleasure of introducing, as guests of Representative Lehr, David Rohrbaugh and his mother from York. David is going to be an exchange student to Australia from the West York Area High School this year.

The Chair is happy to introduce to the members the Rotary Students of the Month, who are here today as the guests of Representative Carmel Sirianni. They are Colleen Tompkins, Brian Fisher, Ronalyn Decker, Keyna Lockwood, Jack Gilhooley, and Robert Klenk.

The Chair is pleased to welcome to the hall of the House today, belatedly, Mr. Knobloch, Mr. Don Peterson, and Mr. Al Dahlgren, guests here today of Representative Nick Colafella and Representative Lescovitz.

The Chair is pleased to welcome to the hall of the House Mr. Bruno Krasowski, school director from the Highlands School District in Allegheny County, here today as the guest of Representative Brian Clark.

**ADJOURNMENT**

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that this House do now adjourn until Monday, September 14, 1981, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:18 p.m., e.d.t., the House adjourned.